



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC PROPOSES ACTION TO ACCELERATE THE AVAILABILITY OF NATIONWIDE TEXT-TO-911 SERVICE

Proposal Would Mark the First Major Milestone in the Nation's Transition to Next-Generation 911

Washington, D.C. – The Federal Communications Commission today proposed rules to bring Americans the ability to send text messages to 911 more rapidly and uniformly, and to inform consumers about the availability and appropriate use of text-to-911. The Commission's proposed action builds on prior Commission initiatives and the recent voluntary commitment by the nation's four largest wireless carriers, with support of leading public safety organizations, to make text-to-911 available to their customers by May 15, 2014, with significant deployments expected in 2013. The Commission's proposed action also seeks to accelerate the nation's transition to a Next-Generation 911 system that will use cutting-edge communications technology to assist first responders in keeping our communities safe.

In the Further Notice of Proposed Rulemaking adopted today, the Commission proposed to require that all wireless carriers, as well as providers of certain Internet-based ("over the top") text messaging applications – that is, those that send text messages to phone numbers – enable their customers to send text messages to 911 in areas where local 911 call centers (known as Public Safety Answering Points, or PSAPs) are also prepared to receive the texts. Noting the voluntary commitment of the four largest wireless carriers to deploy text-to-911 capability by May 15, 2014 in areas where the 911 call center is prepared to receive the texts, the Commission sought comment on whether this timeframe is achievable for all carriers and third-party messaging providers.

Implementing text-to-911 will keep pace with how consumers communicate today and can provide a lifesaving alternative in situations where a person with a hearing or speech disability is unable to make a voice call, where voice networks are congested, or where a 911 voice call could endanger the caller. At the same time, the Commission emphasized that text-to-911 will be a complement to, not a substitute for, existing voice-based 911 service, and that consumers should always make a voice call to 911 during an emergency if they can.

Although the vast majority of text messages today are Short Message Service (SMS) messages supported by a wireless carrier, today's action recognized that an increasing number of consumers are using newer Internet-based forms of text messaging applications that can be downloaded on smartphones and other mobile devices, known as "over the top" text messaging. By proposing to extend text-to-911 requirements to certain "over the top" applications – those that send text messages to phone numbers but not, for example, within games and social media – the FCC's proposal would ensure that as text messaging evolves, consumers will be able to reach 911 by the same texting methods they use every day.

The Commission further recognized that while its proposal is designed to accelerate the nationwide availability of text-to-911, deployment will not be uniform, and it is important for consumers to be informed during the transition about whether text-to-911 is available in their local area. To educate consumers and prevent confusion, the FCC proposed to require all wireless carriers and certain “over the top” text messaging providers to send automated “bounce back” error messages to consumers attempting to text 911 in areas where the service is not yet available. The error message would indicate that the text did not reach 911 and that the consumer should instead place a voice call to 911 if possible. The Commission noted that the nation’s four largest wireless carriers, in their agreement announced last week, have committed to provide automatic “bounce back” messages across their networks by June 20, 2013. Today’s proposal seeks comment on whether it is feasible for all carriers and third-party messaging providers to implement this same “bounce back” capability in this timeframe.

Action by the Commission December 12, 2012, by Further Notice of Proposed Rulemaking (FCC 12-149) Chairman Genachowski, Commissioners McDowell, Clyburn, Rosenworcel and Pai. Separate statements issued by Chairman Genachowski, Commissioners McDowell, Clyburn, Rosenworcel and Pai.

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