Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Implementation of the National Suicide Hotline Act of 2018	)	WC Docket No. 18-336
	)	
	)	

THIRD REPORT AND ORDER AND THIRD FURTHER NOTICE OF PROPOSED RULEMAKING

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By the Commission: Chairwoman Rosenworcel and Commissioners Carr and Starks issuing separate statements.

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I. INTRODUCTION

1. Today, we improve access to the critical, life-saving services provided by the 988 Suicide & Crisis Lifeline (988 Lifeline or Lifeline). We build off the success of the voluntary efforts by nationwide wireless providers to test and implement solutions to route wireless calls to 988 so callers are connected to geographically appropriate crisis centers based on the caller's location—a process known as georouting—by adopting a rule and setting deployment dates for all wireless providers to support georouting for wireless 988 calls. We also revise our existing routing rules for calls and texts terminating to the 988 platform to allow flexibility and technological improvements. We next adopt a *Third Further Notice of Proposed Rulemaking* in which we propose and seek comment on a requirement that covered text providers[1] support georouting to ensure that the 988 Lifeline may route covered 988 text messages[2] to the appropriate local crisis center. We also tentatively conclude that, at a minimum, wireless providers must support georouting for SMS text messages to 988.

2. The nation's mental health and substance use disorder community have urged the Commission to "take immediate, decisive action" to explicitly require wireless providers to implement georouting.[3] They explain that communities across the country are making significant investments in building local resources to help people in crisis and that georouting will allow the 988 Lifeline to reach its full potential to "connect those in need to the care they need to get well and stay well after a crisis."[4] This is critical as suicide continues to be a leading cause of death in the United States resulting in over 49,000 deaths in 2022, approximately one death every 11 minutes, according to the Centers for Disease Control and Prevention (CDC),[5] and according to the administrator of the 988 Lifeline, Vibrant Emotional Health (Vibrant or Lifeline Administrator), for every one person who dies by suicide annually, 316 people

[1] 47 CFR § 52.201(c) ("Covered text provider" includes "all [Commercial Mobile Radio Service (CMRS)] providers as well as all providers of interconnected text messaging services that enable consumers to send text messages to and receive text messages from all or substantially all text-capable U.S. telephone numbers, including through the use of applications downloaded or otherwise installed on mobile phones.").

[2] *Id.* ("Covered 988 text messages" means "a 988 text message in SMS format and any other format that the Wireline Competition Bureau has determined must be supported by covered text providers.").

[3] Letter from National Alliance on Mental Illness (NAMI), American Academy of Pediatrics et al., to Xavier Becerra, Secretary, Department of Health and Human Services, and Jessica Rosenworcel, Chairwoman, FCC, WC Docket No. 18-336, at 2 (filed Mar. 20, 2024) (NAMI et al., Mar. 20, 2024 Letter); *see also* Letter from Michael McMenamin, Counsel, Winning Strategies Washington, to Marelene H. Dortch, Secretary, FCC, WC Docket No. 18-336, at 1 (filed Sept. 27, 2024) (NAMI Sept. 27, 2024 *Ex Parte*) (noting that "NAMI expressed its appreciation for the Commission's expeditious progress" regarding georouting for 988).

[4] NAMI et al., Mar. 20, 2024 Letter at 2. *See* Letter from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, to NAMI et al., WC Docket No. 18-336, at 1 (filed Aug. 5, 2024) (SAMHSA Aug. 5, 2024 Letter) ("SAMHSA agrees that the full potential of the 988 Suicide & Crisis Lifeline can only be realized once individuals in crisis receive supportive resources and, when necessary, emergency services from within the state or territory from where they are calling.").

[5] Centers for Disease Control and Prevention, *Facts about Suicide*, https://www.cdc.gov/suicide/facts/index.html (last visited Oct. 10, 2024) ("In 2022, suicide was among the top 9 leading causes of death for people ages 10-64. Suicide was the second leading cause of death for people ages 10-14 and 25-34."); *see also* Centers for Disease Control and Prevention, *Suicide Data and Statistics*, https://www.cdc.gov/suicide/facts/data.html?CDC_AAref_Val=https://www.cdc.gov/suicide/suicide-data-statistics.html (last visited Oct. 10, 2024).

seriously consider suicide but do not take their life.[6] Mental health experts tell us that people who reach out to the 988 Lifeline during a crisis need referrals to nearby follow-up care and services within their current communities.[7]

3. While the Commission has acted to make it easier for those in crisis to get help by designating and implementing 988 as the easy-to-remember, 3-digit dialing number for the 988 Lifeline,[8] mental health and crisis counseling experts continue to emphasize that connecting callers in crisis with local crisis centers is important to connect life-saving services to those in need of public health and safety resources.[9] To that end, we have worked with the U.S. Department of Health and Human Services' (HHS) Substance Abuse and Mental Health Services Administration (SAMHSA), the Lifeline Administrator, and other industry partners to improve the routing of wireless calls to 988. Through this cooperation, the three nationwide wireless providers stepped forward to voluntarily develop and implement 988 georouting solutions that are already improving mental health services by getting 988 calls to crisis counselors who can provide local support to callers in need. In this *Third Report and Order*, we codify georouting requirements for voice calls carried by all wireless providers[10] and in the accompanying *Third Further Notice of Proposed Rulemaking*, we build on the progress of the georouting solution for wireless 988 voice calls by proposing to require covered text providers to support georouting for covered 988 text messages.

II. BACKGROUND

4. The 988 Suicide & Crisis Lifeline is a hotline that can be accessed by dialing 9-8-8 or by directly dialing a toll free access number (1-800-273-TALK). The 988 Lifeline consists of a national network of over 200 crisis centers that provide 24/7 confidential support for people experiencing emotional, suicidal, and substance use crises.[11] SAMHSA, a public health agency housed in the U.S.

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[6] *See* Press Release, Vibrant Emotional Health, New Study Proves Stories of Hope and Recovery Prevent Suicides, (Dec. 14, 2021), https://www.vibrant.org/wp-content/uploads/2021/12/Logic-Niederkrotenthaler-Study-Press-Release-final-1.pdf.

[7] NAMI et al., Mar. 20, 2024 Letter at 2.

[8] *Implementation of the National Suicide Hotline Improvement Act of 2018*, WC Docket No. 18-336, Report and Order, 35 FCC Rcd 7373, 7385-92, 7395-97, paras. 28-36 and 41-45 (2020) (*988 Report and Order*); *Implementation of the National Suicide Hotline Improvement Act of 2018*, WC Docket No. 18-336, Second Report and Order, 36 FCC Rcd 16901, 16903, para. 2 (2021) (*Text-to-988 Second Report and Order*).

[9] *See Implementation of the National Suicide Hotline Act of 2018*, WC Docket 18-336, Second Further Notice of Proposed Rulemaking, FCC 24-45, 2024 WL 1905193, at *5, para. 14 (rel. Apr. 26, 2024) (*988 Georouting Second Further Notice*); *see also infra* para. 14.

[10] In this *Third Report and Order and Third Further Notice of Proposed Rulemaking*, we use "wireless provider" to mean Commercial Mobile Radio Service (CMRS) provider as defined in 47 CFR § 9.3. This includes mobile virtual network operators (MVNOs). *See Supporting Survivors of Domestic and Sexual Violence; Lifeline and Link Up Reform Modernization; Affordable Connectivity Program*, WC Docket Nos. 22-238, 11-42, 21-450, Report and Order, FCC 23-96, para. 17 n.46 (rel. Nov. 16, 2023) (citing *Implementation of Sections 3(n) and 332 of the Communications Act; Regulatory Treatment of Mobile Services*, GN Docket No. 93-252, Second Report and Order, 9 FCC Rcd 1411, 1425, para. 37 (1994)).

[11] *See* 988 Suicide & Crisis Lifeline, *About the Lifeline*, https://988lifeline.org/about/ (last visited Oct. 10, 2024) ("The 988 Suicide & Crisis Lifeline provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week, across the United States."); SAMHSA, *988 Key Messages*, https://www.samhsa.gov/find-help/988/key-messages (last visited Oct. 10, 2024); SAMHSA, *Frequently Asked Questions, What is 988?*, https://www.samhsa.gov/find-help/988/faqs#about-988 (last visited Oct. 10, 2024) ("[O]ffers 24/7 call, text and chat access to trained crisis counselors who can help people experiencing suicidal, substance use, and/or mental health crisis, or any other kind of emotional distress. People can also call, text or chat 988 if they are worried about a loved one who may need crisis support.").

Department of Health and Human Services, oversees the 988 Lifeline.[12] Vibrant, a New York-based mental health non-profit, is the current administrator of the 988 Lifeline pursuant to the terms of a grant awarded by SAMHSA.[13]

5. The 988 Lifeline provides call, text, and chat services in English and Spanish,[14] and interpreter services are available for more than 240 languages.[15] Help-seekers may reach a Spanish language line by pressing "2" after calling the Lifeline or texting "Ayuda" to 988 and specialized services are available for LGBTQI+ youth and young adults by pressing "3" after calling the Lifeline or texting "PRIDE" to 988.[16] The Lifeline also offers videophone services for deaf or hard of hearing American Sign Language (ASL) users.[17] Calls and covered text messages[18] to the 988 Lifeline are connected to trained counselors who "assess callers for suicidal risk, provide crisis counseling, crisis intervention, engage emergency services when necessary, and offer referrals to mental health and/or substance use services."[19] The Lifeline has received over 23 million contacts from people in distress looking for support between its inception in 2005 and 2021.[20] Since the nationwide availability of the 3-digit 988 code began in July 2022, the 988 Lifeline has received over 10 million calls, texts, and chats.[21]

6. *988 Calls Routed by Area Code*. The original design of the 988 Lifeline system routes 988 calls to a crisis center based on the caller's area code and exchange.[22] This presents a challenge for the 988 system—as the majority of Americans rely on wireless phones to place calls[23]—when a caller

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[12] *See* SAMHSA, *Frequently Asked Questions*, *Are 988/the Lifeline/the National Suicide Prevention Lifeline/Hotline the same?*, https://www.samhsa.gov/find-help/988/faqs (last visited Oct. 10, 2024).

[13] *See* Press Release, SAMHSA Awards Vibrant Emotional Health the Grant to Administer 988 Dialing Code for the National Suicide Prevention Lifeline (rel. June 16, 2021), https://www.samhsa.gov/newsroom/press-announcements/202106161430; *see also* SAMHSA, *Cooperative Agreement for National Suicide Prevention and Disaster Helpline*, https://www.samhsa.gov/grants/grants-dashboard?f%5B0%5D=by_award_fy%3A2021&f%5B1%5D=by_nofo_number%3ASM-21-005#awards-tab (last visited Oct. 10, 2024).

[14] 988 Suicide & Crisis Lifeline, *988 Lifeline Get Help*, https://988lifeline.org/get-help/ ("988 Lifeline voice, text, and chat options are offered in Spanish.") (last visited Oct. 10, 2024).

[15] 988 Suicide & Crisis Lifeline, *Calling the 988 Lifeline, FAQ: Is the 988 Lifeline available in other languages for non-English speakers?*, https://988lifeline.org/faq/ (last visited Oct. 10, 2024).

[16] *Id.*; *Calling the 988 Lifeline, FAQ: Are there specialized services for LGBTQI+ youth who reach out to 988?*, https://988lifeline.org/faq/ (last visited Oct. 10, 2024).

[17] 988 Suicide & Crisis Lifeline, *Deaf, Hard of Hearing, Hearing Loss*, https://988lifeline.org/help-yourself/for-deaf-hard-of-hearing/ (last visited Oct. 10, 2024).

[18] A "covered 988 text message" means a 988 text message in SMS format and any other format that the Wireline Competition Bureau has determined must be supported by covered text providers." 47 CFR § 52.201(c)(2).

[19] *The Substance Abuse and Mental Health Services Administration Report to the Federal Communications Commission*, WC Docket No. 18-336, CC Docket No. 92-105, at 5 (Feb. 7, 2019).

[20] *See 988 Georouting Second Further Notice* at *3, para. 5. The 988 Lifeline was known as the National Suicide Prevention Lifeline when it launched in 2005 with the number 1-800-273-8255 (TALK). *See* 988 Suicide & Crisis Lifeline, *About 988*, https://988lifeline.org/about/ (last visited Oct. 10, 2024).

[21] *See* Vibrant Emotional Health, *Celebrating 988 Day*, https://www.vibrant.org/celebrating-988-day/ (last visited Sept. 18, 2024); U.S. Department of Health and Human Services, Now in Its Second Year, 988 Lifeline Continues to Help Millions of People (July 16, 2024), https://www.hhs.gov/about/news/2024/07/16/second-year-988-lifeline-continues-help-millions-people.html.

[22] *See* SAMHSA, *988 Frequently Asked Questions*, *FAQs About Privacy, Call Routing, and Network Functioning*, https://www.samhsa.gov/find-help/988/faqs (last visited Oct. 10, 2024).

[23] CTIA estimates that the total number of wireless subscriber connections increased from approximately 207 million in 2005 to 558 million in 2023. *See* CTIA, *Summary of CTIA's Annual Wireless Industry Survey*,

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using a wireless phone dials 988 from outside the area code associated with that phone. For example, if the wireless caller has a Virginia 703 area code, but lives or is temporarily located in California, the caller will be routed to a crisis center in Virginia rather than California. Mental health and crisis counseling experts have opined that connecting callers in crisis with local crisis centers is important to connect life-saving services to those in need of public health and safety resources and enable them to speak with local counselors who may be more familiar with cultural issues or community stressors in the caller's area.[24]

7. *Efforts to Improve Routing from Wireless Phones.* Georouting refers to technical solutions for directing calls based on a geographic location for the origin of the call without transmitting information about the caller's precise location.[25] For example, calls to various N11 services, such as 211, 311, 511, and 811, are routed to call centers based on the geographic location of the cell tower that *originates* the call.[26] This more sophisticated routing permits, among other benefits, local mental health experts to better assess and treat callers in crisis.

8. Understanding the importance of improving 988 routing, the Commission has taken several steps to study and implement georouting for wireless 988 calls. In its April 15, 2021, Report to Congress, the Wireline Competition Bureau identified an important distinction in how a caller's location can impact not only dispatchable location but also the routing path of the call to the most geographically appropriate crisis center (i.e., georouting).[27] On May 24, 2022, the Commission, in coordination with HHS and the VA, convened a forum in which Intrado,[28] a provider of public safety-related software

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https://api.ctia.org/wp-content/uploads/2022/09/Summary-of-CTIAs-Wireless-Industry-Survey-2022.pdf (last visited Oct. 10, 2024) (noting the estimated number of wireless connections for 2005); CTIA, *2024 Annual Survey*, at 4, https://api.ctia.org/wp-content/uploads/2024/09/2024-Annual-Survey-Highlights.pdf (last visited Oct. 10, 2024) (noting the estimated number of wireless connections for 2023). *See also* Pew Research Center, *Mobile Fact Sheet* (Jan. 31, 2024), https://www.pewresearch.org/internet/fact-sheet/mobile/ (noting "[t]he vast majority of Americans – 97% – now own a cellphone of some kind").

[24] *See 988 Georouting Second Further Notice* at *1, para. 2 & n.10; *see also infra* para. 14.

[25] *See* SAMHSA, 988 Crisis Systems Response Training and Technical Assistance Center: Crisis Community Collaboration at 19-23 (Jan. 16, 2024), https://www.samhsa.gov/sites/default/files/csr-ttac-988-3c-session-01162024.pdf ("Geo-routing is a way of directing phone calls locally without including the precise location information in the transferred call data. If used, it would mean that when a person calls the 988 Lifeline, their call would be connected to a crisis center near their physical location. With geo-routing, the routing and service providers would not receive detailed information about the exact locations of callers."); *see also* Vibrant Emotional Health Reply Comments, WC Docket No. 18-336, at 4 (rec. Jan. 11, 2021) (Vibrant 988 Geolocation Reply) (stating that "'coarse location' [ ] could be used for routing calls to local centers by determining the nearest cell phone tower to the caller, and connecting them to the nearest center to the cell tower. This could be used routinely without divulging the caller's precise location information and maintaining caller privacy.").

[26] *See 988 Georouting Second Further Notice* at *4, para. 9 & n.40.

[27] *See* FCC, 988 Geolocation Report – National Suicide Hotline Designation Act of 2020 at 14 (2021), https://docs.fcc.gov/public/attachments/DOC-371709A1.pdf (988 Geolocation Report) (distinguishing the use of location information to route calls to the nearest crisis center from locating individuals for emergency dispatch); *see also* 47 CFR § 9.3 (defining "dispatchable location" as "[a] location delivered to the [Public Safety Answering Point (PSAP)] with a 911 call that consists of the validated street address of the calling party, plus additional information such as suite, apartment or similar information necessary to adequately identify the location of the calling party").

[28] FCC, 988 Geolocation Forum (May 24, 2022), https://www.fcc.gov/news-events/events/2022/05/forum-geolocation-988. At the time of the May 2022 Forum, Intrado Corporation was a subsidiary of West Technology Group. For a full discussion of the Intrado organization, *see 988 Georouting Second Further Notice* at *4, para. 10, n.45.

systems and services, proposed a cell-based georouting solution to connect calls to 988 with local crisis call centers irrespective of a wireless phone's area code.[29]

9. Following the forum, Commission staff, SAMHSA, and the Lifeline Administrator engaged in regular discussions regarding the proposed Intrado solution and other efforts that may lead to more accurate routing of wireless calls to the 988 Lifeline. In June 2023, SAMHSA, the Lifeline Administrator, Intrado Life & Safety, and a wireless provider began a proof of concept to test a modified version of the cell-based georouting solution in a lab environment, i.e., without using any actual caller data from live calls, which was completed in the summer of 2023.[30] Building on that success, on September 28, 2023, Chairwoman Rosenworcel and HHS Assistant Secretary for Mental Health and Substance Use Dr. Miriam Delphin-Rittmon sent letters to AT&T, T-Mobile USA, Inc. (T-Mobile), Verizon, CTIA, Competitive Carriers Association (CCA), and Rural Wireless Association (RWA) urging wireless providers to take the necessary steps to identify and develop a 988 georouting solution that could be deployed in their wireless networks.[31] Since the September 28, 2023 letters, the nationwide wireless providers—AT&T, T-Mobile, and Verizon—have worked diligently with SAMHSA, the Lifeline Administrator, and Commission staff to develop technical solutions that improve routing of wireless 988 calls to geographically appropriate crisis centers while safeguarding the privacy of a caller's location. As a result of this collaboration, the nationwide carriers have implemented, or are in the process of implementing, georouting for wireless calls.[32]

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[29] Intrado, 988 Geolocation Forum Presentation at 103 (May 24, 2022), https://www.fcc.gov/sites/default/files/988-forum-event-05242022-presentation.pdf.

[30] *See 988 Georouting Second Further Notice* at *4, para. 11; Press Release, Intrado Life & Safety, Intrado's 988 Innovation Ensures Callers in Crisis Reach Local Mental Health Support (Oct. 18, 2023), https://www.intrado.com/news-releases/intrados-988-innovation-ensures-callers-in-crisis-reach-local-mental-health-support (Intrado Life & Safety Press Release); *see also* SAMHSA, 988 Crisis Systems Response Training and Technical Assistance Center: Crisis Community Collaboration at 20 (Jan. 16, 2024), https://www.samhsa.gov/sites/default/files/csr-ttac-988-3c-session-01162024.pdf.

[31] *See* Press Release, FCC, Chairwoman Calls on Wireless Industry and Related Associations to Explore 988 Routing Solutions (Sept. 28, 2023), https://docs.fcc.gov/public/attachments/DOC-397339A1.pdf; Letter from Jessica Rosenworcel Chairwoman, FCC, to John Stankey, Chief Executive Officer, AT&T, Inc., et al. (Sept. 28, 2023); Letter from Jessica Rosenworcel, Chairwoman, FCC, to Tim Donovan, President & CEO, Competitive Carriers Association, et al. (Sept. 28, 2023); Letter from Jessica Rosenworcel, Chairwoman, FCC, to Meredith Attwell Baker, President and CEO, CTIA, et al. (Sept. 28, 2023); Letter from Jessica Rosenworcel, Chairwoman, FCC, to Jake Baldwin, President, Rural Wireless Association, et al. (Sept. 28, 2023); Letter from Jessica Rosenworcel, Chairwoman, FCC, to Mike Sievert, President and Chief Executive Officer, T-Mobile, et al. (Sept. 28, 2023); Letter from Jessica Rosenworcel, Chairwoman, FCC, to Hans Vestberg, Chairman and Chief Executive Officer, Verizon, et al. (Sept. 28, 2023).

[32] *See, e.g.*, Letter from Leighton T. Brown, Counsel, CX360, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-336, at 1 (filed Sept. 26, 2024) (CX360 Sept. 26, 2024 *Ex Parte*) (noting that a georouting "solution developed by CX360 in collaboration with [the Lifeline Administrator] and all three nationwide wireless service providers . . . went live for approximately 235 million wireless telephone customers on September 17, 2024, and is expected to go live for another 115 million customers before the end of 2024"); Press Release, SAMHSA, Wireless Calls to 988 Get a More Localized Response with Georouting (Sept. 25, 2024), https://www.samhsa.gov/newsroom/press-announcements/20240925/wireless-calls-988-more-localized-response-georouting (noting that the 988 Lifeline "announced that the process to start routing cellular phone calls to 988 contact centers based on the caller's approximate location, versus by area code – known as 'georouting' – began last week with two major U.S. wireless carriers that combined make up about half of all wireless calls to 988"); Press Release, T-Mobile, Customers Calling 988 for Mental Health Support Will Now Be Routed to Local Crisis Centers (Sept. 25, 2024), https://www.t-mobile.com/news/network/988-georouting (T-Mobile Sept. 25, 2024 Press Release) (stating that "[a]s of last week, T-Mobile customers who call the [988 Lifeline] will have their calls routed to crisis centers close to their actual location, directly connecting them with counselors who are familiar with their local community's resources and services"); *see also* CTIA Comments at 4 (stating that the "nationwide wireless

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10. *988 Georouting Second Further Notice of Proposed Rulemaking*. On April 25, 2024, we adopted a *Second Further Notice of Proposed Rulemaking* proposing to adopt rules requiring wireless providers to implement a georouting solution for calls to the 988 Lifeline.[33] Acknowledging the work of SAMHSA and the Lifeline Administrator and building on that effort, we sought comment on a variety of issues related to implementing a georouting solution for the 988 Lifeline, including technical specifications and limitations, required routing data and transmission methods, necessary infrastructure and system changes or upgrades, testing requirements, and timelines for deployment.[34] We received many comments and ex partes from a wide range of stakeholders including the mental health community, industry, and state and local government entities. Most significantly, we received over 2,700 submissions from individual people urging us to strengthen the 988 Lifeline by adopting a georouting rule, some of whom say that they have personally experienced suicidal ideation or lost loved ones to suicide.[35]

III. DISCUSSION

11. In this *Third Report and Order*, and consistent with our proposal in the *988 Georouting Second Further Notice*, we adopt a rule that would require wireless providers to implement a georouting solution for calls to the 988 Lifeline.[36] We find that a georouting mandate will strengthen and improve access to the critical benefits of the 988 Lifeline for callers in crisis. We then define the type of location data that qualifies as georouting data. Next, we require nationwide and non-nationwide Commercial Mobile Radio Service (CMRS) providers to have the capability to provide georouting data with 988 calls to the Lifeline Administrator in a format that is compatible with the 988 Lifeline's routing platform to allow routing of calls by generating location data using cell-based location technology. We require CMRS providers to aggregate the cell-based location data to a level that will not identify the location of the cell site or base station receiving the 988 call or otherwise identify the precise location of the handset, thereby protecting the privacy of the caller.

12. To give wireless providers flexibility for this mandate, we do not specify a particular method for aggregating the location data and allow providers to use technically feasible options for meeting this requirement to the extent that they are compatible with the systems used by the 988 Lifeline. This approach is consistent with solutions deployed or being deployed by the three nationwide CMRS providers. We then establish an implementation timeline for georouting calls to the 988 Lifeline of 30 days following the effective date of the rule for nationwide CMRS providers, which is supported by the nationwide providers' representations that they will have already deployed compliant 988 georouting solutions by the compliance deadline. This action will ensure that as soon as possible, the vast majority of callers to the 988 Lifeline in the United States have access to support and resources most closely connected to their location with appropriate privacy safeguards. We expect that non-nationwide CMRS

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providers AT&T, T-Mobile, and Verizon have achieved consensus with the Lifeline Administrator, Vibrant, on the contours of georouting solutions and are working to implement them as quickly as practicable"); T-Mobile Comments at 1, 4 (noting that T-Mobile's georouting solution was "expected to be operational shortly after the close of the reply comment period" and implemented in August 2024); AT&T Reply at 3 (noting that AT&T expected "within six months major wireless carriers to be able to georoute calls to the 988 Lifeline for handling by local crisis centers").

[33] *988 Georouting Second Further Notice* at *5, paras. 14-31.

[34] *Id.*

[35] *See, e.g.*, Jamie Latshaw Comments at 1 (Express); Andrew Elliot Comments at 1 (Express). The express filings are available on the Commission's Electronic Comment Filing System (ECFS) in WC Docket No. 18-336. Initial comments on the *988 Georouting Second Further Notice* were due on or before June 28, 2024, and reply comments were due on or before July 29, 2024. *Wireline Competition Bureau Announces Comment and Reply Comment Dates for 988 Georouting Second Further Notice of Proposed Rulemaking*, WC Docket No. 18-336, Public Notice, DA 24-501 (WCB May 29, 2024).

[36] *988 Georouting Second Further Notice* at *5, para. 13.

providers will be able to leverage the solutions implemented by the nationwide providers, and for that reason, we require non-nationwide providers to implement georouting 24 months after the effective date of the rule. Finally, we revise our existing 988 voice and texting rules to allow for routing to the national suicide prevention and mental health crisis hotline system maintained by SAMHSA and the U.S. Department of Veterans Affairs (VA)[37] without need for translation to the toll free number. Overall, we find that the reasonable and flexible georouting mandate and rule revisions we adopt today will provide certainty that 988 callers will be connected to the crisis center nearest to them.

A. Georouting Will Improve Access and Efficiency of the 988 Lifeline

13. Under our current rules, calls to 988 must first be routed to the existing toll free ten-digit access number for the 988 Lifeline,[38] from which they are then routed to one of over 200 regional crisis centers based on the area code and exchange of the caller's telephone number supplied by the originating service provider.[39] As technology trends have shifted from landline phones to mobile phones,[40] many callers now rely on wireless devices with area codes that may not correspond to their physical locations when contacting the 988 Lifeline,[41] complicating their access to vital local services. In the *988 Georouting Second Further Notice*, we explained that the majority of calls placed to the 988 Lifeline are from wireless phones, and the area codes of those phones often do not correspond to the location of the caller.[42] While 988 call takers can provide support regardless of a caller's location, they may not be able

[37] National Suicide Hotline Designation Act of 2020, Pub. L. 116-172, § 3(a), 134 Stat. 832 (codified at 47 U.S.C. § 251(e)(4)) (designating 988 "as the universal telephone number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline maintained by the Assistant Secretary for Mental Health and Substance Use . . . and through the Veterans Crisis Line maintained by the Secretary of Veterans Affairs").

[38] *See* 47 CFR § 52.200(b). The Commission's rules also require covered 988 text messages to be routed to the 988 Lifeline's current toll free ten-digit access number. *Id.* § 52.201(a). The Wireline Competition Bureau granted a waiver to allow covered text providers to route covered 988 text messages to the 988 Lifeline using the short code protocol without translation to the Lifeline's current toll free access number. This allows return texts from the 988 Lifeline to appear on consumer devices as coming from 988 rather than 1-800-273-TALK. *Implementation of the National Suicide Hotline Improvement Act of 2018*, WC Docket No. 18-336, Order, 37 FCC Rcd 6060 (WCB 2022).

[39] A U.S. telephone number consists of three basic parts (a three-digit Numbering Plan Area, known as the area code (NPA); a three-digit Central Office code (NXX); and a four-digit line number). *See 988 Report and Order*, 35 FCC Rcd at 7384, para. 23; Vibrant 988 Geolocation Reply at 1 (explaining that currently "the Lifeline handles all call routing to individual centers within the network utilizing Lifeline's own routing database keyed on area code and exchange"); SAMHSA, 988 Suicide & Crisis Lifeline Geolocation Needs, 988 Geolocation Forum Presentation at 37 (May 24, 2022); Vibrant Emotional Health, Geolocation and 988: The Need for Location Routing and Rapid Response to Persons at Imminent Risk of Suicide, 988 Geolocation Forum Presentation at 42-43 (May 24, 2022); Vibrant Emotional Health, Lifeline Technology and Location Data Usage, 988 Geolocation Forum Presentation at 95-96 (May 24, 2022), https://www.fcc.gov/sites/default/files/988-forum-event-05242022-presentation.pdf. The Commission has had no role in establishing, maintaining, or operating the 988 Lifeline's routing system or the facilities and systems that enable it, and is not a party to any agreement that the Lifeline Administrator and/or SAMHSA has entered to establish, structure, operate, govern, or fund the system.

[40] *Supra* note. 23.

[41] *See* SAMHSA Aug. 5, 2024 Letter at 1 (noting that "[w]hile callers today receive a localized response based on their phone's area code, many people rely on wireless phones with area codes that do not match their physical locations").

[42] *988 Georouting Second Further Notice* at *5, para. 14. The Lifeline Administrator estimates that 80% of calls placed to the 988 Lifeline are from wireless phones. Vibrant Emotional Health Comments, WC Docket No. 18-336, at 2 (rec. Dec. 21, 2020) (Vibrant 988 Geolocation Comments). *See also* Letter from Christiaan Segura, Director, Regulatory Affairs, CTIA, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-336, at 1-2 (filed Apr. 17, 2024) (CTIA Apr. 17, 2024 *Ex Parte*) ("With approximately 80% of calls to 988 made from wireless phones, there

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to connect callers in crisis to local resources.[43] We proposed to adopt a rule that would require wireless providers to implement one or more georouting solutions for calls to the 988 Lifeline in order to ensure more accurate routing of calls.[44] After reviewing the record in this proceeding, we find that requiring wireless providers to support georouting for wireless 988 calls is essential to improve the public's access to the 988 Lifeline's critical mental health crisis and suicide prevention services.

14. The record demonstrates near-unanimous agreement for the assertion that there is a need to improve routing of wireless 988 calls to help ensure that callers are routed to geographically appropriate crisis centers.[45] Commenters, including industry and mental health advocates, agree that georouting for 988 wireless calls will improve access to critical local resources[46] and help connect callers

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is now a growing desire to enable the Lifeline Administrator to route calls to a crisis center that corresponds with the location of the caller, without providing the caller's *precise* location.").

[43] *988 Georouting Second Further Notice* at *3, para. 7. *See* SAMHSA, *988 Frequently Asked Questions*, *How do calls to 988 get routed?*, https://www.samhsa.gov/find-help/988/faqs (last visited Oct. 10, 2024); NAMI et al., Mar. 20, 2024 Letter at 2.

[44] *988 Georouting Second Further Notice* at *5, paras. 14-15.

[45] *See e.g.*, American Foundation for Suicide Prevention Comments at 2 (AFSP Comments); California Office of Emergency Services Comments at 3 (Cal OES Comments); Centerstone Comments at 2; Comtech Comments at 3; CTIA Comments at 3; CX360 Comments at 2; Lisa Wong Comments at 2 (filed on behalf of Los Angeles County Department of Mental Health) (LA County DOMH Comments); John Draper Comments at 1; Massachusetts Association for Mental Health, Inc. Comments at 1 (MAMH Comments); Mental Health America Comments at 1-2 (MHA Comments); Michigan State 911 Committee Comments at 1; Natasha Corkins, et al. Comments at 1 (filed on behalf of Burrell Behavioral Health) (Burrell Behavioral Health Comments); National Association of Counties Comments at 1 (NACO Comments); National Alliance on Mental Illness Comments at 1-2 (NAMI Comments); National Council for Mental Wellbeing Comments at 4 (NCMW Comments); New York Office of Mental Health Comments at 1 (NY OMH Comments); Northwest Portland Area Indian Health Board Comments at 1 (NPAIHB Comments); Pew Charitable Trusts Comments at 1 (Pew Comments); Pyramid Healthcare, Inc. Comments at 1 (Pyramid Comments); Rural Wireless Association, Inc. Comments at 2 (RWA Comments); Stephen Goins Comments at 1 (filed on behalf of Northwest Human Services) (NWHS Comments); The LegalMind Society Comments at 2-3 (LegalMind Society Comments); T-Mobile Comments at 1; Vibrant Emotional Health Comments at 3 (Vibrant Comments); Vibrant Emotional Health – Mental Health Liaison Group Comments at 1-2 (Vibrant MHLG Comments); Alliance for Telecommunications Industry Solutions Reply at 3 (ATIS Reply); AT&T Reply at 1-2; Competitive Carriers Association Reply at 1 (CCA Reply); Electronic Privacy Information Center Reply at 1 (EPIC Reply); Intrado Life & Safety, Inc. Reply at 1 (Intrado Life & Safety Reply); National Association of State 911 Administrators Reply at 1 (NASNA Reply); Southern Communications Services, Inc. Reply at 1 (Southern Linc Reply).

[46] *See, e.g.*, AFSP Comments at 2 (emphasizing that georouting for 988 will connect callers "with crisis centers that can provide local, appropriate, and supportive information or resources tailored to their specific needs"); Lucinda Mercer Comments at 1 (stating that georouting will "help ensure that every 988 call center is responding to callers who are more local"); Michigan State 911 Committee Comments at 1 (agreeing that georouting for 988 calls will "connect[] callers with local resources that are available (which vary county by county)"); John Draper Comments at 3 (supporting georouting for 988 calls "on the basis that it promotes efficient access to optimally appropriate local community care for callers in crisis"); NAMI Comments at 1-2 (stating that georouting for 988 calls "will help ensure that callers in crisis are connected to the critical lifesaving services nearest to their location"); NY OMH Comments at 1 (asserting that "geo-routing, or vicinity-based routing, will ensure that New Yorkers can access mental health support as quickly and safely as possible from 988 Contact Centers proficient in local resources"); Pew Comments at 1 (stating that georouting "will help increase access to local care for people experiencing a behavioral health emergency"); Pyramid Comments at 1 ("Implementing georouting for 988 will connect individuals to the closest call center based on geographic location rather than area code."); Reimagine Crisis Response Comments at 1 ("Requiring wireless carriers to use a georouting solution for the 988 Lifeline, while protecting confidentiality and personal information, is essential to ensuring that callers have access to critical services and support in their community."); NCMW Comments at 1 (stating that georouting for 988 calls "protects caller confidentiality while also ensuring the caller is connected to the appropriate local resources available to better meet
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to counselors who may be more knowledgeable about unique community stressors and other regional, cultural, and economic factors impacting callers in distress.[47] As several mental health advocates emphasize, access to local resources and support can mean the "difference between life and death for hundreds of thousands of individuals annually."[48] Commenters also highlight that georouting for 988 calls will improve access to referral and follow-up services that may reduce the risk of future mental health crises and suicidality.[49] For example, Mental Health America states that connecting callers to "support based on their physical location can enable crisis contact centers to provide connections to local resources and follow-up services, reducing the risk of suicidality for individuals in crisis."[50] Several commenters also assert that follow-up services are "more meaningful when a caller is connected to local crisis support."[51]

15. Mental health and crisis counselors also emphasize that connecting callers with local crisis centers may avert unnecessary dispatch of emergency services and law enforcement.[52] For

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their needs"); RWA Comments at 2 (stating that having a georouting solution that will "assist crisis centers in more precisely locating a 988 caller's location, to potentially provide life-saving resources, serves the public interest"); Vibrant MHLG Comments at 1 (asserting that georouting will enable "individuals to be directed to the crisis contact center closest to them enabling vital connections to local crisis resources"); *see also* CTIA Reply at 1 (supporting this conclusion); CX360 Reply at 2 (same).

[47] *See, e.g.*, CX360 Comments at 6 (supporting georouting for wireless 988 calls and "efforts to ensure help seekers are connected to local resources who understand local stressors"); MHA Comments at 1 (supporting georouting for wireless 988 calls and emphasizing "the importance of receiving care that is specific to the community from which the call is made"); NAMI Comments at 2 ("Routing individuals in crisis to local crisis centers allows counselors to respond to regional, cultural and economic factors as well as to a community's unique stressors."); NCMW Comments at 1 (agreeing that georouting for 988 calls enables "counselors to respond to regional cultural and economic factors as well as a community's unique stressors"); NWHS Comments at 1 (explaining that 988 callers value support from "members of their own community who are familiar with resources and the regional culture"); Trevor Project Comments at 2 (agreeing that georouting for 988 calls "allows counselors to respond to regional cultural and economic factors as well as a community's unique stressors"); Pew Comments at 1 ("This update will allow call takers to quickly provide connections to local service providers who have a better understanding of local resources, geographical barriers, and cultural considerations, while avoiding any unnecessary delays in emergency response times."); Vibrant Comments at 3 (agreeing that "[c]onnecting individuals in crisis with local crisis contact centers is important to . . . enable them to speak with crisis counselors who may be more familiar with cultural issues or community stressors in the individual's area"); *see also* AT&T Reply at 1-2 (supporting this conclusion).

[48] *See, e.g.*, Burrell Behavioral Health Comments at 1; FirstLink North Dakota Comments at 1; Elicia Berryhill Comments at 1 (filed on behalf of Heartline, Inc.) (Heartline Comments); MHA Comments at 1; NWHS Comments at 1; Tabatha Stafford Comments at 1; Mandy Fauble, et al. Comments at 1 (filed on behalf of UPMC Western Behavioral Health) (UPMC Comments); Levi Van Dyke Comments at 1 (filed on behalf of Volunteers of America Western Washington) (VOAWW Comments).

[49] *See, e.g.*, NAMI Comments at 2 (emphasizing that access to local resources "reduces the future risk of suicidality and future crisis," as well as "the unnecessary use of emergency services and law enforcement"); Trevor Project Comments at 2 (supporting that access to local resources averts "unnecessary dispatch of emergency services and law enforcement"); Burrell Behavioral Health Comments at 1 (asserting that "local crisis contact centers are able to provide connections to local resources and services, as well as follow-up services, reducing the risk of suicidality for individuals in crisis"); *see also* FirstLink North Dakota Comments at 1; Heartline Comments at 1; MHA Comments at 2; NWHS Comments at 1; Reimagine Crisis Response Comments at 2; Tabatha Stafford Comments at 1; UPMC Comments at 2; Vibrant MHLG Comments at 1-2; VOAWW Comments at 1 (all supporting the same conclusion).

[50] MHA Comments at 2.

[51] *See, e.g.*, Burrel Behavioral Health Comments at 1; FirstLink North Dakota Comments at 1; Heartline Comments at 1; NWHS Comments at 1; Tabatha Stafford Comments at 1; UPMC Comments at 2; VOAWW Comments at 1.

[52] *See, e.g.*, CSAC Comments at 1 (stating that "[a] caller's contact with the local crisis call center may also lessen the need for emergency health care services and/or the involvement of law enforcement"); Reimagine Crisis
(continued….)

example, Mental Health America states that "the ability for 988 callers to be routed to local crisis centers allows counselors to better respond to unique factors and situations, which may also help avoid unnecessary use of emergency services and law enforcement."[53] Similarly, as the current Lifeline Administrator explains, connecting callers to trained counselors who can offer "emotional support and local care resources" can avert "unnecessary use of emergency services and law enforcement," which is paramount.[54] Moreover, many commenters assert that implementing georouting solutions for wireless 988 calls will enhance the ability of crisis centers to respond effectively to emergency situations and facilitate the dispatch of mobile crisis services.[55]

16. The record also demonstrates that a georouting mandate for wireless 988 calls will advance digital equity by helping to ensure that at-risk populations can more easily access resources in their communities.[56] As the Lifeline Administrator explains, certain populations with a higher risk of suicide are disproportionately impacted by the Lifeline's area code-based routing system, including older adults, youth and young adults, non-Hispanic Black, American Indian, and Alaska Native communities.[57]

B. Georouting Mandate for Wireless 988 Voice Calls

17. Based on the record presented and in furtherance of the policy goals articulated above, we require nationwide and non-nationwide CMRS providers to implement georouting solutions for calls to the 988 Lifeline. Specifically, we require that all CMRS providers have the capability to provide georouting data with 988 calls to the Lifeline Administrator in a format compatible with the Lifeline's routing platform, to allow routing of 988 calls by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the 988 call is initiated.[58] We further require that all CMRS providers must provide georouting data, when available, with 988 calls to

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Response Comments at 2 ("Implementing georouting will help fulfill the vision of 988 to reduce the risk of suicidality, future crises, and unnecessary use of emergency services and law enforcement.").

[53] MHA Comments at 2.

[54] Vibrant Comments at 3-4.

[55] *See* Michigan State 911 Committee Comments at 1 (stating that georouting for 988 calls "provides emergency services a more narrowed area to focus on when trying to locate a caller in need of life-saving response"); John Draper Comments at 2 (stating that "a local center will have greater access to mobile crisis team response capabilities and the correct 911 center nearest to a person at imminent risk in their community"); LA County DOMH Comments at 2 ("[G]eorouting would ensure that callers to the Los Angeles 988 Call Center were located within the County and could be connected to a nearby mobile crisis response team."); LegalMind Society Comments at 4 ("Enabling georouting of 988 calls will streamline activation of the 911 system in those cases where emergency responders are needed."); Lucinda Mercer Comments at 1 (arguing that georouting solutions will help connect callers to mobile crisis services); Washington State Department of Health (DOH) Comments at 2 ("Georouting would enable the 988 counselor to contact the appropriate PSAP with greater accuracy.").

[56] *See, e.g.*, AFSP Comments at 3 (sating that georouting "will support its goal to connect people quickly and safely to local resources, especially certain populations disproportionately impacted by suicide who have unique needs"); Jeannie Taylor Comments at 1 (Express) (asserting that georouting for 988 calls will "allow counselors at local crisis centers to better respond to unique factors and situations such as faced by persons with hearing loss"); MHA Comments at 2 ("[W]e can continue to foster access and equity by employing the benefits of a georouting mandate."); Vibrant MHLG Comments at 2 ("The proposed mandate will improve access to critical local crisis counselors and resources, while fostering equity for populations across the United States."); Washington State DOH Comments at 3 ("Georouting would further digital equity without compromising confidentiality, which is essential to 988's success, as suicide and experiencing mental health crises continue to be stigmatized in our society.").

[57] Vibrant Comments at 6.

[58] *See* Appx. A (new 47 CFR § 52.202(a)(1)).

the Lifeline Administrator sufficient to allow routing of the 988 call by the Lifeline Administrator.[59] In conjunction with our mandate, we recognize the Lifeline Administrator's commitment to continue to "safeguard user privacy and confidentiality" as georouting is implemented.[60]

18. *Georouting.* We define "georouting data," for purposes of these rules, as location data generated from cell-based location technology that is aggregated to a level that will not identify the location of the cell site or base station receiving the 988 call or otherwise identify the precise location of the handset.[61] We find that this definition of "georouting data" most appropriately balances the need to maintain the privacy of 988 callers while ensuring the 988 Lifeline has the information needed to route calls to geographically appropriate crisis centers. The record reflects significant support for georouting solutions that provide geographic routing information to the Lifeline without identifying a caller's precise location.[62] Indeed, we received over 1,500 comments from National Alliance on Mental Illness (NAMI) advocates representing nearly every state expressing support for requiring wireless providers to implement georouting solutions for 988 calls while protecting privacy.[63] Many commenters emphasized the importance of not disclosing more precise location information to maintain callers' privacy and ensure trust in the 988 Lifeline.[64] Several commenters also highlight that the expectations of 988 callers differ from the context of 911 calls, where callers generally expect an immediate, location-specific medical or police response.[65]

19. To ensure the privacy of 988 callers, we decline, at this time, to require wireless providers to provide more precise geolocation data with 988 calls. Commenters, including mental health advocates and crisis counseling experts, express significant privacy concerns about including geolocation information with wireless 988 calls,[66] which, unlike georouting data, does involve the transmission of a

[59] *Id.* (new 47 CFR § 52.202(a)(2)); *infra* Section III.F (discussing technical considerations related to georouting solutions, including limitations when georouting data may not be available, such as during roaming).

[60] Vibrant Reply at 3.

[61] *See* Appx. A (new 47 CFR § 52.202).

[62] *See, e.g.*, AFSP Comments at 2; Brittany Miles Comments (Express); C.K. McGhee Comments (Express); Ellen Finch Comments at 1 (Express); Elaine Sullivan Comments at 1; MHA Comments at 3; NCMW Comments at 2; NY OMH Comments at 1; Reimagine Crisis Response Comments at 1; Trevor Project Comments at 4; Whitney Redden Comments (Express); *see also* ATIS Reply at 5 ("ATIS supports the Commission's decision to only consider georouting (i.e., routing based on rough location) rather than geolocation (i.e., routing based on precise location) for the 988 Lifeline at this time."); CTIA Reply at 3 (noting that "[c]ommenters across all sectors recognize the benefits of georouting information to enable the 988 Lifeline to meet callers' needs more effectively while protecting callers' privacy").

[63] *See, e.g.*, NAMI Comments at 2; NAMI Colorado Springs Comments at 1 (Express); NAMI Florida Comments at 1 (Express); NAMI Illinois Comments at 1 (Express); NAMI Minnesota Comments at 1 (Express) (all expressing support for "the proposed rule to require wireless carriers to implement georouting solutions for calls to the [Lifeline], while protecting confidentially and personal information").

[64] *See, e.g.*, Trevor Project Comments at 2; Vibrant MHLG Comments at 2.

[65] *See, e.g.*, Comtech Comments at 4; EPIC Reply at 4 ("More important than the technological and legal considerations that distinguish calls to 988 from calls to 911 are the distinctions in needs and expectations between those calling 988 and those calling 911.").

[66] *See, e.g.*, NAMI Comments at 3 ("Protecting personal information and specific location information of callers is of paramount importance for our NAMI Alliance."); Trevor Project Comments at 2 ("Any efforts to georoute 988 contacts to local crisis call centers must ensure that georouting does not facilitate geolocation and that any personally identifying information, such as name or address, is confidential and protected."); EPIC Reply at 1 ("We cannot support the Commission mandating georouting for 988 if that is merely a step on the path to non-consensual geolocation of persons in distress."); Thomas Grinley Comments at 1 (Express) (expressing concerns that "geolocation abilities allow for police response").

caller's precise location. The Commission previously considered the potential benefits of including geolocation information with calls to the 988 Lifeline. In this regard, in April 2021, as directed by Congress pursuant to the National Suicide Hotline Designation Act of 2020,[67] the Commission submitted a report that examined the costs and feasibility of transmitting dispatchable location information with calls to 988.[68] As the Wireline Competition Bureau explained in the *988 Geolocation Report*, transmitting geolocation information with calls to the 988 Lifeline raised a variety of important privacy concerns, legal issues, and technical complexities that require extensive investigation and time to resolve.[69] Several commenters highlight that the challenges identified in the *988 Geolocation Report* remain relevant today.[70] Moreover, the record does not evidence a need to include geolocation information with wireless 988 calls to facilitate routing to the appropriate local crisis center.[71]

20. The rules we adopt today allow CMRS providers and the Lifeline Administrator flexibility in developing and implementing technical solutions, for example, aggregating georouting data at the county or wire center level, while protecting privacy interests by prohibiting the transmission of more granular cell site data or the precise location of the caller. In its comments, the Lifeline Administrator explains that the georouting solutions developed by the nationwide wireless providers, in conjunction with SAMHSA and the Lifeline Administrator were designed to "minimize[] user-specific data to simply route the user to the nearest crisis center based on cell phone tower data, rather than using a callers' exact phone location."[72] Similarly, T-Mobile asserts that its georouting solution "protects the privacy interest of callers by not providing precise geolocation information."[73] CX360 also states that the georouting solutions "never capture[] a help seeker's precise location."[74] We anticipate that the definition of "georouting data" that we adopt today will give nationwide CMRS providers the flexibility to continue their efforts to implement georouting solutions and comply with their obligations to protect user location information. Additionally, we believe these privacy safeguards included in the definition alleviate record concerns that georouting rules may "inadvertently suppress use of the 988 Lifeline" due to concerns about disclosing geolocation information.[75]

21. *Voluntary Implementation by Nationwide CMRS Providers.* We recognize that certain commenters contend that mandating georouting for wireless 988 calls is unnecessary at this time. Some telecommunications industry commenters oppose adoption of rules requiring CMRS providers to implement georouting solutions for wireless 988 calls,[76] arguing that georouting solutions will soon be

[67] National Suicide Hotline Designation Act of 2020, Pub. L. No. 116-172, § 5, 134 Stat. 832, 834 (2020).

[68] 988 Geolocation Report at 2, 10-17.

[69] *Id.*

[70] *See, e.g.*, ATIS Reply at 5 (agreeing with the Commission that transmitting precise location information with 988 calls presents a variety of technical, legal, and privacy concerns that would require significant investigation and time to resolve); EPIC Reply at 4 (stating that "callers to 988 may not seek an immediate, location-specific response and at-risk users may be reluctant to call 988 due to inadequate privacy protections").

[71] *See* Vibrant Comments at 4 (stating that georouting data provides "sufficient information to connect individuals to a crisis contact center most proximate to their general physical location" and that "precise location information - also known as geolocation – is not needed at this time"); Vibrant Reply at 6 (supporting the same conclusion).

[72] Vibrant Comments at 6 ("When an individual contacts the 988 Lifeline, the crisis counselor who responds will not know who the individual is or where they are precisely located."); Vibrant Reply at 3 ("Crisis counselors do not currently have access to an individual's precise location information and this would remain true under the georouting solution.").

[73] T-Mobile Reply at 1.

[74] CX360 Comments at 12.

[75] INCOMPAS Comments at 3.

available through the voluntary efforts of nationwide CMRS providers.[77] They also claim that mandating georouting may introduce uncertainty, potentially delaying or complicating the deployment of georouting solutions.[78] While we recognize industry's assertions, these providers also acknowledge the importance of promptly implementing georouting solutions for wireless 988 calls.[79] In mandating georouting, we carefully balance the request to proceed more cautiously, as voiced by providers, with the significant record support calling for the need for a georouting mandate that enhances access to critical local services for callers in crisis without delay, while giving providers the flexibility to develop georouting solutions

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[76] *See, e.g.*, CTIA Comments at 2 ("[I]t is not necessary for the Commission to adopt 988 georouting rules at this time."); Intrado Life & Safety Comments at 9 ("Intrado is not convinced that formal regulation is necessary at this time to achieve the Commission's goals of improving 988 routing based on the 988 Lifeline Administrator's current routing capabilities and methodology."); RWA Comments at 7-8 (arguing that "mandating a 988 georouting solution is premature"); AT&T Reply at 2 ("Commenters correctly observe that a georouting solution does not require the Commission to modify its existing rules."); CCA Reply at 1 (urging "the Commission to refrain from adopting rules requiring implementation of 988 georouting solutions for all carriers at this time"); CTIA Reply at 12 ("No rules are needed to ensure the implementation of georouting solutions."); CX360 Reply at 3 (urging the Commission to "refrain from mandating the use of a particular georouting solution"); Southern Linc Reply at 1 ("[T]here is no need for the Commission to adopt rules on the georouting of 988 calls at this time."); T-Mobile Reply at 1 (arguing that the Commission "should not take any regulatory action that would disrupt the imminent launch" of georouting solutions).

[77] *See, e.g.*, CTIA Comments at 2 ("With georouting solutions soon becoming available to the 988 Lifeline, it is not necessary for the Commission to adopt 988 georouting rules at this time."); T-Mobile Comments at 2 ("Given the close collaboration among stakeholders and the imminent rollout of the georouting solution, the Commission does not need to take further regulatory action."); ATIS Reply at 4 (agreeing with CTIA that regulatory action is unnecessary because georouting solutions will soon become available); Southern Linc Reply at 2 (agreeing with CTIA and T-Mobile that regulatory action is unnecessary because georouting solutions will soon become available); *see also* CCA Reply at 6 ("Because of the significant work that has already been done voluntarily by larger providers and the blueprint that work offers to non-nationwide providers, rules mandating the deployment of 988 geolocation services are not necessary at this time."); RWA Comments at 1 ("[T]he Commission should allow small rural non-nationwide CMRS providers to implement georouting for wireless calls to the 988 Lifeline voluntarily").

[78] *See* T-Mobile Comments at 7; *see also* AT&T Reply at 3; ATIS Reply at 4; CCA Reply at 3; RWA Reply at 3.

[79] *See e.g.*, Comtech Comments at 3 ("Given the critical, lifesaving nature of 988 emergency calls, it is essential to expediently route wireless 988 calls to the appropriate local call center located where the 988 call originated."); CTIA Comments at 3 ("With approximately 80% of calls to 988 made from wireless phones, the Lifeline Administrator needs additional information to enable it to route calls to a local crisis center that corresponds with the location of the caller."); CX360 Comments at 2 ("CX360 agrees with the Commission that georouting of wireless calls to the 988 Lifeline is essential."); T-Mobile Comments at 1 ("T-Mobile commends the Commission's interest in ensuring that the Lifeline has the information it needs to route calls from a person in distress to the geographically relevant crisis center best positioned to help."); ATIS Reply at 3 ("ATIS appreciates the Commission's interest in ensuring that calls to the 988 Lifeline are properly routed to appropriate 988 call centers."); AT&T Reply at 1-2 (agreeing with the Commission that connecting callers in crisis with local crisis centers is important); CCA Reply at 1 ("CCA and its members support efforts to ensure individuals experiencing mental health crises have access to the resources they need."); Intrado Life & Safety Reply at 1 (noting that the record "reflects universal acknowledgement of the inadequacy of the current 988 routing system and broad agreement of the need for improvement by deploying georouting"); NASNA Reply at 2 (agreeing that "988 is a valuable and effective resource to those in need and wireless geo-routing of those calls will only add to that value and effectiveness"); Southern Linc Reply at 1 (supporting the Commission's goal of "improving the ability to route calls made to the [Lifeline] to the geographically appropriate crisis center to enhance the support and resources available to callers in crisis"); RWA Reply at 1 ("RWA commends the efforts of the Commission to improve the 988 Lifeline and provide critical assistance to people experiencing a mental health crisis.").

that fit with their network capabilities to the extent that those solutions are compatible with the systems used by the Lifeline.[80]

22. As we noted in the *988 Georouting Second Further Notice*, certain stakeholders have already engaged with SAMHSA and the Lifeline Administrator to develop georouting solutions for 988 calls.[81] The record reflects that the three nationwide wireless providers have already implemented georouting for wireless 988 calls or are in the process of deploying georouting solutions in their networks.[82] We support the voluntary efforts by wireless providers and our federal partners to deploy georouting solutions for 988 calls in their wireless networks. We decline, however, to allow deployment of georouting solutions on a purely voluntary basis.[83] Given the clear public interest benefits of supporting georouting for wireless 988 calls,[84] we find that deployment and implementation of georouting solutions for wireless 988 calls should not be optional.

23. We disagree with CTIA's contention that no commenters have offered "a reason why rules are needed to ensure that 988 georouting solutions are implemented."[85] As the Lifeline Administrator states, a georouting mandate is needed to ensure consistent access to the 988 Lifeline's localized resources, prevent variations in support based on an individual's service provider, and to allow the 988 Lifeline to better serve individuals in crisis.[86] The nation's mental health and substance use disorder community also supports immediate action to require wireless providers to implement georouting solutions for wireless 988 calls, emphasizing the urgency of connecting individuals in crisis to local services.[87] For these reasons, we conclude that allowing wireless providers to implement georouting solutions on a purely voluntary basis would undermine our goal of ensuring that the benefits of georouting are realized nationwide in a timely manner.

24. We further disagree with commenters that our georouting requirements would interfere with the efforts of the three major nationwide wireless providers to implement and deploy georouting solutions.[88] The rules we adopt today give wireless providers the flexibility to continue their efforts to implement the georouting solutions developed with SAMHSA and the Lifeline Administrator, ensuring that the benefits of improved 988 call routing can be realized without delay.[89] ATIS asserts that "[a] more

[80] *See infra* paras. 22-24.

[81] *See 988 Georouting Second Further Notice* at *6, para. 15.

[82] *See supra* note 32.

[83] *See supra* note 77 (commenters supporting purely voluntary deployment of georouting).

[84] *See supra* Section III.A, Georouting Will Improve Access and Efficiency of the 988 Lifeline.

[85] CTIA Reply at 5.

[86] *See* Vibrant Comments at 4-5, 7.

[87] NAMI et al., Mar. 20, 2024 Letter at 2 (supporting "immediate action to improve the routing of 988 calls" and stating that "it is of the utmost urgency to ensure that people in crisis are connected to . . . resources in their communities").

[88] *See, e.g.*, CTIA Comments at 2 (urging the Commission to ensure that "rules do not interfere with wireless providers' and the Lifeline's ability to deploy the georouting solutions that have been developed as soon as practicable"); ATIS Reply at 4 ("To the extent that the Commission nonetheless adopts new rules, it should ensure that these rules do not interfere with service providers' and the 988 Lifeline's ability to deploy the georouting solutions already in progress as soon as practicable."); CTIA Reply at 2 ("To the extent that the Commission considers rules, however, the record confirms that such rules should be aligned with, and in any event should not undermine, the georouting solutions currently being implemented.").

[89] AT&T Reply at 3 (explaining that a general requirement "would not interfere with existing efforts between wireless providers and the 988 Lifeline to georoute 988 calls and allow flexibility to adapt to changing

(continued….)

flexible, requirements-based approach would facilitate the timely deployment of 988 routing solutions" and allow wireless providers to "continue their deployments."[90] Further, as AT&T states, a general requirement will "not interfere with existing efforts between wireless providers" and will provide "flexibility to adapt to changing technologies."[91]

25. *Georouting Required for all CMRS Providers.* We find that requiring all CMRS providers to have the capability to provide georouting data with 988 calls is necessary to ensure that wireless 988 callers receive the demonstrated benefits of georouting, regardless of the providers' network configurations. We define nationwide CMRS providers as those providers whose service extends to a majority of the population and land area of the United States. Non-nationwide CMRS providers include all CMRS providers other than a nationwide CMRS provider.[92] We agree with Reimagine Crisis Response that "[c]onnecting more people to timely and local crisis support and services through accurately routed 988 calls will save lives."[93] For that reason, we decline to limit application of our rules to voice calls carried end-to-end on IP networks, as advocated by some commenters.[94] However, we recognize that current georouting solutions may rely on the IP-based capabilities of the Lifeline and wireless providers' networks, which may impact wireless providers' ability to transmit georouting data with wireless 988 calls over non-IP networks.[95] Therefore, the rules we adopt today require nationwide and non-nationwide providers to provide georouting data when available and offer flexibility for wireless providers to work with the Lifeline Administrator on a case-by-case basis to address any individualized network considerations. We also provide non-nationwide providers an ample compliance deadline, as discussed below, to allow time for development of technical solutions.[96] We conclude that this approach appropriately balances the public interest in providing critical improvements to life-saving services with CMRS providers' needs to develop technical solutions to implement the new requirements. We find that the targeted requirements we adopt today give wireless providers sufficient flexibility to capitalize on their current technology and network configurations[97] to ensure that the maximum number of wireless 988

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technologies"); *see also* Letter from Christiaan Segura, Director, Regulatory Affairs, CTIA, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-336, at 1 (filed Oct. 9, 2024) (CTIA Oct. 9, 2024 *Ex Parte*).

[90] ATIS Reply at 4.

[91] AT&T Reply at 3.

[92] *See* Appx. A (new 47 CFR § 52.202(d)); *see also* 47 CFR § 9.10(i)(1)(iv) and 47 CFR § 9.10(i)(1)(v).

[93] Reimagine Crisis Response Comments at 2.

[94] *See* CTIA Comments at 6 (arguing that "any Commission-imposed georouting requirements should be limited to voice calls initiated, maintained, and terminated (i.e., carried end-to-end) on IP-based networks"); CCA Reply at 4 (stating that "[c]urrent 988 georouting solutions utilize the capabilities of IP-based networks from call origination through termination"); CTIA Reply at 6 (stating that current georouting solutions "are premised on the IP-based capabilities of the 988 Lifeline, its vendors, and wireless networks").

[95] *See, e.g.*, CTIA Comments at 6 (stating that "current solutions to deliver georouting information with wireless 988 calls utilize the capabilities of IP-based networks"); CX360 Comments at 11 (noting that CX360's georouting solution "leverages the standard, pre-existing P-Asserted-Identity call header to relay location data"); CCA Reply at 4 (stating that "[c]urrent 988 georouting solutions utilize the capabilities of IP-based networks from call origination through termination"); CTIA Reply at 6; Letter from Angela Simpson, General Counsel & Senior Vice President Legal and Regulatory Affairs, CCA, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-336, at 1 (filed Oct. 10, 2024) (CCA Oct. 10, 2024 *Ex Parte*) (urging the Commission to "alleviate the burden on non-nationwide providers who have non-IP elements in their networks" and stating that "the ability to include geolocation [*sic*] data in the call header, does not exist on non-IP networks").

[96] *See infra* Section III.H, Implementation Time Frame for Georouting 988 Calls to the Lifeline.

[97] *See* CTIA Comments at 5 (arguing that "a general obligation provides flexibility that will allow wireless providers and the Lifeline to maximize the capabilities of technology currently available to wireless providers"); AT&T Reply at 3 (arguing that "a general requirement that wireless carriers provide location information to the 988 Lifeline in a (continued….)

callers benefit from georouting as quickly as possible.[98] The Commission will take further action, if necessary, to ensure that wireless providers are providing the Lifeline Administrator with georouting data when available to ensure the Administrator is capable of routing wireless 988 calls.

26. We are unpersuaded by arguments that non-nationwide CMRS providers should be exempt from implementing georouting for wireless 988 calls.[99] RWA claims that georouting solutions have not "been tested in a real-world application and implemented by any CMRS provider."[100] Southern Linc also claims that non-nationwide CMRS providers have not yet participated in the georouting "solutions development process."[101] The record reflects, however, that the nationwide providers have developed and implemented or are in the process of implementing georouting solutions for wireless 988 calls.[102] While we acknowledge that non-nationwide CMRS providers may face operational limitations when implementing georouting solutions for wireless 988 calls,[103] we agree with commenters that non-nationwide CMRS providers will be able to leverage the georouting solutions developed and implemented by nationwide providers in collaboration with SAMHSA and the Lifeline Administrator.[104] Further, several commenters highlight the importance of implementing georouting solutions to improve access to the 988 Lifeline's crisis intervention services for people in rural areas, who face a disproportionate risk of suicide and may need to be aware of limited mental healthcare resources available near their communities.[105] We encourage non-nationwide CMRS providers to collaborate with SAMHSA and the

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format compatible with that used by the Lifeline" would "allow flexibility to adapt to changing technologies"); *see also* ATIS Reply at 3; CCA Reply at 4; CX360 Reply at 4 (all agreeing with CTIA that a general obligation provides flexibility that will maximize the capabilities of technology).

[98] *See* CCA Reply at 5 ("While non-IP networks and the challenges associated with roaming may impact how some calls are routed, the majority of calls will be properly routed with the solutions that nationwide providers are ready to deploy."); CTIA Reply at 4-5 (noting "[t]he nationwide providers' prompt implementation will enable the provision of georouting information for more than 98% of all wireless subscribers in the United States").

[99] RWA Comments at 5 (arguing that "[r]equiring that small rural non-nationwide CMRS providers implement 988 georouting for all wireless calls at this time would be premature" and that "these providers should be specifically exempted from any mandate imposed on other wireless carriers").

[100] *Id.*

[101] Southern Linc Reply at 4.

[102] *See supra* note 32.

[103] *See, e.g.*, CTIA Comments at 6 (urging the Commission to recognize "technical and practical limitations for smaller subsets of calls and providers"); RWA Reply at 3 ("Small non-nationwide providers face both operational and financial challenges in implementing a new technological solution."); CCA Reply at 2 (urging the Commission to adopt general rules that account for the "limitations of currently available 988 georouting solutions, and the challenges such rules would pose on non-nationwide providers").

[104] CTIA Comments at 7 ("The georouting solutions that the nationwide wireless providers are developing with the Lifeline should provide a workable framework for non-nationwide providers."); CCA Reply at 2 (stating that "while non-nationwide providers have yet to begin implementing 988 georouting solutions in their networks, the solutions developed by nationwide providers provide a blueprint for nonnationwide providers to adopt in the future"); CTIA Reply at 5 (reiterating that "the georouting solutions developed by the nationwide wireless providers, in conjunction with the 988 Lifeline, can serve as models for non-nationwide wireless providers"); Southern Linc Reply at 3 (agreeing with CTIA that the georouting solutions developed by nationwide wireless providers "should provide a workable framework for non-nationwide providers").

[105] *See, e.g.*, AFSP Comments at 3 ("Routing to 988 based on approximate location will strengthen the accuracy and immediacy of a mental health response for those in rural areas who might not have easy access to in-person resources."); NCMW Comments at 4 (emphasizing the importance of access to mobile crisis response services in rural areas); NY OMH Comments at 1 (stating that the absence of georouting solutions places "New Yorkers living in rural areas, particularly working-aged men" at an "even higher risk of not being connected to local, life-saving resources in the event of an imminent crisis"); Vibrant Comments at 6 ("Individuals living in rural areas are also at (continued….)

Lifeline Administrator in developing and implementing georouting solutions.[106] To further reduce the burden on non-nationwide entities under the rules we adopt today, we grant longer compliance timelines to non-nationwide CMRS providers, as discussed below.[107]

C. Georouting Data Format Compatible with the Lifeline

27. In the *988 Georouting Second Further Notice*, we described our goal to "undertake a holistic review to ensure that any georouting solution deployed is compatible with the needs and systems of the 988 Lifeline, as determined by SAMHSA, and successfully connects callers in crisis with the local support they need."[108] The requirements we adopt today will ensure that the vast majority of wireless 988 callers receive the benefits of georouting as expeditiously as possible by ensuring that georouting data is provided in a format that is compatible with the Lifeline's routing platform, maintaining the centralized routing system of the 988 Lifeline, and giving wireless providers sufficient flexibility to implement and deploy georouting solutions.

28. *Capability to Provide Georouting Data.* Consistent with the *988 Georouting Second Further Notice*, we require all CMRS providers to have the capability to provide georouting data with 988 calls to the Lifeline Administrator in a format that is compatible with the Lifeline's routing platform.[109] The record evinces support for this requirement.[110] For example, CX360 states that georouting solutions that leverage the Lifeline's existing infrastructure "create technical efficiencies" and align with the Lifeline's efforts to provide "community-based support with national-level support for specific at-risk communities."[111] T-Mobile asserts that compatibility with the Lifeline will avoid the significant costs incurred for network or system changes and "minimize[] the risk of technological errors" in efficiently delivering 988 calls.[112] Several commenters also indicate that georouting data in a format that is

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higher risk of suicide completion and need timely access to the resources and support provided by the 988 Lifeline.").

[106] ATIS Reply at 6 (urging "the Commission to encourage non-nationwide carriers to work with SAMHSA and Vibrant, as the nationwide providers did").

[107] *See infra* Section III.H.

[108] *988 Georouting Second Further Notice* at *2, para. 4.

[109] *See* Appx. A (new 47 CFR § 52.202(a)(1)).

[110] *See, e.g.*, Cal OES Comments at 5 (supporting the Commission's "desire to undertake a holistic review to ensure that any georouting solution deployed is compatible with the needs and systems of [the Lifeline], as determined by SAMHSA"); CX360 Comments at 4 (arguing that any georouting rules should be "both general in nature and compatible with the systems and methodologies already adopted by the Lifeline Administrator"); NAMI Comments at 3 (urging the Commission "to ensure that any geographic boundaries identified and the associated georouting technology comply with the needs and requirements of the Lifeline network"); T-Mobile Comments at 6 (stating that T-Mobile's "georouting solution was designed precisely to ensure compatibility with the needs and systems of the 988 Lifeline, as determined by SAMHSA"); ATIS Reply at 5 (noting that "routing solutions must be coordinated with the [Lifeline Administrator] through which calls are routed"); AT&T Reply at 3 ("[C]ommenters correctly call for only a general requirement that wireless carriers provide location information to the 988 Lifeline in a format compatible with that used by the Lifeline."); *see also* CTIA Reply at 4 (stating that "the nationwide wireless providers are actively working with the Lifeline Administrator to expeditiously implement georouting solutions for end-to-end IP-based wireless 988 calls that are compatible with the 988 Lifeline and wireless providers' existing network configurations and capabilities"); CX360 Reply at 3 ("CX360 has worked extensively with wireless carriers and other industry participants to develop a georouting solution for wireless calls that fully meets the needs of the Lifeline Administrator and all 988 Lifeline stakeholders.").

[111] CX360 Comments at 3.

[112] T-Mobile Reply at 2.

compatible with the Lifeline's routing platform will prevent delays in deploying georouting solutions.[113] Moreover, the Lifeline Administrator emphasizes, and we agree, that implementing georouting solutions that are compatible with the 988 Lifeline's "existing infrastructure and a uniform standard developed in partnership with SAMHSA and the Administrator [will] allow the 988 Lifeline to better serve individuals in crisis."[114] We emphasize that our rules create an ongoing obligation for wireless providers to ensure that georouting data is in a format that is compatible with the Lifeline's routing platform. We encourage wireless providers to collaborate with SAMHSA and the Lifeline Administrator in developing and testing georouting solutions that meet these compatibility requirements.[115]

29. The record reflects that the three nationwide wireless providers have already developed and implemented, or are in the process of implementing georouting solutions, that are compatible with the needs and systems of the 988 Lifeline.[116] As the Lifeline Administrator notes, these georouting solutions are the preferred solution for the Lifeline, were designed to be compatible with the Lifeline's existing routing structure, and do not require "creation of an entirely new 988 Lifeline framework and architecture."[117] We anticipate that the approach we adopt today will allow wireless providers to build on the success of the efforts of the nationwide wireless providers, streamlining implementation and costs[118] while facilitating faster deployment of georouting solutions.[119]

30. Given the importance of providing meaningful support to help-seekers reaching out to the 988 Lifeline, we recognize that our federal partners may choose to expand the functionality of the Lifeline's system in the future to support additional georouting data formats. We direct the Wireline Competition Bureau to routinely consult with our federal partners at SAMHSA regarding the format of georouting data that is compatible with the Lifeline's system. We further direct the Wireline Competition Bureau to monitor the development of compatible georouting solutions and, if necessary, propose and seek comment on implementation parameters for wireless providers for any compatible georouting data that is substantially modified from the georouting rule adopted herein.

31. *Centralized Routing.* Today, routing to the appropriate crisis call center is handled by a centralized routing system overseen by the Lifeline Administrator and supported by a grant from SAMHSA, and we find it is critical to retain this structure.[120] We agree with commenters that our rules

[113] *See, e.g.*, CX360 Comments at 4-5, 10; Vibrant Comments at 3-5; T-Mobile Reply at 2.

[114] Vibrant Comments at 7.

[115] Vibrant Comments at 5 ("Vibrant looks forward to collaborating closely with partners, SAMHSA, and the telecommunications industry on solutions for other 988 Lifeline modalities.").

[116] *See, e.g.*, *id.* at 4-5 (asserting that the georouting solutions developed in conjunction with the three nationwide wireless providers "allow real-time routing updates without the creation of an entirely new 988 Lifeline network and architecture"); T-Mobile Comments at 6 ("The current georouting solution was designed precisely to ensure compatibility with the needs and systems of the 988 Lifeline, as determined by SAMHSA."); CTIA Reply at 4 (stating that "the nationwide wireless providers are actively working with the Lifeline Administrator to expeditiously implement georouting solutions . . . that are compatible with the 988 Lifeline and wireless providers' existing network configurations and capabilities").

[117] Vibrant Comments at 4-5.

[118] *See* T-Mobile Reply at 2 ("Continuity with the Lifeline's platform avoids 'significant costs . . . for network or system changes' and minimizes the risk of technological errors that would hinder the efficient delivery of life-saving call.").

[119] *See* Vibrant Reply at 1-2 (asserting that the georouting solutions developed in collaboration with the three nationwide wireless providers "leverage the 988 Lifeline's existing routing structure, which will expedite implementation of georouting and ensure that help seekers are connected to local crisis support").

[120] *See* Vibrant 988 Geolocation Reply at 1 (explaining that currently "the Lifeline handles all call routing to individual centers within the network utilizing Lifeline's own routing database keyed on area code and exchange"); SAMHSA, 988 Suicide & Crisis Lifeline Geolocation Needs, 988 Geolocation Forum Presentation at 37 (May 24, (continued….)

should preserve the role of the Lifeline Administrator in routing 988 calls to geographically appropriate local crisis centers.[121] Consistent with the *988 Georouting Second Further Notice*, we recognize that SAMHSA and the Lifeline Administrator are best suited to ensure that calls are properly routed and ultimately answered by a crisis center once the call is received by the Lifeline Administrator from the originating wireless provider.[122] The record highlights that the Lifeline Administrator, under the direction of SAMHSA, plays a critical role in managing the 988 Lifeline's system by balancing call volume, ensuring calls are efficiently routed to appropriate and available crisis centers, and minimizing the technical burdens placed on crisis centers so they can focus on saving lives.[123] As USTelecom emphasizes, the challenges associated with routing calls to the Lifeline are not limited to directing calls to the "correct crisis center," but also ensuring they reach available crisis centers, given that many have varying operating hours.[124]

32. We find that the success of the Lifeline system in helping individuals in crisis underscores the importance of maintaining the centralized routing system.[125] As the Lifeline Administrator notes, "[e]valuations of the 988 Lifeline service have found that the majority of callers

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2022); Vibrant Emotional Health, Geolocation and 988: The Need for Location Routing and Rapid Response to Persons at Imminent Risk of Suicide, 988 Geolocation Forum Presentation at 42-43 (May 24, 2022); Vibrant Emotional Health, Lifeline Technology and Location Data Usage, 988 Geolocation Forum Presentation at 95-96 (May 24, 2022), https://www.fcc.gov/sites/default/files/988-forum-event-05242022-presentation.pdf. The Commission has had no role in establishing, maintaining, or operating the 988 Lifeline's routing system or the facilities and systems that enable it, and is not a party to any agreement that the Lifeline Administrator and/or SAMHSA has entered to establish, structure, operate, govern, or fund the system.

[121] *See, e.g.*, CTIA Comments at 2 ("Any rules also should preserve the role of the Lifeline to route calls to appropriate local crisis centers, as directed by the [SAMHSA]."); T-Mobile Comments at 7 (arguing that "[d]ecisions regarding how best to route . . . calls should be left to the Lifeline Administrator and SAMHSA"); Vibrant Comments at 5 (asserting that "SAMHSA and Vibrant, as the administrator of the 988 Lifeline, are best positioned to make decisions related to the operational components of the service"); ATIS Reply at 5 (arguing that "routing solutions must be coordinated with the [Lifeline Administrator]," as "[r]outing to the appropriate crisis center is handled by a centralized routing system overseen by the Lifeline Administrator and supported by a grant from SAMHSA"); *see also* CTIA Reply at 9 (arguing that "[a]ltering the centralized routing of 988 calls . . . would undermine SAMHSA's and the VA's administration of the 988 Lifeline").

[122] *988 Georouting Second Further Notice* at *8, para. 21; *see also* CX360 Comments at 6 ("[T]he 988 Lifeline Administrator is best-suited to provide specifications regarding the location information data that needs to be received from wireless carriers to enable the 988 Lifeline Administrator to route wireless calls to geographically appropriate crisis call centers."); T-Mobile Comments at 7 (stating that "the actual georouting is performed by the Lifeline Administrator and not the carriers" and that "[d]ecisions regarding how best to route such calls should be left to the Lifeline Administrator and SAMHSA"); CTIA Oct. 9, 2024 *Ex Parte* at 2.

[123] *See, e.g.*, CX360 Comments at 3 (noting that the Lifeline Administrator's infrastructure "helps balance call volumes to avoid overloading individual call centers and ensures calls are answered as quickly as possible"); *id.* at 14 (describing the Lifeline's process of minimizing "technical burdens on crisis call centers"); *see also* Vibrant Comments at 1 (noting that the Lifeline Administrator is responsible for management of "technical infrastructure . . . enhance[ing] best practices for the network[,] ensur[ing] service quality and efficiency of the network's operations, and creating specialized services and resources to reach high-risk populations"); Letter from Leighton T. Brown, Counsel, CX360, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-336, at 1 (filed Oct. 9, 2024).

[124] USTelecom Comments at 4.

[125] CX360 Reply at 4-5 ("[T]he remarkable effectiveness of the 988 Lifeline undoubtedly supports the use of a georouting solution that builds on the Lifeline's success, rather than redesign it."); *see also* Burrell Behavioral Health Comments at 1 (stating that studies have shown that "nearly eighty percent of callers interviewed nine days on average after the call reported that the 988 Lifeline prevented them from taking their own lives"); FirstLink NorthDakota Comments at 1 (same); HeartLine Comments at 1 (same); NWHS Comments at 1 (same); VOAWW Comments at 2 (same).

were significantly more likely to feel less depressed, less suicidal, less overwhelmed, and more hopeful after speaking with a 988 Lifeline crisis counselor."[126] We find that the requirements we adopt today appropriately maintain the critical role of the Lifeline in routing calls to crisis centers.[127] Additionally, we believe that this approach alleviates record concern about the roles of CMRS providers and the Lifeline in the 988 call path.[128]

33. Although some commenters argue that alternative georouting solutions that bypass the Lifeline's centralized routing system may offer some benefits for 988 callers,[129] we find that the benefits of centralized routing greatly exceed the costs of localized routing. In the *988 Report and Order*, the Commission found that the Lifeline's centralized routing process offered numerous benefits for both the providers that route calls to the 988 Lifeline and the Lifeline itself, including faster implementation, lower costs to maintain 988 routing, and better Lifeline service.[130] We are convinced by the record that these benefits still remain true today.[131] In particular, we believe that maintaining the Lifeline's centralized routing process will simplify administration of the Lifeline and allow for faster implementation of georouting solutions. For example, the Lifeline Administrator states that the georouting solutions developed with the nationwide wireless providers using the Lifeline's centralized routing process "would be cost-effective" for both the Lifeline and providers, and would allow for faster deployment of georouting solutions.[132]

34. *Specialized Services.* We decline, at this time, to take specific action to apply our georouting requirements to the Lifeline's specialized services. In the *988 Georouting Second Further Notice*, we sought comment on whether georouting is necessary for specialized services, and whether there are any unique considerations for routing such calls that may impact our proposals.[133] As discussed above, the 988 Lifeline's interactive voice response (IVR) system currently provides callers the opportunity to connect with specialized services by selecting "1" for the Veterans Crisis Line, "2" for a

[126] Vibrant Comments at 2.

[127] *See* Appx. A (new 47 CFR § 52.202(a)(1)-(2)).

[128] *See* USTelecom Comments at 2-3 (urging the Commission to clarify the obligations "needed to correctly route a caller to the correct 988 crisis center").

[129] *See, e.g.*, Cal OES Comments at 5-7 (arguing that routing 988 calls directly to NG911 networks that have defined "geospatial boundaries" for 988 crisis centers promotes interoperability between 988 and 911 and improves cybersecurity); Comtech Comments at 5-7 (arguing that routing calls using dedicated IP-based 988 call paths provides "public safety grade network reliability"); Intrado Life & Safety Comments at 1-2, 8-9 (arguing that routing 988 calls to "state-designated Internet Protocol (IP) points of interconnection" improves the "security and reliability of the 988 Lifeline," provides "a distributed routing system where there are multiple carrier routes into multiple networks," and is "the most-cost effective approach for the long term"); NENA Comments at 1 (arguing that using "NG9-1-1 technologies will provide for interoperability with 9-1-1 systems [and] support for several multimedia communications modalities," as well as resolve technical problems associated with georouting and provide "failover protection during service interruptions"); *see also infra* Section III.G.

[130] *988 Report and Order*, 35 FCC Rcd at 7395, para. 42.

[131] *See, e.g.*, CTIA Comments at 8 (arguing that any georouting rules should "align[] with available georouting solutions, allowing the Lifeline and wireless 988 callers to benefit from improved 988 call routing without delay"); CX360 Reply at 10 (arguing that georouting solutions that bypass the Lifeline's centralized routing platform "would cause unnecessary expense and delay due to the substantial changes to the architecture of the 988 Lifeline that would be required"); *see also* CX360 Sept. 26, 2024 *Ex Parte* at 2 (stating that a centralized georouting solution "allows rebalancing of the 988 Lifeline call volume to ensure certain crisis call centers are not overwhelmed, and thereby, allows every caller to the 988 Lifeline to receive the help they need in a timely manner").

[132] Vibrant Comments at 4-5.

[133] *988 Georouting Second Further Notice* at *6, para. 17.

Spanish language line, and "3" for a specialized LGBTQI+ line.[134]

35. We recognize that several commenters assert that georouting data may provide benefits for individuals who use the Lifeline's specialized services, such as the LGBTQI+ community and veterans.[135] However, the record demonstrates that there are unique considerations for specialized services, including the need for access to specially trained counselors,[136] resource constraints,[137] and increased privacy concerns.[138] For example, Trevor Project explains that while "geographic location can provide a strong cultural connection for many 988 callers," research has shown that "competency with LGBTQ+ youth issues is the critical element necessary to effectively support LGBTQ+ young people in crisis."[139] We believe our federal partners at SAMHSA and the VA are best positioned to evaluate the benefits and challenges of using georouting data provided with 988 calls for the Lifeline's subnetworks. We anticipate that maintaining the existing centralized routing process will provide the Lifeline flexibility to use its expertise in deciding the most geographically appropriate crisis centers to direct callers who select specialized services.[140] We also anticipate that our rules will better allow the Lifeline to adapt and

[134] *See supra* para. 5.

[135] *See, e.g.*, NACO Comments at 3 ("As the FCC works to implement geo-routing capabilities, counties urge the agency to implement these same capabilities for the 988 Veterans Crisis Line."); NCMW Comments at 3 (asserting that georouting for specialized services will "improve [the] ability to connect the caller to appropriate resources and supports that are available and accessible in the caller's area"); MAMH Comments at 3 ("Veterans, service members, and their families, Spanish-language callers, and people seeking LGBTQI+ services should all have access to georouting to the same extent as other populations."); Washington State DOH Comments at 2 (stating that callers selecting specialized services "would benefit from regionally customized services afforded by georouting"); 988 California: Crisis Center Consortium Comments at 1 (Express) (urging the Commission "to consider applying georouting to 988 specialized services").

[136] *See* Trevor Project Comments at 3 (stating that "LGBTQ+ young people confront obstacles that are unique to their status," and that crisis services not "equipped to address these specific issues . . . significantly undermine[] the effectiveness of care," and "cause inadvertent harm . . . if callers are connected with counselors who are not trained to meet their specific needs"); UPMC Comments at 2-3 (supporting "the idea that georouting is not necessary" for specialized services due to existing transfer processes and emphasizing the importance of connecting callers to proper counselors for engagement and safety).

[137] *See* NCMW Comments at 3 (discussing georouting for specialized services and emphasizing the need to "ensure sufficient resources are allocated so that the appropriate workforce and services are available in a way that is equitable and geographically appropriate"); Trevor Project Comments at 4 ("In the event georouting solutions are mandated for subnetworks, the increased demand would likely exceed the current subnetwork infrastructure and capacity, undermining the effectiveness of 988.").

[138] *See, e.g.*, Laura Noble Comments at 1 (Express) (stating that "confidentiality, in particular, is [an] extremely important issue for members of the transgender community"); Trevor Project Comments at 2; EPIC Reply at 15 (stating that "calls made to a specialized service from a sparsely populated location could also pose greater privacy risk, which can quickly turn into a physical safety risk or other harm to a caller or their loved ones").

[139] Trevor Project Comments at 3.

[140] *See, e.g.*, CTIA Comments at 5 (arguing that centralized routing "enables the Lifeline to ensure that calls are appropriately routed to the 988 subnetworks . . . or appropriate local crisis center in the Lifeline network" and that "georouting solutions should preserve these capabilities"); CX360 Comments at 16 (stating that "the Lifeline Administrator's IVR . . . is critically important for quickly identifying and addressing specialized needs among help seekers"); T-Mobile Comments at 7 (arguing that "additional rules meant to address routing for specialized services . . . are also unnecessary" and that "[d]ecisions regarding how best to route such calls should be left to the Lifeline Administrator and SAMHSA"); Trevor Project Comments at 3-4 (opposing georouting for specialized services and emphasizing the importance of not interfering "with the efficient and effective transfers of callers to subnetworks providing specialized services"); *see also* CX 360 Sept. 26, 2025 *Ex Parte* at 2 (stating that "the Lifeline Administrator's [IVR] service . . . enables and expedites the provision of specialized crisis counseling services for members of at-risk communities").

expand as necessary to meet the unique needs of 988 callers who select specialized services.[141]

D. Cell-Based Location for Georouting

36. The definition of "georouting data" we adopt specifies that location data is generated using cell-based location technology.[142] This aspect of the georouting rule is central to allowing the nationwide providers' solutions to proceed and maintain compatibility with the Lifeline's centralized routing platform. Mental health and crisis counseling experts emphasize the importance of connecting callers to local resources while still protecting the privacy of callers.[143] As Trevor Project states, "it is vital that a georouting solution is adopted so that those reaching out to 988 can trust it will not jeopardize their privacy."[144] After considering the record, we find that generating location information using cell-based location technology will best identify a caller's location to enable routing of 988 calls to geographically appropriate crisis centers,[145] while maintaining the privacy interests of callers.[146] We anticipate that this approach will also provide nationwide providers flexibility to deploy current georouting solutions developed with the SAMHSA and the Lifeline Administrator.[147] As discussed

[141] *See* CX360 Comments at 13 ("Continued use of the IVR also allows the Lifeline Administrator to quickly deploy additional self-identification options to address universally acute stressors as needed."); Vibrant Reply at 8-9 ("As the Lifeline network adapts to a refined and more accurate routing provided by a georouting solution, there should be flexibility for improvements in how helpseekers want to access specialized support.").

[142] *See* Appx. A (new 47 CFR § 52.202 (defining georouting data)).

[143] *See supra* note 66 (commenters supporting georouting solutions while protecting privacy).

[144] Trevor Project Comments at 2.

[145] *See, e.g.*, 988 California: Crisis Center Consortium Comments at 1 (Express) (agreeing with the Commission that "a georouting solution that is based on cell tower information would best identify a caller's location to enable routing to a geographically appropriate crisis center"); NAMI Comments at 2 (asserting that "a georouting solution that uses cell tower information is a sufficient way to best identify callers' location for purposes of connecting them to the nearest crisis call center"); Pew Comments at 2 (supporting this conclusion); Trevor Project Comments at 2 (supporting the use of technology that enables "routing of calls based on cell tower location, which would allow for calls to be directed to centers in geographic areas nearby without revealing the precise location of 988 callers"); UPMC Comments at 3 (stating that "cell tower proximity is practical for routing to call center[s]"); NACO Comments at 2 (arguing in support of an alternative georouting solution, but supporting "the premise of a geo-routing framework that allow[s] calls to be routed to the nearest call center based on the location of the originating cell tower").

[146] *See, e.g.*, Pew Comments at 2 (supporting georouting solutions that "use cell phone tower proximity to route calls to local call centers without revealing their specific location"); Michigan State 911 Committee Comments at 1 (agreeing that the georouting solutions developed by the nationwide wireless providers "demonstrates how advanced technologies can be used" for georouting, "which protects the name and specific location of the caller"); Trevor Project Comments at 2 (supporting georouting solutions based on cell tower location and arguing that "[t]his type of solution, which obtains the benefits of georouting without the risks of geolocation, is essential"); EPIC Reply at 2 (supporting the use of "cell tower data or more general geographic data . . . rather than other types of data that might allow for collection and sharing of more precise location information"); Vibrant Reply at 6 ("Vibrant recommends a georouting mechanism that maintains user-privacy by utilizing cell phone tower location, rather than a user's precise location."); *see also* NAMI et al., Mar. 20, 2024 Letter at 2 (stating that georouting solutions based on cell tower location and wire-center boundaries "protect[] callers' privacy while ensuring that services and resources they receive are in their current community").

[147] *See* CTIA Comments at 6 (noting that the georouting solutions "developed by the nationwide wireless providers and the Lifeline rely on geographic information associated with the initiation of the call, such as a cell site identification number"); *see also* CX360 Comments at 11 (stating that "CX360's georouting solution is based on information gathered by cell towers"); T-Mobile Comments at 5 (noting that T-Mobile's "Gateway Mobile Location Center . . . receives the cell tower identifier and uses it to determine the county where the 988 call originated"); AT&T Reply at 4 (explaining that AT&T's georouting solution involves "loading the PAI header with the NPA-NXX for the wire center correlating to the originating cell site" of a 988 call).

throughout this *Third Report and Order*, although there are commenters that argue an alternative routing solution is preferable, we decline to stray from the Lifeline's current routing structure and we encourage stakeholders and our federal partners to continue to coordinate on the best way to get callers to the geographically appropriate crisis center.

E. Aggregation of Cell-Based Location Data

37. We require CMRS providers to aggregate location data generated from cell-based technology to a level that will not identify the location of the cell site or base station receiving the 988 call or otherwise identify the precise location of the handset.[148] In the *988 Georouting Second Further Notice*, we sought comment on whether the Commission should mandate the use of one or more particular geographic boundaries that would be applied for georouting solutions and asked commenters to address whether certain boundaries are sufficiently granular to achieve the goal of connecting callers with local resources during a time of crisis.[149] Our decision carefully balances two core objectives of georouting: ensuring the location data is sufficiently granular to connect the caller with local resources and maintaining the caller's privacy.

38. We agree with commenters that CMRS providers need flexibility to facilitate timely deployment of 988 georouting solutions[150] and account for providers' network capabilities.[151] To give CMRS providers flexibility, we do not specify a particular method for ensuring that location data is aggregated to a sufficiently granular level and allow providers to use technically feasible options for meeting this requirement. Similarly, we decline to mandate the use of one or more particular geographic boundaries. We do, however, require wireless providers to aggregate location data to a level that does not identify the location of the cell site or base station receiving the 988 call or otherwise identify the precise location of the handset.[152]

39. We observe that the georouting solutions the three nationwide wireless providers have deployed or are currently implementing employ different geographic boundaries. For example, T-Mobile's georouting solution obtains caller location information using cell-based technology, aggregates that location data using Federal Information Processing Series ("FIPS") code boundaries,[153] and transmits the georouting data as a 6-digit code in the P-Asserted-Identity (PAI) header of a Session Initiation

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[148] *See* Appx. A (new 47 CFR § 52.202 (defining "georouting data")).

[149] *988 Georouting Second Further Notice* at *7, para. 19.

[150] CTIA Comments at 2 ("CTIA encourages the Commission to provide wireless providers with flexibility to implement georouting solutions as quickly and efficiently as possible."); ATIS Reply at 4 ("A more flexible, requirements-based approach would facilitate the timely deployment of 988 routing solutions."); CCA Reply at 3 ("General rules that adopt a flexible approach will allow for swifter deployment of solutions, promote the improvement of solutions over time, and will not unduly over-tax small and non-nationwide providers").

[151] CTIA Comments at 5 ("A general obligation provides flexibility that will allow wireless providers and the Lifeline to maximize the capabilities of technology currently available to wireless providers and the 988 Lifeline's existing network configurations, and create incentives for continued evolution of georouting solutions over time."); ATIS Reply at 3 (agreeing with CTIA); AT&T Reply at 3 (arguing that "a general requirement that wireless carriers provide location information to the 988 Lifeline in a format compatible with that used by the Lifeline" would "allow flexibility to adapt to changing technologies"); CCA Reply at 4 (agreeing with CTIA); CX360 Reply at 4 (agreeing with CTIA).

[152] *See* Appx. A (new 47 CFR § 52.202 (defining "georouting data")).

[153] T-Mobile Comments at 2 (noting that T-Mobile's georouting solution "provides the Lifeline with a [FIPS] code that identifies the county in which the cell site receiving the 988 call is located"). The Federal Information Processing Series (FIPS) codes are maintained and assigned by the Census Bureau to identify geographic areas. *See* U.S. Census Bureau, American National Standards Institute (ANSI), FIPS, and Other Standardized Geographic Codes, U.S. Dep't of Com. (May 1, 2023), https://www.census.gov/library/reference/code-lists/ansi.html.

Protocol (SIP) invite message to the Lifeline.[154] Whereas, AT&T's georouting solution aggregates location data using wire center boundaries correlating to the originating cell site.[155] The Lifeline Administrator has confirmed that these solutions are compatible with the Lifeline's network configuration and centralized routing system.[156] Commenters generally agree that county level or wire-center boundaries are sufficiently generalized to protect callers' privacy while still enabling the Lifeline to effectively route calls to geographically appropriate crisis centers.[157]

40. NACO requests that we provide sufficient flexibility to allow state and local authorities "to define the boundaries within their jurisdiction that are most suitable" for georouting purposes.[158] While we recognize the role that counties play in addressing the nationwide mental health crisis,[159] we decline at this time to require wireless providers to aggregate location data based on a particular state or local authority's definition of appropriate geographic boundaries. Washington Department of Health claims that allowing wireless providers to use multiple geographic boundaries "would negatively impact crisis centers' ability to accurately predict the volume of need and provide services," which would be particularly challenging "in areas where multiple languages are spoken by different communities."[160] As the Lifeline Administrator notes, states and localities are already involved in the "operational decision making process with SAMHSA and Vibrant" regarding routing of 988 calls and coverage areas of crisis centers.[161] We acknowledge that wireless providers' geographic boundaries must align with the 988 network parameters of the Lifeline Administrator and encourage SAMHSA and the Lifeline Administrator to continue their collaborative efforts with stakeholders, and we believe that preserving the Lifeline's centralized routing process provides our federal partners flexibility to develop and expand

[154] *See* T-Mobile Comments at 4 & n.8 (explaining that T-Mobile's georouting solution "generates a six-digit code" that includes "one prepended digit that identifies the carrier . . . and a five-digit FIPS code that identifies state and county of the cell site through which the caller is placing the 988 call").

[155] AT&T Comments at 4 (stating that the Lifeline "has approved loading the PAI header with the NPA-NXX for the wire center correlating to the originating cell site"). A wire center, as defined in 47 CFR § 51.5, is the location of an incumbent Local Exchange Carrier (LEC) switching facility containing one or more central offices. 47 CFR § 51.5. The wire center boundaries define the area in which all customers served by a given wire center are located. *Id.*

[156] *See* Vibrant Comments at 4-5.

[157] *See, e.g.*, CTIA Comments at 4 (agreeing that "a georouting solution that provides location information sufficient for the Lifeline to route calls to a geographically appropriate crisis call center, such as by identifying the county where the call originated, would best serve georouting needs while minimizing privacy concerns"); LA County DOMH Comments at 2 (expressing support for county level boundaries); T-Mobile Comments at 5-6 (stating that T-Mobile's georouting solution "provides granular enough information (i.e., state and county of the cell tower) for SAMHSA and the Lifeline Administrator . . . to transfer calls appropriately without revealing the caller's precise geolocation"); ATIS Reply at 5 (agreeing that "a georouting solution that provides location information sufficient for the Lifeline to route calls to a geographically appropriate crisis call center, such as by identifying the county where the call originated, would best serve georouting needs while minimizing privacy concerns"); AT&T Reply at 2 (stating that "comments reveal a consensus that providing the 988 Lifeline with general location information, such as county-level or wire center-level, would allow for routing to the appropriate local crisis center without being so granular as to divulge the caller's location"); CX360 Reply at 2-3 (expressing support for "georouting solution that results in wireless calls to the 988 Lifeline being routed to a crisis center nearest to the county in which the callers is located").

[158] NACO Comments at 2.

[159] *Id.*

[160] Washington State DOH Comments at 2.

[161] Vibrant Reply at 7; *see also* Cal OES Comments at 3 (noting that Cal OES worked with SAMHSA and the Lifeline Administrator "to validate that the California state-based technology complies with the interface requirements of the 988 Lifeline and provides the reporting needed and requested by SAMHSA to handle and transfer 988 calls, chats, and texts").

georouting solutions to meet the Lifeline's needs.

41. We anticipate that our flexible approach toward adopting a georouting mandate strikes the right balance between ensuring that location data is sufficiently granular to achieve the goal of connecting wireless 988 callers with local resources without delay, aligning with the requirements delineated by SAMHSA and the Lifeline Administrator, and maintaining the privacy of 988 callers. We believe that the requirement to aggregate georouting data to a level that does not identify the location of the cell site or base station receiving the 988 call or a more precise location of the handset alleviates record concern about protecting privacy of callers in more densely populated areas.[162] We also anticipate that our approach gives wireless providers discretion to aggregate georouting data using technically feasible methods that are best suited for their networks.[163]

F. Technical Considerations

42. In the *988 Georouting Second Further Notice*, we recognized that there could be technological limitations associated with some georouting solutions and sought comment on whether solutions would work if, for instance, a caller is roaming or if a particular wireless call is out-of-scope for a georouting solution or presents with unreadable routing data.[164] We find that the limitations commenters raised are addressable without jeopardizing the georouting rule we adopt, and which is so critical to further improve the 988 Lifeline for callers in crisis.

43. *Roaming.* Some commenters state technical limitations associated with georouting solutions may arise when individuals call 988 while roaming.[165] CTIA asserts that the "home network operator" may not receive location information, such as the originating cell ID, or may not be able to "correlate the visited provider's cell ID" to geographic boundaries to generate georouting data.[166] AT&T states that "4G and newer wireless networks," as designed, do "not support georouting a 988 call made while roaming."[167] Although we acknowledge the substantial public interest benefits in requiring georouting for all wireless 988 calls, we exclude calls transmitted using roaming capabilities from application of the requirements we adopt today to account for the technical limitations identified in the record.[168] We anticipate that our targeted approach will give providers sufficient flexibility to maximize their current technology and network configurations[169] to ensure that the vast majority of wireless 988

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[162] Comtech Comments at 6 (claiming that georouting solutions based on cell tower information will make protecting the privacy of callers "more difficult to guarantee in more densely populated areas," particularly for "callers connecting to much smaller (and closer) 5G cell towers").

[163] *See id.* at 5 (arguing that "boundaries associated with wire centers are not relevant in the context of wireless calls").

[164] *988 Georouting Second Further Notice* at *8, para. 21.

[165] *See* CTIA Comments at 6 (urging the Commission to "recognize that providing georouting information is not feasible for calls originated while the customer is roaming due to differences in the way roaming calls are routed and processed"); AT&T Reply at 6 (agreeing with CTIA); CCA Reply at 4-5 (describing technical challenges associated with roaming).

[166] *See* CTIA Comments at 6-7 & n.16.

[167] *See* AT&T Reply at 6.

[168] *See* Appx. A (new 47 CFR § 52.202(b)).

[169] *See* CTIA Comments at 5 (arguing that "[a] general obligation provides flexibility that will allow wireless providers and the Lifeline to maximize the capabilities of technology currently available to wireless providers"); AT&T Reply at 3 (arguing that "a general requirement that wireless carriers provide location information to the 988 Lifeline in a format compatible with that used by the Lifeline" would "allow flexibility to adapt to changing technologies"); *see also* ATIS Reply at 3; CCA Reply at 4; CX360 Reply at 4 (all agreeing with CTIA that a general obligation provides flexibility that will maximize the capabilities of technology).

callers benefit from georouting as quickly as possible.[170] Calls using roaming capabilities may be routed to qualified crisis counselors using the area code and exchange, as they are today. Upon development of a further record pertaining to the technical feasibility of transmitting georouting data with roaming calls, the Commission may further consider extending the georouting requirements to these calls.[171]

44. *Default Routing.* In the *988 Georouting Second Further Notice*, we sought comment on whether 988 calls with unreadable routing data would default to routing by area code or be redirected to a national back-up center.[172] The record demonstrates that, while the benefits of georouting for 988 calls are clear, it is critical that callers still have access to the Lifeline's vital services if georouting data is unavailable or unreadable.[173] CX360, a service provider that contracts with the Lifeline Administrator to provide voice and SMS-based information services after calls reach the Lifeline, explains that the Lifeline's IVR system has "built-in backup routing logic that routes the call based on the caller's area code."[174] Several commenters that addressed this issue support defaulting to routing by area code and exchange when georouting data is unreadable.[175] We agree, and we view retaining the centralized routing process will enable the Lifeline to route callers to crisis centers based on area code and exchange in the event that georouting data is unavailable or unreadable, and such calls will not be disconnected.

G. Alternative Georouting Solutions

45. We emphasized in the *988 Georouting Second Further Notice* that we believe implementing a georouting solution without delay to connect callers to 988 with geographically appropriate crisis call centers provides better care.[176] With this urgency in mind, we sought comment on the feasibility of requiring alternative georouting solutions that have not yet been tested, developed, or presented to SAMHSA or the Lifeline Administrator and asked whether such solutions would expedite or slow deployment of georouting.[177] After reviewing the record, we decline, at this time, to adopt commenters' alternative georouting proposals that would bypass the Lifeline's centralized routing system or require CMRS providers to route directly to crisis centers. Several commenters argue that the Commission should consider adopting rules that allow routing of 988 calls directly to NG911 networks upon request from states that can manage 988 calls directly and have defined "geospatial boundaries" for 988 crisis centers.[178] Intrado Life & Safety asks the Commission to adopt rules that support direct routing

[170] *See* CTIA Reply at 4-5 (noting that "[t]he nationwide providers' prompt implementation will enable the provision of georouting information for more than 98% of all wireless subscribers in the United States"); CCA Reply ("While non-IP networks and the challenges associated with roaming may impact how some calls are routed, the majority of calls will be properly routed with the solutions that nationwide providers are ready to deploy.").

[171] Issues raised in the *988 Georouting Second Further Notice* that are not addressed in this *Third Report and Order* remain pending.

[172] *988 Georouting Second Further Notice* at *9, para. 23.

[173] *See, e.g.*, CX360 Comments at 2 ("While area-code based routing is an imperfect means of routing calls, it has provided a mechanism to allow the 988 Lifeline to assist millions of help seekers without overloading 988 Lifeline resources."); *see also* MAMH Comments at 3 (asking "[w]ill there be measures in place for emergency situations when system failures make georouting impossible (such as if local cell towers are not functioning?").

[174] *See* CX360 Comments at 2, 9.

[175] NAMI Comments at 3 ("In these instances where a technological glitch prevents calls from being directed to the closest call center, NAMI recommends that such calls be routed based on the area code of the callers' phone number, similar to the current process and the process for directing calls from landlines to 988."); Washington State DOH Comments at 2 ("Routing by area code, while imperfect, would at least result in a connection to the closest crisis center some of the time.").

[176] *988 Georouting Second Further Notice* at *1, *5, *11, paras. 2, 13, 27.

[177] *Id.* at *11, para. 27.

[178] *See* Cal OES Comments at 5, 7; Ohio Department of Mental Health and Addiction Services Comments (Express).

of 988 calls to "state-designated IP Protocol (IP) points of interconnection (POI)," such as the "Emergency Services IP Network (ESInet)" in alignment with Next Generation 911 (NG911), upon request from a state.[179] Similarly, Comtech urges the Commission to adopt rules that provide "state 988 authorities the flexibility to develop their own direct, dedicated, IP-based 988 call paths and system architecture to meet their local needs."[180] The National Emergency Number Association (NENA) also urges the Commission to consider the use of NG911 technologies to support georouting for 988 calls and argues that a 988 call should "be treated as an emergency call."[181]

46. We do not adopt these proposals at this time as we work to expeditiously improve routing for 988 calls within the 988 Lifeline's system.[182] In the *988 Georouting Second Further Notice*, we stated that the ultimate goal of the coordination between SAMHSA, the Lifeline Administrator, and the Commission was to identify one or more georouting solutions that are compatible with the 988 Lifeline's system and achieve the policy objectives of connecting callers in crisis with local support.[183] We further stated that our goal was to build on the progress made by all stakeholders to identify a georouting solution to enhance the support and resources available to callers in crisis.[184] The record reflects support for this approach.[185]

47. We are also concerned that implementing a localized routing model at this time would be contrary to our goal of ensuring that georouting is available without delay to connect the majority of callers to 988 with geographically appropriate crisis centers that enhance the services available to those in crisis.[186] CTIA asserts that proposals that require modification of the centralized routing process for 988 calls are inconsistent with the georouting solutions that have been developed by the nationwide wireless providers, major stakeholders, SAMHSA, and the Lifeline Administrator.[187] The Lifeline Administrator and CX360 point to necessary infrastructure changes that could delay implementation of georouting solutions.[188] Additionally, the Lifeline Administrator states that "reliance on technologies, such as NG911, can impact the ability . . . to carry out its duties as Administrator, including responsibility for routing of contacts to the 988 Lifeline."[189] Overall, we do not have the full and detailed record necessary

[179] *See* Intrado Life & Safety Comments at 1, 6-8.

[180] Comtech Comments at 3.

[181] NENA Comments at 1; *see also* NASNA Reply at 2 (stating that "there are technologies inherent within NG911 that can and should be taken in consideration as 988 evolves").

[182] Nevertheless, recognizing the importance of developing solutions capable of connecting callers to the most geographically appropriate resources, we encourage parties to continue exploring alternative localized georouting solutions.

[183] *988 Georouting Second Further Notice* at *10, para. 25.

[184] *Id.* at *5, para. 13.

[185] *See, e.g.*, CX360 Comments at 3, n.8; Vibrant Comments at 3; CX360 Sept. 26, 2024 *Ex Parte* at 1-2 (noting that "CX360 explained how its georouting solution, as opposed to a decentralized approach, builds on nearly a decade of experience providing services to, and fine-tuning those services for, the 988 Lifeline").

[186] AT&T Reply at 4 (cautioning that Comtech's proposed alternative georouting solution would "allow for a potential wide array of solutions and technologies, and introduce uncertainty"); *see also* CTIA Oct. 9, 2024 *Ex Parte* at 1-2.

[187] CTIA Reply at 8; *see also* AT&T Reply at 3-4 (cautioning that Comtech's proposed alternative georouting solution "would deviate from the collaborative, consensus-based approach between stakeholders that has worked so well").

[188] Vibrant Comments at 5 (arguing that alternative georouting solutions "would require a complete infrastructure change which would cause significant delay"); CX360 Reply at 4 (agreeing with Vibrant).

[189] Vibrant Reply at 8.

to adopt a rule that requires providers to bypass the existing centralized routing system, and we find that doing so would jeopardize the important next step that we are taking by implementing georouting as soon as possible.

48. We decline NENA's request to establish an expiration date for mandatory georouting requirements.[190] NENA emphasizes the potential benefits of implementing georouting solutions for wireless 988 calls that leverage NG911 technologies.[191] While parties claim that NG911 technology could provide benefits for georouting calls to the 988 Lifeline, those benefits do not negate the current need for the requirements that we adopt in this *Third Report and Order*. Given the significant public interest benefits of supporting georouting for wireless 988 calls, we decline to set an end date for our rules, but we may consider further technological developments in the future.

H. Implementation Time Frame for Georouting 988 Calls to the Lifeline

49. Recognizing the urgency of the need to continue the Commission's work to provide meaningful access to the 988 Lifeline, we sought comment in the *988 Georouting Second Further Notice* on the appropriate timeline for deployment of a georouting solution, and specifically asked commenters to identify technical, financial, operational, legal, or other factors that could influence a mandated time frame.[192] Thanks in large part to the work of SAMHSA and nationwide CMRS providers to date, the record indicates that implementation of solutions for sending georouting data along with wireless calls is attainable in the near term.[193] We therefore establish an implementation time frame following the effective date of the georouting rule of 30 days for nationwide CMRS providers and 24 months for all non-nationwide CMRS providers. As we define them above, nationwide CMRS providers are those providers whose service extends to a majority of the population and land area of the United States. Non-nationwide CMRS providers include all CMRS providers other than a nationwide CMRS provider.[194]

50. The implementation time frame we provide nationwide CMRS providers corresponds to these providers' own solution-completion timelines.[195] T-Mobile, for example, began sending georouting information to the 988 Lifeline even before the publication of our rules and has since announced that its customers now "have their calls routed to crisis centers close to their actual location."[196] All three nationwide providers have implemented, or are in the process of implementing, their georouting solutions for wireless 988 calls.[197] Consistent with these expectations, we find sufficient a 30-day period after the effective date of our rules to require nationwide CMRS providers to begin sending georouting data with wireless 988 calls. Establishing such a time frame represents a critical first step toward ensuring that callers—a vast majority of whom subscribe to a nationwide CMRS provider[198]—will be routed to a geographically appropriate call center.

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[190] NENA Comments at 7 ("NENA supports the Commission's proposals for georouting of 988 calls—provided there is an expiration date.").

[191] *Id.* at 7-8.

[192] *See 988 Georouting Second Further Notice* at *10, para. 26.

[193] *See* CTIA Reply at 1, 4 (naming AT&T, T-Mobile, and Verizon as all "actively working . . . to expeditiously implement georouting solutions for end-to-end IP-based wireless 988 calls").

[194] *See* Appx. A (new 47 CFR § 52.202(d)).

[195] *See* CTIA Reply at 1, 4.

[196] *See* T-Mobile Reply at 3 ("T-Mobile anticipates that it will begin providing georouting information to the Lifeline beginning the week of August 5, 2024, a week after the close of reply comments."); T-Mobile Sept. 25, 2024 Press Release.

[197] *See supra* note 32.

[198] *See, e.g.*, CTIA Reply at 4-5.

51. Simultaneously, we conclude that 24 months provides sufficient time for non-nationwide CMRS providers to begin sending georouting information to the 988 Lifeline. Commenters agree that non-nationwide CMRS providers require more time to implement a georouting solution.[199] For example, Intrado Life & Safety proposes that their solution could be completed within a year but acknowledge that additional time may be needed for non-nationwide CMRS providers.[200] We find that 24 months strikes an appropriate balance between giving these providers the necessary time to come into compliance and the pressing need to expeditiously connect callers to a geographically appropriate call center.[201] A 24-month period for implementation, as noted by CCA and Southern Linc, also accords with our decision to give providers 24 months to implement location-based routing for 911 call solutions.[202]

52. RWA asserts that small rural CMRS providers lack the resources to implement a georouting solution before 36 months.[203] Although we understand RWA's contention that a lack of funding and personnel comparable to the nationwide providers warrants additional time for small rural CMRS providers,[204] RWA has not demonstrated the need for the additional 12 months beyond the two years we are providing.[205] Recognizing that their 36-month recommendation exceeds the 24 months that were given for 911 location-based call solutions to be implemented, RWA contends that with 911, "large nationwide CMRS providers had already begun implementing location-based solutions, which was an influential factor in . . . adopting a shorter implementation timeline," but that "[i]n this case, such early implementation has not occurred."[206] RWA argues then that the "untested nature of the available 988 georouting solutions and lack of real-world implementation by *any* CMRS provider" merits an additional 12 months for implementation of a georouting solution.[207] Yet, as observed above, nationwide CMRS providers have implemented or are in the process of implementing their georouting solutions.[208] And RWA does not otherwise justify their recommended timeline of 36 months, which—at minimum—adds two years beyond the time frames cited as necessary by existing proposals that account for small CMRS providers.[209] Additionally, we note that the Commission previously established a uniform 24-month implementation time frame for 988 itself, which involved implementing 10-digit dialing in 87 area codes as well as reprogramming, translating, or replacing telephone switches that would not otherwise support

[199] *See, e.g.*, *id.* at 7; Intrado Life & Safety Comments at 5.

[200] Intrado Life & Safety Comments at 6.

[201] LA County DOMH Comments at 2; NAMI Comments at 2, 4.

[202] *See* CCA Reply at 5-6; Southern Linc Reply at 4-5.

[203] RWA Reply at 1.

[204] *Id.* at 1, 3-6 (arguing that a longer time frame of 36 months is needed to mitigate the unique costs of compliance small rural CMRS providers grapple with); *see also* Southern Linc Reply at 5-6 (sharing "RWA's concern that twenty-four months may not be sufficient and that an additional twelve months may be required to allow non-nationwide providers to fully evaluate and implement 988 georouting on their networks").

[205] RWA Comments at 6.

[206] *Id.*

[207] *Id.*

[208] *See supra* note 32.

[209] Intrado Life & Safety Comments at 6; *see also* T-Mobile Comments at 7 (highlighting that its discussed solution "will be readily available for adoption by smaller carriers"). INCOMPAS also argues, and CTIA agrees, that additional time would be needed—up to four years—for sending georouting information with text messages. INCOMPAS Comments at 4; CTIA Reply at 7. However, as we do not mandate that text messages send georouting information at this time, we need not address this argument. *See infra* Section IV, *Third Further Notice of Proposed Rulemaking* (proposing to require covered text providers support georouting to ensure that the 988 Lifeline may route covered 988 text messages to the appropriate local crisis center).

988 as a three-digit dialing code.[210] We do not anticipate, by comparison, that implementation of a georouting solution will prove more burdensome. It is our predictive judgment that 24 months accounts for the technical and cost-related challenges non-nationwide CMRS providers will face in implementing this lifesaving change to the 988 system.

I. Routing Voice Calls and Texts to 988

53. In the *988 Georouting Second Further Notice*, we asked whether our existing 988 voice[211] and texting[212] rules should be broadened to allow for implementing a georouting solution.[213] We conclude that it's appropriate to revise these rules to permit routing to the national suicide prevention and mental health crisis hotline system[214] without need for translation to the toll free access number. In so doing, we better futureproof the use of 988, including by enabling georouting solutions that may require broader routing parameters. In making these changes, we also codify our 2022 waiver order permitting covered text providers to route covered 988 text messages to the 988 Lifeline without translation to the toll free number.[215] We previously acknowledged that "as implementation has progressed, providers have found that, in practice, translating 988 text messages to the current toll free access number for the Lifeline . . . may negatively impact the experience of individuals texting the Lifeline."[216] Problems identified as arising from the current requirement included potential confusion when a number different than 988 appears on an individual's device when receiving responses, possibly resulting in delayed, frustrated, or abandoned efforts to seek help.[217] Our revisions today provide greater flexibility so as to avoid any similar such problems.[218]

54. We do not adopt iCERT's proposal to amend our rule to require providers to route directly to a state or local 988 call center.[219] The amendment we adopt today resolves the issues identified above without potential delay to the implementation of georouting solutions. We therefore decline at this time to adopt alternative approaches that would bypass the Lifeline's centralized routing platform.[220]

J. Legal Authority

55. As we tentatively concluded in the *988 Georouting Second Further Notice*,[221] we find that Title II and Title III of the Communications Act of 1934, as amended (Act), provide us with the authority to adopt the rules we promulgate today. The Supreme Court has previously recognized that Title III grants the Commission a "comprehensive mandate" in regulating spectrum usage,[222] and lower courts

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[210] *988 Report and Order*, 35 FCC Rcd at 7403-04, paras. 55-57.

[211] 47 CFR § 52.200.

[212] *Id.* § 52.201.

[213] *988 Georouting Second Further Notice* at *12, para. 29.

[214] 47 U.S.C. § 251(e)(4).

[215] *Implementation of the National Suicide Hotline Improvement Act of 2018*, WC Docket No. 18-336, Order, 37 FCC Rcd 6060 (WCB 2022) (*Text-to-988 Waiver Order*).

[216] *Id*. at 6061, para. 4.

[217] *Id*.

[218] Individuals will still be able to dial the toll free ten-digit access number to reach the 988 Lifeline.

[219] Letter from George Kelemen, Executive Director, Industry Council for Emergency Response Technologies, Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-336 (filed Sept. 12, 2024).

[220] *Supra* paras. 31-33.

[221] *988 Georouting Second Further Notice* at *13, para. 32.

[222] *See Nat'l Broad. Co. v. United States*, 319 U.S. 190, 219 (1943).

have routinely determined that Title III confers broad authority to manage spectrum in the public interest.[223] Consistent with these decisions, we find significant public interest benefits will likely inure as a result of our georouting mandate by connecting individuals in crisis with geographically appropriate public safety and counseling resources.[224]

56. In the *988 Georouting Second Further Notice*, we asked whether section 251(e), which provides the Commission its numbering authority,[225] acts as an additional source of authority. Section 251(e)(4), specifically, designates 988 as the universal telephone number for the national suicide prevention and mental health crisis hotline system.[226] We agree with commenters that our authority extends to mandating that a georouting solution be implemented.[227] We also agree with commenters that in so doing, we further the goals of previous congressional directives, including to adopt regulations that will ease access to suicide prevention and mental health services.[228] In mandating that a georouting solution be implemented and in modifying our voice and text routing rules, we thus exercise our numbering authority pursuant to Congress's direction and therefore find that 251(e) provides us authority to promulgate the rules we adopt today.

K. Benefits and Costs of 988 Georouting

57. By reducing the geographic mismatch between caller locations and area codes and moving 988's life-saving interventions closer in time and space to those in distress, georouting will generate mortality-reduction and other benefits far exceeding implementation costs.

1. Benefits

58. *Reduced Suicide Mortality*. The number of Americans who are at risk of having their wireless 988 calls routed to a faraway 988 Lifeline call center is vast. Approximately 80% of calls to 988 are from wireless devices.[229] In a mobile society where people hold on to familiar wireless phone numbers, there is often no connection between the geographic origins of 988 calls and the area codes of the callers' phone numbers.[230] According to a study conducted by Pew Research Center, "each year about 36 million Americans move residences and nearly half of adults living in urban areas have a cellphone

[223] *See, e.g.*, *Cellco v. FCC*, 700 F.3d 534, 537 (D.C. Cir. 2012).

[224] *See, e.g.*, AT&T Reply at 1-2 (agreeing with statements made in the *988 Georouting Second Further Notice* about the importance of connecting individuals in crisis to local resources); CTIA Reply at 1 (observing that commenters in the record "agree that georouting data for wireless calls will improve the 988 Lifeline's ability to" save lives); INCOMPAS Comments at 1 ("Interconnected VoIP providers recognize the life-saving value in being able to connect their subscribers to 988 call centers and have worked with diligence and intention to incorporate this functionality into their service."); Reimagine Crisis Response Comments at 2 ("In addition to legal authority, we also believe that there is a significant benefit to the public interest. The need for and benefit to someone being able to easily connect to their local crisis system of care through 988 cannot be overstated. As we have stated before, a change to georouting will save lives."); RWA Comments at 2 (recognizing that mandating georouting information "serves the public interest" by better connecting individuals to "potentially . . . life-saving resources").

[225] 47 U.S.C. § 251(e).

[226] *Id.* § 251(e)(4).

[227] *See, e.g.*, NAMI Comments at 4-5 (NAMI "strongly support[s] the FCC's tentative conclusion that it has the legal authority under Title II and Title III"); Reimagine Crisis Response Comments at 2 ("We believe that the FCC has the legal authority to require the industry to implement georouting solutions for the 988 Lifeline.").

[228] Vibrant Comments at 5; *see also* LegalMind Society Comments at 3 (arguing that Congress, by directing the Commission to report on the feasibility of providing a dispatchable location, evinced a long-term goal of mandating that georouting information be sent); NCMW Comments at 2 (highlighting various pieces of federal legislation indicating Congress's interest in the proposals found in the *988 Georouting Second Further Notice*).

[229] John Draper Comments at 1; CTIA Comments at 1; MAMH Comments at 1.

[230] NACO Comments at 1.

number from somewhere else.[231] Additionally, nationwide at least 10% of all adult Americans have a cellphone number from somewhere other than where they reside."[232] While we recognize that 988 is a critical resource of growing importance for younger people,[233] for the purposes of our analysis we focus on all adults, that is, individuals 18 years or older.

59. We use a three-step process to estimate reduced suicide mortality risk. First, we identify suicide victims who could have tried to summon 988 assistance and been misrouted. After the launch of 988 on July 16, 2022, a total of 2,395 American adult suicide victims 18 and older could have sought a 988 emergency intervention but had cellphone numbers prone to misrouting.[234] Polling results tell us that 431 (i.e., 18% of 2,395) of these suicide victims could have been aware of 988 and possibly called.[235] Second, we identify those victims subject to possible emergency-response delays: Nearly 13 (i.e., 3% of 431) would have required the sort of immediate and follow-up care that could be more effectively provided by georouting 988 calls to the locality in which the caller resides without revealing the caller's precise location or otherwise compromising their privacy.[236] We estimate that 2.2 (i.e., 17% of 13) of these suicides could have been avoided by 988 georouting. Our rationale is that wireless call misrouting is suboptimal: localities have first-responder and follow-up resources tailored to local settings and circumstances to optimize their effectiveness; such resources can often only be deployed by local crisis centers.[237] The delays, frictions, and mismatches triggered by misrouting increase response time, and every minute saved in a suicide intervention reduces suicide mortality.[238] The Commission previously

[231] Centerstone Comments at 2; LA County DOMH Comments at 2 (citing Pew Research Ctr., Moving Without Changing Your Cellphone Number: A Predicament for Pollsters (2016), https://www.pewresearch.org/methods/2016/08/01/moving-without-changing-your-cellphone-number-a-predicament-for-pollsters/).

[232] *Id.*

[233] Vibrant Emotional Health, *CDC Data Brief on Mental Health in Youth and Young Adults* (June 15, 2023), https://www.vibrant.org/cdc-data-brief-on-mental-health-in-youth-and-young-adults/ ("The 988 Lifeline data from May 2023 showed an increase in overall volume compared to May 2022."); U.S. Department of Health and Human Services, Now in Its Second Year, 988 Lifeline Continues to Help Millions of People (July 16, 2024), https://www.hhs.gov/about/news/2024/07/16/second-year-988-lifeline-continues-help-millions-people.html ("Since the expansions of services, 988 counselors have answered . . . more than 475,000 LGBTQI+ youth and young adult texts, calls, and chats . . . .").

[234] Total suicides for adults 18 years or older in 2022 were 47,891 (CDC WISQARS database query, https://wisqars.cdc.gov/reports/?o=MORT&y1=2001&y2=2022&t=0&i=2&m=20810&g=00&me=0&s=0&r=0&ry=0&e=0&yp=65&a=custom&g1=0&g2=199&a1=18&a2=85&r1=INTENT&r2=YEAR&r3=NONE&r4=NONE). If we allocate by months, then there were ~23,946 in the latter half of the year (*i.e.*, 6/12=0.5). We can alternatively allocate by total suicides for July-December (*i.e.*, 24,742/49,746=0.500008085), which gives the same result (these totals were derived from the monthly estimates for suicides given in CDC, Fatal Injury Trends, https://www.cdc.gov/injury/wisqars/fatal/trends.html).

[235] Kaiser Family Foundation polling indicates that as of mid-2023, only 18% of adults reported familiarity with 988. *See* Heather Saunders, *988 Suicide and Crisis Lifeline: Two Years After Launch*, Kaiser Family Foundation, published July 29, 2024, https://www.kff.org/mental-health/issue-brief/988-suicide-crisis-lifeline-two-years-after-launch/.

[236] According to the Crisis Text Line, "[a]pproximately less than 3% of all 988 contacts resulting (sic) in an emergency services intervention that requires local support." Crisis Text Line Comments at 2.

[237] Local centers "frequently have dispatch and referral arrangements with mobile crisis teams and MOUs with nearby 911 PSAPs, emergency departments and law enforcement." John Draper Comments at 2. For example, Los Angeles County residents connected to an out-of-area call center will likely not be connected to a specially trained Field Intervention Team that can be deployed to the caller's location or receive other needed resources. *See* LA County DOMH Comments at 1-2.

[238] LegalMind Society provides the example of two of its board members whose mismatched area codes render them "unable to receive the proper local information and resources that could mean the difference between life and death." LegalMind Society Comments at 3. The Michigan State 911 Committee states, "[t]he current system of

(continued….)

estimated that a one-minute reduction in emergency-response time reduces mortality by 17%.[239] Thus, while the rules promulgated today do not impose a dispatchable location requirement—that is, a caller's exact location cannot be identified—by connecting callers to geographically appropriate crisis centers, we anticipate that better response times, and the benefits thereof, will result. Third, we estimate that Americans would have been collectively willing to pay $27.5 million annually and nearly $130 million over a five-year period for a mortality-risk reduction of this size.[240]

60. *Other Benefits and Possible Benefits Underestimation*. Our estimate of $120 million in benefits over five years is an underestimate because it excludes youth age 17 and under, who rely heavily on wireless devices[241] and 6,542 of whom committed suicide in 2022. In addition, suicide attempts—more broadly acts of self-harm—demand medical treatment, put people out of work, and diminish survivors' quality of life. Yet, we have not estimated the savings from reduced medical expenses, lost work, and lost quality of life. We also do not count the benefits of less property damage attributable to suicide attempts and savings of 988 Lifeline call center resources from fewer misrouted calls. In addition, misrouted 988 callers often resort to calling 911. A reduction in these calls would likely save further costs.[242] Lastly, we have neglected to estimate the devasting emotional toll 988 wireless call georouting would spare suicide victims' families, friends, and communities.

2. Costs

61. We estimate that the implementation costs of georouting 988 wireless calls will be relatively small. RWA claims "RWA carrier members, all of whom are small rural non-nationwide CMRS providers, estimate that 988 georouting solutions could cost them at least $50,000 for implementation and over $15,000 per month for third-party services, not including continual labor costs for testing. Such a cost is an immense burden for a small rural non-nationwide CMRS provider."[243] Some commenters propose cost-effective 988 routing solutions: CX360 that "[t]here are no incremental service costs to wireless providers for CX360's georouting solution beyond the initial development expense for call header configuration by each wireless provider. All other parties in the existing 988

(Continued from previous page)
routing 988 calls . . . creates confusion and delays in providing necessary life-saving help to those who call 988 but are actually in need of emergency services." Michigan State 911 Committee Comments at 1. *See also* John Draper at Comments at 3; Centerstone Comments at 2; Comtech Comments at 3; MHA Comments at 1; NACO Comments at 1; Teri Meider Comments at 1; Vibrant MHLG Comments at 1.

[239] *Location-Based Routing for Wireless 911 Calls*, PS Docket No. 18-64, Report and Order, FCC 24-4, at 52, para 118 (citing *Location-Based Routing for Wireless 911 Calls*, PS Docket No. 18-64, Notice of Proposed Rulemaking, 37 FCC Rcd 15183, 15206-07, para. 61 & n. 161 (2022) (*911 Notice of Proposed Rulemaking*)).

[240] Using a recent Value of Reduced Mortality Risk (VRMR) of $12.5 million, a mortality-risk reduction equivalent to 2.2 lives is worth 2.20*$12,500,000=$27,500,000. *See 911 Notice of Proposed Rulemaking*, 37 FCC Rcd at 15207-08, para. 62 & n.162 (citing U.S. Department of Transportation, *Departmental Guidance on Valuation of a Statistical Life in Economic Analysis* (Mar. 4, 2022) (later updated May 1, 2023), https://www.transportation.gov/office-policy/transportation-policy/revised-departmental-guidance-on-valuation-ofa-statistical-life-in-economic-analysis). The present value of five annual payments discounted at 2% according to OMB Circular A-4 is$129.620,136.

[241] Studies indicate 53% of children in the United States have a smartphone by age 11, with over 95% of teens between 13 and 17 years of age having access to a cellphone. *See* Allen Richter, Victoria Adkins, and Ellen Selkie, Youth Perspectives on the Recommended Age of Mobile Phone Adoption: Survey Study, JMIR Pediatric Parent, 2022 Oct-Dec; 5(4): e40704, https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9664330/#:~:text=Mobile%20phone%20adoption%20in%20the,a%20cell%20phone%20%5B2%5D.

[242] Tania Donna Morawiec (Express).

[243] RWA Comments at 2.

Lifeline call flow are already configured to support this model."[244] Vibrant indicates that "[t]he georouting solution developed in conjunction with Vibrant's partners for the 988 Lifeline telephony infrastructure and major wireless providers represents the preferred solution that would allow real-time routing updates without the creation of an entirely new 988 Lifeline framework and architecture. This solution would be cost-effective not only for the 988 Lifeline but for providers as well and is able to be deployed faster than other proposed solutions."[245] In the nearer term, "nationwide wireless providers AT&T, T-Mobile, and Verizon have achieved consensus with the Lifeline Administrator, Vibrant, on the contours of georouting solutions and are working to implement them as quickly as practicable."[246] The georouting solutions rely on geographic information associated with call origination, such as the cell-site identification number, which the provider can translate into a county identifier.[247] Based the record, we conclude that cost-effective 988 wireless call georouting solutions exist in theory and in practice. To minimize their financial burden, non-nationwide wireless providers facing greater financial constraints have been granted a full 24 months to find and implement a solution.

L. Additional Proposals

62. We appreciate the opportunity, as the expert regulatory agency on telecommunications in the United States, to help facilitate access to the 988 Lifeline's critical mental health and suicide prevention services. It is also important that we recognize the important role that our federal partners and others play in operating the 988 Lifeline. In response to the *988 Georouting Second Further Notice*, some commenters raised important issues that are more appropriately addressed by other parties or may fall outside the scope of this proceeding. We address these issues below and encourage interested parties to collaborate with our federal partners at SAMHSA and the VA, along with other stakeholders, to continue their efforts in enhancing the effectiveness of the 988 Lifeline.

63. *Transparency.* Several commenters emphasized the importance of transparent communication and education about how georouting data is used for wireless 988 calls.[248] For example, NAMI asserts that transparency regarding the use of georouting data will help "build trust in the 988 Lifeline" and alleviate fears about sharing location information, which may have resulted from factors such as a "historic distrust" of emergency response systems or misinformation about the use of such data.[249] The Electronic Privacy Information Center (EPIC) also argues that transparently acknowledging the harms of non-consensual interventions for 988 callers can help mitigate "the chilling effects of implementing mandated georouting on would-be 988 callers."[250] We recognize the importance of transparent communication and believe that the Commission's website, together with continued collaboration with our federal partners at SAMHSA, will serve as a valuable means of consumer education. We also expect that relevant 988 stakeholders will help contribute to these educational efforts.

[244] CX360 Comments at 12.

[245] Vibrant Comments at 4-5.

[246] CTIA Comments at 4.

[247] *Id.* at 6.

[248] *See, e.g.*, NCMW Comments at 3 (urging the Commission to provide "guidance and public awareness resources to states and localities with clear information on how georouting will maintain caller confidentiality and improve access to appropriate services"); Washington State DOH Comments at 1 (stating that "transparent communication to the public regarding precisely what georouting does and does not accomplish would be essential to avoiding any negative impacts on usage due to concerns about compromised confidentiality").

[249] NAMI Comments at 3.

[250] EPIC Reply at 2, 17; *see also* Jennifer Randal-Thorpe Comments at 1 (Express) (describing police intervention and "a severe breakdown in communication" during a 988 call).

64. EPIC also urges the Commission to be transparent about the actions taken in the rare instances when a 988 call is transferred to 911.[251] The Lifeline Administrator states that "[i]n rare situations, a 988 crisis counselor may contact a public safety answering point dispatcher because of concerns about an immediate risk of life, pursuant to the 988 Lifeline Suicide Safety policy."[252] While we recognize harms can occur from a non-consensual interventions,[253] the georouting requirements we adopt today apply only to CMRS providers routing calls to the 988 Lifeline, which is distinct from the functions performed by the Lifeline Administrator or individual crisis centers after the Lifeline receives the calls.[254]

65. *988 Lifeline Funding and Services.* We also received comments regarding the need for adequate funding to ensure that the 988 Lifeline and crisis centers can effectively support georouting, as well as other recommendations that commenters claim would improve the general effectiveness of the 988 Lifeline.[255] While these recommendations fall outside of our jurisdiction, we note that our federal partners at SAMHSA are "planning for anticipated operational, training and procedural updates [that] will require active engagement with partners including states, territories, tribes and crisis centers."[256] We also encourage stakeholders to work with Congress to ensure appropriate funding for the 988 Lifeline.

66. *911 Interoperability.* We received several comments urging the Commission to consider issues pertaining to the interoperability between the 988 Lifeline and 911 services.[257] For example, NENA argues that "988 must technically and operationally interoperate with [911] and first responder

[251] EPIC Reply at 16; *see also* SAMHSA, *988 Frequently Asked Questions*, *If I call 988, will first responders (like the police or EMS) be dispatched?*, https://www.samhsa.gov/find-help/988/faqs (last visited Sept. 18, 2024) ("Currently, fewer than two percent of Lifeline calls require a connection to emergency services like 911.").

[252] Vibrant Comments at 6; Vibrant Reply at 3-4; *see also* Vibrant, 988 Suicide and Crisis Lifeline Suicide Safety Policy (Dec. 27, 2022), https://988lifeline.org/wp-content/uploads/2023/02/FINAL_988_Suicide_and_Crisis_Lifeline_Suicide_Safety_Policy_-3.pdf.

[253] EPIC Reply at 17 (noting additional harms that can occur from non-consensual intervention include "a caller's loss of autonomy and possibly their freedom (not to mention the bill for the unwanted emergency services), [and] the longer-lasting effects from the caller experiencing such trauma").

[254] The Commission has had no role in establishing, maintaining, or operating the 988 Lifeline's routing system or the facilities and systems that enable it, and is not a party to any agreement that the Lifeline Administrator and/or SAMHSA has entered to establish, structure, operate, govern, or fund the system.

[255] *See, e.g.*, NCMW Comments at 3 (stating that "[a]n overall issue that is critical to ensuring such requirements ultimately have the intended benefit for callers across our nation is the need to ensure that call centers and provider organizations that furnish crisis care, postcrisis services, and prevention supports are funded appropriately and adequately"); NPAIHB Comments at 2 (requesting funding to "develop additional [American Indian and Alaska Native] culturally-sensitive crisis centers"); Trevor Project Comments at 4 (describing "the infrastructure needed to support the growing demand for LGBTQ+ subnetwork competent crisis support" and the required "hiring [of] additional staff who are well-trained in LGBTQ+ youth competency"); UPMC Comments at 3 (recommending "a provision that funds made available to centers be re-evaluated based on how volumes may evolve with georouting").

[256] SAMHSA Aug. 5, 2024 Letter at 2.

[257] *See, e.g.*, Cal OES Comments at 5 (urging the Commission to consider location-based routing (LBR) technology that "leverages [NG911] capabilities and ensures that 9-8-8 services and 9-1-1 services have increased interoperability"); Comtech Comments at 8 (arguing that "988 calls must be . . . interoperable with 911 public safety answering points"); MAMH Comments at 2 (asking whether georouting rules "contemplate steps to promote 911 and 988 integration and the promotion of 911 referrals to 988"); Ohio MHAS Comments at 1 (Express) (emphasizing the importance of the interoperability between 911 and 988 system); NASNA Reply at 2 (arguing that "it will be essential that as future 988 systems evolve they will need to successfully interoperate with NG911 when there is a crisis that requires an escalated response"); NENA Comments at 2 (arguing that "988 must technically and operationally interoperate with 9-1-1 and first responder operations to meet the Commission's goal of saving American lives").

operations."[258] Similarly, the National Association of State 911 Administrators (NASNA) argues that as the 988 system evolves, successful interoperability with NG911 will be essential "when there is a crisis that requires an escalated response."[259] We agree with commenters that facilitating interoperability between 988 and 911 services is an important goal, however these proposals are beyond the scope of this proceeding, and we decline to address them further here. We also note that the Lifeline Administrator is currently "involved in ongoing efforts at the local, state, and national levels" to address the interoperability between 988 and 911 services.[260] We, therefore, encourage stakeholders to collaborate with our federal partners.

67. *Coordination with American Indian and Alaska Native Communities.* Northwest Portland Area Indian Health Board (NPAIHB) recommends that the Commission, SAMHSA, and wireless providers consult with Tribal communities to ensure that American Indian and Alaska Native communities are "able to utilize the 988 Lifeline and be connected to locally centralized suicide prevention and crisis service centers when using a wireless device."[261] We support NPAIHB's suggestion and believe connecting Tribal community members with local crisis centers is crucial to providing these communities with the meaningful help they need. As such, we stand ready to work with our federal partners and industry to assist American Indian and Alaska Native communities' access the life-saving resources of the 988 Lifeline.

68. *Opt-Out, Website, and Call Disclosure Requirements.* We received comments urging the Commission to consider whether 988 callers will have the opportunity to opt out of sharing georouting data.[262] The Massachusetts Association for Mental Health (MAMH) and EPIC urge the Commission to "require 988 websites to indicate that georouting is used" and provide information about accessing the Lifeline's national backup center or individual crisis centers.[263] EPIC also argues that "disclosure about georouting and non-georouted alternatives needs to occur during a call."[264] To the extent that commenters raise concerns regarding disclosures about the use of georouting data on 988 websites or after the Lifeline's centralized routing system receives a call, such issues address actions by entities that are beyond the scope of this proceeding. Additionally, the georouting rules we adopt today do not require wireless providers to transmit more precise geolocation information with wireless 988 calls, but rather require aggregated georouting data that maintains caller privacy in order to enhance the Lifeline's routing mechanism. Therefore, we decline, at this time, to require wireless providers to include specific disclosures regarding the use of georouting data.

69. *Cost Recovery.* RWA argues that the Commission should "allocate funds to subsidize" implementation efforts by non-nationwide CMRS providers to comply with a georouting mandate.[265] RWA further argues that small rural non-nationwide CMRS providers "cannot pass the costs of 988 georouting compliance onto their customers without jeopardizing their [Universal Service Fund]

[258] *See* NENA Comments at 2.

[259] NASNA Reply at 2.

[260] Vibrant Reply at 6.

[261] NPAIHB Comments at 3.

[262] MAMH Comments at 2 (asking whether a 988 caller will "receive notice of georouting when they place the call and/or have the opportunity to opt out of georouting"); Washington State DOH Comments at 2 ("[H]elp seeker privacy must remain paramount, and safeguards must be in place to ensure that they are given opportunities to opt out of location sharing.").

[263] MAMH Comments at 2; EPIC Reply at 18.

[264] EPIC Reply at 19.

[265] RWA Comments at 2, 7.

support."[266] RWA's cost estimates lack any specificity or detail for us to determine whether those costs, which are also provided in isolation, would indeed jeopardize their universal service support.[267] Further, we did not propose any cost recovery mechanisms in the *988 Georouting Second Further Notice* and we will not adopt any here. As explained in the analysis of benefits and costs section, the benefits of implementing georouting for wireless 988 calls significantly outweigh the costs to CMRS providers.[268] Moreover, the rules we adopt today are flexible and we encourage non-nationwide CMRS providers to develop the most cost effective georouting solution with the technical parameters set forth herein.

70. *Customer Proprietary Network Information (CPNI) and Third Party Vendor Issues.* EPIC asks the Commission to prohibit wireless providers from "sharing 988-related data even if the subscriber has opted in to sharing their CPNI" and to ensure that wireless providers and "their vendors meet basic cybersecurity requirements."[269] EPIC argues that the Commission has authority under section 222 of the Communications Act, as amended "to hold carriers responsible for safeguarding" CPNI.[270] We agree that protecting the privacy and security of callers is imperative. The rules we adopt today make clear that wireless providers must aggregate location data generated from cell-based technology to a sufficiently granular level to maintain caller privacy.

IV. THIRD FURTHER NOTICE OF PROPOSED RULEMAKING

71. Texting is an important mode of communication to the 988 Lifeline and is the preferred means of communicating among certain demographic groups, many of whom are at increased risk for mental health crises.[271] In this *Third Further Notice of Proposed Rulemaking*, we propose to require that covered text providers support georouting to ensure that the 988 Lifeline may route covered 988 text messages to the appropriate local crisis center to enhance the support and resources available to text users in crisis. We also tentatively conclude that, at a minimum, CMRS providers must support georouting for Short Message Service (SMS) text messages to 988. In addition, we propose that covered text providers be subject to requirements to send georouting data to the 988 Lifeline to the same extent that they are currently required to send covered 988 texts to the 988 Lifeline. These proposed requirements will build on the implementation of georouting for wireless 988 voice calls and ensure parity between texts and voice calls to 988.

A. Background

72. In 2021, the Commission adopted requirements for covered text providers to route covered 988 text messages to the 988 Lifeline.[272] The Commission's goal in the 2021 *Text-to-988 Second Report and Order* was to make text-to-988 rapidly available nationwide to improve access to mental health resources,[273] while balancing the need for covered text providers to flexibly choose the most

[266] *Id.* at 3.

[267] *Id.* at 2; RWA Reply at 6.

[268] *See supra* Section III.K, Benefits and Costs of 988 Georouting.

[269] EPIC Reply at 3, 11-14.

[270] *Id.* at 12.

[271] *988 Georouting Second Further Notice* at *12, para. 31.

[272] *See Text-to-988 Second Report and Order*, 36 FCC Rcd at 16903, para. 2; *see also* 47 CFR § 52.201. The Commission defined "covered text provider" as including "all CMRS providers as well as all providers of interconnected text messaging services that enable consumers to send text messages to and receive text messages from all or substantially all text-capable U.S. telephone numbers, including through the use of applications downloaded or otherwise installed on mobile phones." *See* 47 CFR § 52.201.

[273] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16922, para. 37.

effective method of compliance.[274] The Commission defined "covered 988 text message" as "a 988 text message in SMS format and any other format that the Wireline Competition Bureau has determined must be supported by covered text providers."[275] Currently, the Commission requires covered text providers to route covered 988 texts to the 988 Lifeline,[276] but it does not require covered text providers to provide any additional information about the location of the text user.[277] In the *988 Georouting Second Further Notice*, we sought comment on improving routing for 988 text messages.[278]

73. The Commission's definition of "988 text message"[279] sets the possible scope of text formats which covered text providers may be obligated to support for the delivery of 988.[280] "Covered 988 text messages" are a subset of 988 text messages that are in SMS format or any other format that the Wireline Competition Bureau has determined must be supported by covered text providers.[281] The Commission delegated to the Wireline Competition Bureau the authority to make future determinations to require covered text providers to support additional text formats in consultation with federal partners and in consideration of what text formats the 988 Lifeline is capable of receiving.[282] The Wireline Competition Bureau annually consults with SAMHSA on the implementation of any new texting formats to 988 and issues a Public Notice either announcing that no new texting formats are required or seeking comment on implementation parameters for covered text providers to transmit any additional text message formats to 988.[283] The Wireline Competition Bureau then may, under delegated authority, release a Public Notice requiring covered text providers to implement text-to-988 for these additional text message formats and setting implementation dates.[284] As part of its annual consultation with SAMHSA, the Wireline Competition Bureau has only applied text-to-988 requirements to the text formats that the 988 Lifeline currently supports.[285] At present, the Wireline Competition Bureau only requires covered text providers to route 988 text messages in SMS format.[286]

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[274] *Id.* at 16927, para. 44.

[275] 47 CFR § 52.201(c).

[276] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16921-22, para. 36. Under the rules adopted in the accompanying *Third Report and Order*, texts to 988 must be delivered to the national suicide prevention and mental health crisis hotline system maintained by the Assistant Secretary for Mental Health and the Secretary of Veterans Affairs. *See supra* paras. 53-54.

[277] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16922, para. 38.

[278] *988 Georouting Second Further Notice* at *12, para. 31.

[279] "Covered 988 text message" has a narrower meaning than "988 text message," which "(i) means a message consisting of text, images, sounds, or other information that is transmitted to or from a device that is identified as the receiving or transmitting device by means of a 10-digit telephone number, N11 service code, or 988; (ii) includes and is not limited to a SMS message and a multimedia message service (MMS) message; and (iii) does not include—(A) a real-time, two-way voice or video communication; or (B) a message sent over an IP-enabled messaging service to another user of the same messaging service, except a message described in paragraph (b) [of section 52.201 of the Commission's rules]." 47 CFR § 52.201(c).

[280] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16910-11, paras. 16-17.

[281] 47 CFR § 52.201(c).

[282] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16914, para. 22.

[283] *Id.* at 16916-17, para. 25 & n.108.

[284] *Id*. at 16916-17, para. 25.

[285] *Id.*

[286] *Wireline Competition Bureau Confirms No New Texting Formats For Text-to-*988, WC Docket No. 18-336, Public Notice, DA 24-536, 2024 WL 2954007 at *1 (WCB June 7, 2024) (*2024 WCB Text-to-988 Format Notice*); *see also Text-to-988 Second Report and Order* at 16914, 16915, paras. 22, 24.

B. Applicability of Georouting Proposed Rules to 988 Covered Text Providers

74. In this *Third Further Notice of Proposed Rulemaking*, we propose to require that covered text providers implement the capability to provide georouting data with covered 988 text messages to the Lifeline Administrator and provide georouting data with covered 988 text messages to the Lifeline Administrator. We propose that the scope of this requirement be consistent with the scope of the existing requirement for covered text providers to deliver covered 988 text messages to the 988 Lifeline. As with the delivery requirement for covered 988 text messages, we also propose to limit the application of text-to-988 georouting requirements to the text formats that the 988 Lifeline supports. Given that the 988 Lifeline currently only accepts SMS text messages,[287] this proposal would require covered text providers to implement georouting only for SMS text messages as an initial matter. Should the 988 Lifeline begin to accept other text formats in the future, we anticipate that there would be a similar need for georouting data for such additional text formats. Under our proposed approach, we would direct the Wireline Competition Bureau to consult with SAMHSA as to whether the 988 Lifeline can accept georouting data with any newly identified text formats as part of its annual consultation process and to seek comment on applying georouting requirements to any newly identified text formats in its annual Public Notice.[288] We also propose to delegate authority to the Wireline Competition Bureau to require covered text providers to implement georouting for any new text formats and to set an implementation date that is as prompt as is reasonably practical. This flexible approach would allow the Commission to evaluate on an ongoing basis whether to apply georouting requirements to any new formats that the 988 Lifeline may become capable of receiving in the future.

75. Further, we tentatively conclude that at a minimum CMRS providers must support georouting for SMS text messages to 988. The record indicates that requiring CMRS providers to implement georouting for covered 988 text messages will support the 988 Lifeline's mission and save lives.[289] In addition, we believe it is likely that CMRS providers originate a substantial majority of texts currently received by the 988 Lifeline. Georouting for SMS text messages originated by CMRS providers would represent a substantial improvement in the percentage of covered 988 texts arriving at the 988 Lifeline with georouting data. As discussed in the analysis of benefits and costs section, the benefits of implementing georouting for covered 988 text messages appear to significantly outweigh the anticipated costs to CMRS providers.[290] These benefits include improved support for certain populations with an increased risk of suicide.[291] The record also suggests that it is technically feasible for CMRS providers to provide georouting data with texts to 988.[292] The ongoing use of coarse location routing for texts to 911

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[287] *2024 WCB Text-to-988 Format Notice* at *1.

[288] *Text-to-988 Second Report and Order* at 16916-17, para. 25.

[289] Washington State DOH Comments at 2-3 (stating that georouting texts to 988 "would offer the same benefits to help seekers using text messages to reach 988 as it would for those calling: it would considerably expedite response times in highly time-sensitive crisis scenarios, allow the 988 counselor to contact the appropriate PSAP with far greater accuracy, offer the time-saving benefit of local knowledge of locations, and would help with development of preventive measures for individual regions"); Alex Kurth Comments at 1 (Express) (asserting that requiring georouting for texts in addition to calls "will significantly benefit children and young adults").

[290] *See infra* Section IV.F.

[291] *Implementation of the National Suicide Hotline Improvement Act of 2018*, WC Docket No. 18-336, Further Notice of Proposed Rulemaking, 36 FCC Rcd 7943, 7944, para. 1 (2021) (*Text-to-988 Further Notice*) (indicating that suicide disproportionally impacts teenagers, young adults, and deaf and hard of hearing individuals or individuals); *id.* at 7945, para. 2 (indicating that text messaging is especially popular with the same groups of individuals).

[292] CX360 Comments at 15 (stating that it "is proactively working with industry partners to develop a georouting solution for SMS"); Intrado Life & Safety Comments at 7, n.9 ("[S]everal wireless carriers and their vendors have already identified a solution that can utilize the existing 911 system with little modification to support text to 988."). (continued….)

strongly suggests that CMRS providers have such location information available for routing SMS text messages to 988.[293]

76. We seek comment on this approach and on our tentative conclusion. Should we instead limit the scope of the georouting rule language to one or more specific text formats, such as SMS, or to certain types of covered text providers, such as CMRS providers or covered text providers that have access to cellular networks?[294] What are the benefits and drawbacks of each regulatory approach, and the impact to individuals that text the 988 Lifeline?

C. Definitions

77. In the text-to-988 georouting rules, we propose to include definitions of the terms "commercial mobile radio service," "georouting data," and "Lifeline Administrator" that were adopted in the accompanying *Third Report and Order*.[295] We seek comment on our proposal. Are there any other terms that we should define or revise as they relate to the proposed georouting rules for covered text providers? We seek specific comment on how the proposed definition of "georouting data" impacts the text-to-988 georouting rules that we propose in this *Third Further Notice of Proposed Rulemaking*. The definition specifically applies to "location data generated from cell-based location technology." For which covered text providers, and in which circumstances, would georouting data so defined be available? Should we adopt a definition of "georouting data" for the text-to-988 georouting rules that differs from the definition of this term for the georouting rules for voice calls to 988?

D. Text-to-988 Georouting Data

78. We propose to adopt and seek comment on a two-part requirement for covered text providers to: (1) have the capability to provide georouting data with covered 988 text messages to the Lifeline Administrator in a format compatible with the Lifeline's routing platform, to allow routing of the covered 988 text message by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the covered 988 text is initiated; and (2) provide georouting data, when available, with covered 988 text messages to the Lifeline Administrator sufficient to allow routing of the covered 988 text message by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the covered 988 text is initiated. Covered text providers would be required to comply with this requirement six months from the effective date of final rules. We seek comment on this proposal.

79. Several commenters support developing georouting capabilities for texts to the 988 Lifeline[296] and indicate that parity for voice and text service to 988 is an important goal.[297] Several

(Continued from previous page)
But see CTIA Reply at 10 ("The record does not identify any feasible technical solutions that currently exist for SMS text messages.").

[293] *Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications*, PS Docket Nos. 11-153 and 10-255, Second Report and Order and Third Further Notice of Proposed Rulemaking, 29 FCC Rcd 9846, 9874, para. 57 (2014) (*T911 Second Report and Order*). In the 911 context, covered text providers are required to route texts to 911 using coarse location (cell ID and cell sector) or other equivalent means that allows the covered text provider to route a texts to the appropriate PSAP. *Id.*

[294] *See* VON Comments at 2 (stating that interconnected VOIP providers and covered text providers offering over-the-top text messages "generally do not have access to real-time routable location information (other than the registered address for purposes of routing 911 calls").

[295] *See infra* Appx. A. Additionally, we also propose to correct the text of section 52.201(b) of Commission's rules to read "Commercial Mobile Radio Service" instead of "Commercial Mobile Radio Services." *See id.*

[296] *See, e.g.*, Intrado Life & Safety Reply at 7; NACO Comments at 3; NAMI Comments at 4; AFSP Comments at 3; Centerstone Comments at 2; Pyramid Comments at 2; Angela Sullivan at 1 (Express); Samantha Dutton at 1 (Express); Ira J. Smotherman at 1 (Express); Jessica Jolly at 1 (Express); Lowell K. Peterson at 1 (Express); *see also* Vibrant Comments at 7 ("Vibrant supports the efforts of the Commission to improve access to the 988 Lifeline,
(continued….)

commenters specifically support a georouting requirement for texts.[298] Although some parties argue that a georouting solution for texts is not necessary at this time because most texts are handled at the national rather than local level,[299] we note that SAMHSA is currently expanding local response to texts to 988.[300] To the extent that texts to 988 are routed to local crisis centers as the result of SAMHSA's evolving service offering, we believe those texts should be routed as accurately as voice calls in order to provide the most responsive care to text users, and seek comment on this belief. Washington Department of Health states that a georouting solution for texts to 988 confers the same types of benefits as georouting for voice calls to 988.[301] We seek comment on such benefits, and on any additional benefits specific to a georouting solution for texts to 988. Commenters emphasize that text messaging to the 988 Lifeline is a preferred communication method for certain groups, specifically young adults and LGBTQI+ individuals,[302] as well as in certain situations in which greater privacy is needed or when cell reception is inadequate to complete a phone call.[303] As a matter of equity, the benefits of georouting communications to 988 should extend to such groups and situations for which there is a preference or need to contact 988 via text messaging. Are there other specific communities or scenarios that would benefit from the implementation of georouting data for texts to 988? For example, does georouting for texts particularly benefit people who are deaf, deafblind, hard of hearing, speech disabled, or have other disabilities that impact communication?[304]

80. Several telecommunications industry commenters and one national backup provider[305] for

(Continued from previous page)
including through this proposed rulemaking"); Vibrant Reply at 9 ("[A]dditional stakeholder discussions are required to address georouting for help seekers communicating via text.").

[297] NAMI Comments at 4 (stating that implementing georouting for calls but not texts is "likely [to result in] confusion among people contacting 988 for help, which creates further distrust among potential help-seekers"); AFSP comments at 3 ("Allowing georouting for texts will ensure that people contacting 988 will be connected to local resources no matter how they are contacting the service.").

[298] ASFP Comments at 3; Centerstone Comments at 2; Pyramid Comments at 2; Angela Sullivan Comments at 1 (Express); Samantha Dutton Comments at 1 (Express); Ira J. Smotherman Comments at 1 (Express); Jessica Jolly Comments at 1 (Express); Lowell K. Peterson Comments at 1 (Express).

[299] Crisis Text Line Comments at 2; CTIA Reply at 3, 11.

[300] SAMHSA, *988 Frequently Asked Questions*, *What happens when I text 988*, https://www.samhsa.gov/find-help/988/faqs (last visited Sept. 18, 2024) ("Text service is currently expanding so that an increasing number of texts are routing to local 988 Lifeline network crisis centers based on the texter's area code."); *see also* SAMHSA, *Cooperative Agreement for States and Territories to Improve Local 988 Capacity*, https://www.samhsa.gov/grants/grant-announcements/fg-23-006 (last visited Sept. 24, 2024) (noting that "[s]tates and territories are expected to use resources to [] enhance recruitment, hiring, and training of the 988 workforce to meet at minimum 90% state or territory calls, chats, and texts demand").

[301] Washington State DOH Comments at 2-3 (stating that georouting texts to 988 "would offer the same benefits to help seekers using text messages to reach 988 as it would for those calling: it would considerably expedite response times in highly time-sensitive crisis scenarios, allow the 988 counselor to contact the appropriate PSAP with far greater accuracy, offer the time-saving benefit of local knowledge of locations, and would help with development of preventive measures for individual regions").

[302] AFSP Comments at 3; Centerstone Comments at 2; NAMI Comments at 4; Pyramid Comments at 2; Angela Sullivan Comments at 1 (Express); Samantha Dutton Comments at 1 (Express); Ira J. Smotherman Comments at 1 (Express); Jessica Jolly Comments at 1 (Express); Lowell K. Peterson Comments at 1 (Express); Alex Kurth Comments at 1 (Express).

[303] Washington State DOH Comments at 3.

[304] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16909, 16934, paras. 14 and 56.

[305] The Crisis Text Line partners with the Lifeline Administrator and SAMHSA to serve as "a national backup provider for 988 text and chat services in English and Spanish." Crisis Text Line Comments at 1.

988 text and chat services urge the Commission to refrain from adopting regulations for georouting covered text messages to the 988 Lifeline.[306] We specifically disagree with commenters who argue that existing routing mechanisms are adequate for purposes of the 988 Lifeline and seek comment on this position.[307] Even if "the first six digits of the phone number of people reaching out to the Crisis Text Line are accurate to their state location approximately 86% of the time,"[308] as reported by the Crisis Text Line, georouting texts to 988 based on cell location will ensure that an increased portion of users are quickly connected with local life-saving resources. We also believe that the benefits of georouting texts are not limited to instances in which the contact requires an emergency services intervention, as suggested by the Crisis Text Line.[309] Instead, we consider that, as with voice, the benefits of georouting for text will extend to all text users connected to a local crisis center because such centers will be more familiar with the local area's resources, as well as possibly being more familiar with cultural issues or community stressors in the text user's area.[310] While there are alternatives to automated georouting that can connect text users with local resources,[311] the Commission remains committed to making it easier for those in crisis to get help.[312] We seek comment on our analysis and this approach.

81. *The capability to provide georouting data*. We seek comment on our proposed rule that covered text providers must have the capability to provide georouting data with covered 988 text messages to the Lifeline Administrator in a format compatible with the Lifeline's routing platform. In particular, we seek comment on potential georouting solutions for texts to the 988 Lifeline and on any progress to identify and implement a georouting solution for texts to 988 and the steps to complete implementation. We propose this requirement in two parts, with a separate requirement for covered text providers to obtain the capability to provide georouting data, in order to ensure that covered text providers deploy this life-saving technology on their networks by the proposed deadline, regardless of the 988 traffic that a covered text provider has historically originated. Is a separate requirement for covered text providers to obtain the capability to provide georouting data needed, or should the only georouting requirement for covered text providers be the requirement to provide georouting data to the 988 Lifeline?

82. Commenters indicate that some progress has been made, including by CMRS providers, to identify a georouting solution for covered 988 texts, particularly for SMS.[313] We are interested in hearing from CMRS providers and other involved parties on the details of such solutions and progress. We also seek information on any parties beyond the CMRS providers, other covered text providers, and the Lifeline Administrator and/or its vendors that would need to participate in a solution for georouting SMS texts that are currently sent to 988. For example, Intrado Life & Safety states that georouting to the 988 Lifeline is "easily achievable . . . by applying the current routing infrastructure for text-to-911 and changing to support the digits '988' in the Text Control Centers that Intrado Life & Safety and Comtech

[306] AT&T Reply at 7; CTIA Reply at 2; Crisis Text Line Comments at 4; VON Comments at 2.

[307] Crisis Text Line Comments at 2; CTIA Reply at 3, 11.

[308] Crisis Text Line Comments at 2.

[309] *Id.*

[310] *988 Georouting Second Further Notice* at *5, para. 14.

[311] Crisis Text Line Comments at 3 (noting that text users can either consensually provide information about their area, or that responders can contact emergency services in the jurisdiction of the phone's area code to determine the location of the user).

[312] *See 988 Georouting Second Further Notice* at *1, para. 1.

[313] CX360 Comments at 15 (stating that it "is proactively working with industry partners to develop a georouting solution for SMS"); Intrado Life & Safety Comments at 7, n.9 ("[S]everal wireless carriers and their vendors have already identified a solution that can utilize the existing 911 system with little modification to support text to 988."). *But see* CTIA Reply at 10 ("The record does not identify any feasible technical solutions that currently exist for SMS text messages.").

maintain for text-to-911."[314] We seek comment on the viability of this and any other solutions for providing georouting data to the 988 Lifeline with SMS texts, and the work that still needs to be done to timely deploy a solution on wireless networks. Consistent with our findings in the *Third Report and Order*,[315] at this time we do not seek comment on georouting solutions for 988 covered texts that would bypass the initial direct and centralized routing system of the 988 Lifeline.[316] In what ways are any proposed solutions for providing georouting data with covered 988 texts similar to or different from the solutions proposed for providing georouting data with wireless calls to 988? Can the work done by CMRS providers either to implement georouting for 988 voice calls or to deploy text-to-911 be leveraged for text-to-988? Are such solutions cost-effective and technologically feasible for both nationwide and non-nationwide CMRS providers and any other impacted covered text providers? What is the time frame for a pilot or testing any solutions, and what would be the anticipated time frame for moving from testing to operational deployment? We also seek data, documents, and other information that provide details about the current status of any proposed georouting solutions for covered 988 texts.

83. In addition, we seek comment on what technical challenges may arise in providing georouting data with covered 988 text messages, and specifically what challenges would arise for CMRS providers and any other impacted covered text providers that originate SMS text messages to provide georouting data with SMS text messages to 988. Commenters disagree on the difficulty of implementing a georouting solution for texts to 988.[317] Some commenters allude to technical challenges but fail to provide specific details as to the nature and scope of such challenges.[318] We seek additional insights or comments on any such challenges.

84. We disagree with arguments that the Commission should not adopt georouting requirements for SMS text messages to 988 based on the same reasoning underlying our decision to defer consideration of 911 location-based routing requirements for SMS, namely, the absence of supporting standards and that not all local centers can receive texts.[319] While we did consider such factors in the *Location-Based Routing Order*,[320] the record in that proceeding also indicated that implementing location-based routing for texts to 911 would require extensive retrofitting of legacy SMS networks.[321] No similar record exists in this proceeding, and indeed, Intrado Life & Safety argues that implementing georouting for text-to-988 could be as simple as changes "to support the digits '988' in the Text Control Centers that Intrado Life & Safety and Comtech maintain for text-to-911" with no other provider-required changes for

[314] Intrado Life & Safety Reply at 7.

[315] *Supra* paras. 31-33.

[316] *See, e.g.*, Intrado Life & Safety Comments at 8 (discussing a 988 georouting solution that would directly route 988 to state ESInets).

[317] *See* INCOMPAS Comments at 4 (arguing that text-to-988 georouting "will require providers to inventory their system capabilities and, depending on their network infrastructure, may require modifications to short message service centers as well as wireless carrier's location acquisition, session management, and functional responsibilities"). *But see* Intrado Life & Safety Reply at 7 ("Implementing text-to-988 [georouting] is easily achievable.").

[318] AT&T Reply at 6 ("[I]t is premature to require georouting of 988 text messages because of the greater complexities associated with that effort."); Crisis Text Line Comments at 2 ("[T]here are significant challenges to implementing georouting solutions for texts to 988"); Reimagine Crisis Response Comments at 2 ("[A] georouting solution for text messages to 988 . . . will take different technological solutions.").

[319] CTIA Reply at 13.

[320] *Location-Based Routing for Wireless 911 Calls*, PS Docket No. 18-64, Report and Order, FCC 24-4, 2024 WL 356874 at *20, para. 56 (Jan. 26, 2024) (*LBR Report and Order*).

[321] *Id.* at *22, para. 61.

implementation.[322] Even if there are no existing standards for the interface to transmit location information between the Short Message Service Center (SMSC)[323] and the Text Control Center (TCC) for texts to 988, the TCC is likely able to retrieve the location of the text to 988 from the CMRS provider's Gateway Mobile Location Center (GMLC)[324] using existing practices for texts to 911.[325] We seek comment on this analysis. Further, 911 location-based routing and georouting for 988 use different granularity of data and different entities perform the routing function.[326] 911 location-based routing uses precise data on the location of the device to route 911 calls to the appropriate destination,[327] whereas georouting for 988 can be accomplished with less granular information, such as the FIPS code or wire center.[328] For 911 calls and texts, covered text providers determine the destination for routing based on available location information; for 988 calls and texts, it remains the purview of the 988 Lifeline and its administrator to route 988 calls and texts based on location data provided by the provider. CTIA's argument that we should not extend georouting requirements to covered 988 text messages based on our actions in the 911 location-based routing proceeding are unpersuasive due to these technical differences between these routing methodologies and differences in the record thus far received. We seek comment on this analysis.

85. *Providing georouting data*. We seek comment on our proposed requirement for covered text providers to provide georouting data, when available, with covered 988 text messages to the Lifeline Administrator sufficient to allow routing of the covered 988 text message by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the covered 988 text is initiated. As with voice calls, SAMHSA, the agency with oversight of the 988 Lifeline Administrator, must ultimately determine the routing data that it will deem acceptable and that it will require the 988 Lifeline to configure its systems to read. What georouting data should covered text

[322] Intrado Life & Safety Reply at 7. A Text Control Center (TCC) is a controlling functional element specified in a relevant standard for text-to-911. ATIS and Telecommunications Industry Association (TIA), Joint ATIS/TIA Native SMS/MMS Text to 9-1-1 Requirements and Architecture Specification – Release 2 at section 7.2.1 (May 2015), https://webstore.ansi.org/standards/atis/std110 (ATIS/TIA J-STD-110.v002). The TCC has the responsibility to "(1) convert various protocols and act as a gateway; (2) request location that may be used for routing; (3) request routing instructions; and (4) initiate a dialogue with the PSAP through the appropriate interworking function of the TCC. When the TCC receives an initial text message, it obtains location from the [location server]. It then uses that location to obtain routing instructions from the [routing server]. Then, the TCC converts the text message to an appropriate protocol and initiates a dialogue with the [Public Safety Answering Point] (via the emergency services network) through the appropriate interworking function of the TCC." *Id.*

[323] A Short Message Service Center (SMSC) is a network element of a Commercial Mobile Service Provider network which distributes SMS messages. ATIS/TIA J-STD-110.v002 at section 7.2.4.

[324] A Gateway Mobile Location Center (GMLC) is the point of interface between the GSM wireless network and the Emergency Services Network. The GMLC retrieves, forwards, stores and controls position data associated with wireless callers. NENA, NENA Knowledge Base, https://kb.nena.org/wiki/GMLC/MLC_(Gateway_Mobile_Location_Center) (Sept. 13, 2021).

[325] *See* John Snapp, Senior Technical Officer, Intrado, and Judy Flores, 9-1-1 Administrator, Black Hawk Consolidated Communications Center, Presentation on Text-to-911 to the Emergency Access Advisory Committee at 5, https://transition.fcc.gov/cgb/dro/EAAC/Snapp-Text-to-911-presentation.pdf (April 8, 2011) (showing that SMS aggregators for 911 can receive a location response from a carrier's location server); *see also* Comtech, *Text-to-911 for Carriers*, https://www.comtech911.com/solutions/sst/text-9-1-1-carriers (last visited Sept. 9, 2024) (describing that Comtech can enable either Location by Reference (i.e., allowing a text messaging service provider to utilize a centralized location server to provider callers locations) or Location by Value (i.e., enabling a text messaging service provider to include a location in the Text to 9-1-1 request)).

[326] CTIA Oct. 9, 2024 *Ex Parte* at 2.

[327] 47 CFR § 9.3 ("Location-based routing").

[328] *Supra* para. 39.

providers be required to provide with covered 988 texts? Would georouting data for covered 988 texts differ from the data required for georouting voice calls to 988? In our proposed rule, we require that covered text providers provide georouting data with covered 988 texts "when available." Is such a limitation necessary? Would it be preferable to require covered text providers to provide georouting data with texts to 988 "when technically feasible"? Given that the Commission currently only requires covered text providers to send SMS text messages to the 988 Lifeline, are there any situations in which georouting data for SMS texts would not be available, and if so, what are such situations? Are there situations in which CMRS providers in particular do not have access to geolocation data for SMS text messages to the 988 Lifeline, and how frequently do such situations occur? Are there certain types of covered text providers that originate SMS texts for which it is technologically infeasible to obtain georouting data, and if so, what are those types of providers? We invite commenters to provide additional data in the record on the number and/or percentage of covered 988 texts originated by CMRS providers and other covered text providers. Do covered text providers besides CMRS providers have access to geolocation data, defined in this proceeding as "cell-based"? Do they have access to other kinds of location data? If so, how is that location data generated and with what level of resolution?

86. What steps do the Lifeline Administrator and/or its vendors need to take to be ready to receive georouting data for texts? What specific functions would the Lifeline Administrator and/or its service providers need to perform to successfully route texts to geographically appropriate crisis centers, once received by the 988 Lifeline's centralized routing platform? How many crisis centers can currently accept texts to 988, and are there plans to expand availability of local text resources? How would the 988 Lifeline determine the availability of a local crisis center to accept texts? Would texts to 988 route to a backup crisis center if no local crisis center was available? As the availability of text capabilities at local crisis centers grows, will routing requirements change, and how would the Lifeline Administrator update its routing?

87. Currently, individuals can text "pride" to 988 to be directly connected to an LGBTQI+ trained counselor or "ayuda" to connect with a Spanish-speaking counselor, and veterans and service members who text 988 will be redirected to text 838255 to reach the Veterans Crisis Line.[329] We seek comment on whether any georouting solutions for texts to 988 that are under development contemplate routing for such texts, and whether georouting solutions are needed when a text-to-988 user selects a specialized service.

88. *Implementation time frame.* We propose that covered text providers comply with the proposed text-to-988 georouting requirements by a uniform implementation deadline of six months from the effective date of final rules. We seek comment on this approach. A six-month time frame is consistent with the Commission's requirement in the 911 context that covered text providers route texts to 911 to the appropriate PSAP within six months.[330] We believe that enabling georouting for texts to 988 should occur swiftly in order to provide improved service to text-to-988 users, and that rapid implementation will minimize confusion for both providers and individuals texting 988. Is six months an adequate amount of time for covered text providers to comply with the proposed requirements? If not, why? Should we adopt different compliance time frames for different kinds of covered text providers, such as nationwide or non-nationwide CMRS providers, or other interconnected text providers, as INCOMPAS suggests?[331] We note that the Commission has previously provided uniform timelines for texting requirements across covered text providers and has declined to provide different timelines for

[329] SAMHSA, *988 Frequently Asked Questions*, *What happens when I text 988*, https://www.samhsa.gov/find-help/988/faqs (last visited Sept. 18, 2024).

[330] *T911 Second Report and Order*, 29 FCC Rcd at 9871, para. 50.

[331] INCOMPAS Comments at 4 (stating that the Commission should adopt a four-year implementation timeline for non-nationwide CMRS providers, including covered text providers).

different kinds of covered text providers.[332] Is the situation different with georouting such that we should consider a different timeframe?

89. We ask that commenters identify any work to comply with the proposed requirements and the estimated time to complete that work. Further, we ask that commenters identify any technical, financial, operational, legal, or other factors that may influence the time frame for delivering georouting data with all covered 988 text messages. At this time, the Commission only requires covered text providers to transmit SMS text messages to 988.[333] If the Commission determines that covered text providers must support formats besides SMS, when should covered text providers be required to come into compliance with georouting requirements for new covered 988 text message formats? When do the Lifeline Administrator and/or its vendors anticipate that it could receive and begin using georouting data? Should we make compliance with the proposed requirements conditional on the ability of the Lifeline Administrator and/or its vendors to receive and use georouting data? Should we make the georouting requirements for covered 988 text messages effective six months after the Lifeline Administrator indicates that it can receive and use georouting data with text messages? Alternatively, should we make compliance conditional on the development of resources at the local level to respond to texts to 988?

E. Legal Authority

90. We tentatively conclude that the Commission has authority under Title III of the Act and the 21st Century Communications and Video Accessibility Act of 2010 (CVAA) to adopt rules requiring covered text providers to deliver georouting data with covered 988 text messages, and we seek comment on this tentative conclusion. As discussed in the *Text-to-988 Second Report and Order*, Title III of the Act provides us a broad mandate to manage spectrum usage in the public interest.[334] We believe Title III of the Act provides us sufficient authority to require CMRS providers to implement georouting for text-to-988 given the scope of the benefits we estimate will accrue as the result of these proposed rules.[335] The CVAA grants us authority to adopt "other regulations . . . as are necessary to achieve reliable, interoperable communication that ensures access by individuals with disabilities to an Internet protocol-enabled emergency network."[336] The Commission has previously concluded that the 988 Lifeline constitutes an emergency network and that text-to-988 service provides access to emergency services for people with disabilities, including those with hearing and speech disabilities.[337] As a result, we believe the CVAA provides us authority to require interconnected text providers to implement georouting for text-to-988 service because such steps improve access for people with disabilities to the 988 network. We seek comment on our analysis and tentative conclusion.

F. Benefits and Costs of 988 Georouting for Texts to 988

91. In the *Third Report and Order*, we estimated benefits of $120 million from georouting wireless calls to the 988 Lifeline.[338] We expect that layering on the capability to georoute texts to 988 and the data requirements entailed will add some incremental costs. We estimate five-year, text-to-988 georouting benefits of nearly $17 million. Wireless carriers have offered no specific, credible estimates of implementation costs. We seek comment on this analysis and encourage commenters to submit more granular data on costs and benefits.

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[332] *See*, *e.g.*, *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16925, para. 40; *T911 Second Report and Order*, 29 FCC Rcd at 9871, para. 50.

[333] *2024 WCB Text-to-988 Format Notice* at *1.

[334] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16933, para. 54.

[335] *See infra* Section IV.F.

[336] 47 U.S.C. § 615c(g).

[337] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16933, para. 55.

[338] *Supra* Section III.K.

1. Benefits

92. *Reduced Suicide Mortality*. Suicide elicits shock, anguish, grief, and guilt among survivors. Imitators often follow suit, creating clusters that compound communities' suffering. While we lack the tools to quantify and monetize this burden on communities, we can acknowledge its vastness. Similarly, we cannot measure the full benefit of suicide prevention. We can, however, estimate what communities might be willing to pay to prevent suicide, more formally the value of reduced mortality risk (VRMR). We tentatively conclude that the VRMR for the ability to send texts to 988 is large and seek comment on this tentative conclusion and analysis.

93. In estimating the benefits for implementing georouting for covered texts to 988, we focus on the benefits that specifically would accrue to youth and young adults that have been exposed to text-to-988 misroutes. We seek comment on this approach. The record in this proceeding indicates that young Americans, who are disproportionately at risk for mental health crises, prefer communicating by text rather than calls.[339] Studies tell us that children, on average, get their first cellphones by 11.6 years of age. By the age of 13, 95% percent of teenagers have access to a smartphone, and 97% of teens 15-17 years old own a smartphone.[340] The American Foundation for Suicide Prevention cites a 2022 study's finding that "over three-quarters of the texts to the Crisis Text Line in one twelve-month period were initiated by individuals under the age of 25."[341] More precisely, 76% of 988 texts are generated by youth and young adults 24 and younger.[342] Because 988 texts are routed using cellphone numbers,[343] like voice calls to 988, some fraction of texts to 988 are bound to be misrouted. Heavy reliance on texting renders youth the demographic group most vulnerable to 988 text misrouting. The fraction of youth and young adults at risk is large. The Crisis Text Line's comments tell us that "[c]urrently, texts to 988 are routed utilizing cell phone area codes" and "the first six digits of the phone number of people reaching out to Crisis Text Line are accurate to their state location approximately 86% of the time."[344] From that statistic, we infer that the remaining 14% of texts routed by the first six digits of the originating device are inaccurate to their state location, or geographically mismatched. In 2022, there were nearly 72.5 million youth and young adults 17 and under, of whom 791 committed suicide after that year's July 16 launch of 988.[345] We do not know what fraction of youth outreach to 988 would be by text; conservatively, we assume one half. This implies about 55.4 (= 791 * 14% / 2) young persons would have been exposed to text-to-988

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[339] *Text-to-988 Second Report and Order*, 36 FCC Rcd at 16906-07, para. 11.

[340] Alexus Bazen, *Cellphone Statistics by Age*, Consumer Affairs: Journal of Consumer Research, December 12, 2023, https://www.consumeraffairs.com/cell_phones/cell-phone-statistics.html. *See also* Allen Richter, Victoria Adkins, and Ellen Selkie, Youth Perspectives on the Recommended Age of Mobile Phone Adoption: Survey Study, JMIR Pediatric Parent, 2022 Oct-Dec; 5(4): e40704, https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9664330/#:~:text=Mobile%20phone%20adoption%20in%20the,a%20cell%20phone%20%5B2%5D.

[341] AFSP Comments at 3.

[342] Anthony R. Pisani et al., *Individuals who text crisis text line: Key characteristics and opportunities for suicide prevention*, Suicide and Life-Threatening Behavior, 52:567-582 (2022), DOI: 10.1111/sltb.12872, https://onlinelibrary.wiley.com/doi/epdf/10.1111/sltb.12872.

[343] Crisis Text Line Comments at 2.

[344] *Id.*

[345] Centers for Disease Control and Prevention Web-based Injury Statistics Query Report (CDC WISQARS) database query, https://wisqars.cdc.gov/reports/?o=MORT&y1=2001&y2=2022&t=0&i=2&m=20810&g=00&me=0&s=0&r=0&ry=0&e=0&yp=65&a=custom&g1=0&g2=199&a1=0&a2=17&r1=INTENT&r2=YEAR&r3=NONE&r4=NONE. Whether we allocate by number of months (*i.e.*, 6/12=0.5) or by total suicides for July-December (*i.e.*, 24,742/49,746=0.500008085), half of any age cohort's suicides can be attributed to July-December 2022. For monthly suicide data, see CDC, Fatal Injury Trends, https://www.cdc.gov/injury/wisqars/fatal/trends.html.

misroutes. We seek comment on this analysis and encourage commenters to submit additional data on the benefits to implementing georouting for texts to 988.

94. Georouting texts could have reduced suicide mortality. The Crisis Text Line points out that "approximately less than 3% of all 988 contacts resulting (sic) in an emergency services intervention requiring local support,"[346] meaning emergency intervention could have benefited at minimum about 1.66 (= 3% * 791 * 14% / 2) youth suicide victims annually whose dispatch might be subject to delays due to misrouting. The comment record suggests that misrouting causes customized, local crisis-intervention services to arrive late or not at all, delaying effective interventions.[347] We examine the consequences for suicide mortality of a minimal, one-minute delay in the effectiveness of texts to 988. Commission staff have previously estimated that a one-minute reduction in emergency response time can reduce mortality by 17%.[348] A 17% reduction in the total number of deaths attributable to suicide among youth 17 and under with possible geographic mismatch would amount to about 0.28 (= 17% * 3% * 791 * 14% / 2) fewer annual death due to suicide, a mortality-reduction risk for which Americans would collectively be willing to pay $3.5 (= 0.28 * $12.5) million annually. The present value of a five-year stream of such payments is $16.5 million.[349] We seek comment on this analysis and additional data we should consider.

95. *Other Benefits and Possible Benefits Underestimation*. We suspect that our tally underestimates the benefits of georouting texts to 988 for several other reasons and seek comment on our analysis herein. First, along with suicide reduction, it is expected that text-to-988 georouting will reduce suicide attempts and their accompanying medical, lost-work, and lost-quality-of-life costs. We have not estimated these benefits but seek comment on their validity and impact. Second, our reliance on the Crisis Text Line's assertion that the first six digits of the phone number are accurate to the user's state location approximately 86% of the time is likely an overestimation of the accuracy rate of texts reaching the appropriate 988 crisis center. We consider, in particular, that in large, populous states such as California, Florida, New York, and Texas—the four states that are collectively home to more than one-third of U.S. population[350]—there are vast economic, cultural, and language differences within their borders that could hinder effective suicide intervention if the text is not routed to the 988 crisis center serving the location of the text user. Even though we rely on the Crisis Text Line's estimation, our

[346] Crisis Text Line Comments at 2.

[347] Local centers "frequently have dispatch and referral arrangements with mobile crisis teams and MOUs with nearby 911 PSAPs, emergency departments and law enforcement." John Draper Comments at 2. For example, Los Angeles County residents connected to an out-of-area call center will likely not be connected to a specially trained Field Intervention Team that can be deployed to the caller's location or receive other needed resources. *See* LA County DOMH Comments at 1-2. LegalMind Society provides the example of two of its board members whose mismatched area codes render them "unable to receive the proper local information and resources that could mean the difference between life and death." LegalMind Society Comments at 3. The Michigan State 911 Committee states, "[t]he current system of routing 988 calls . . . creates confusion and delays in providing necessary life-saving help to those who call 988 but are actually in need of emergency services." Michigan State 911 Committee Comments at 1. *See also* John Draper Comments at 3; Centerstone Comments at 2; Comtech Comments at 3; MHA Comments at 1; NACO Comments at 1; Teri Meider Comments at 1; Vibrant MHLG Comments at 1.

[348] *Location-Based Routing for Wireless 911 Calls*, PS Docket No. 18-64, Report and Order, FCC 24-4, at 52, para. 118 (citing *Location-Based Routing for Wireless 911 Calls*, PS Docket No. 18-64, Notice of Proposed Rulemaking, 37 FCC Rcd 15183, 15206-07, para. 61 & n.161 (2022) (*911 Notice of Proposed Rulemaking*)).

[349] We use a Value of Reduced Mortality Risk (VRMR) of $12.5 million. *See 911 Notice of Proposed Rulemaking,* 37 FCC Rcd at 15207-08, para. 62 & n.162 (citing U.S. Department of Transportation, Departmental Guidance on Valuation of a Statistical Life in Economic Analysis (Mar. 4, 2022) (last updated May 1, 2023), https://www.transportation.gov/office-policy/transportation-policy/revised-departmental-guidance-on-valuation-ofa-statistical-life-in-economic-analysis). The present value of five equal annual payments using OMB Circular A-4's discount rate of 2% is ~$16,500,000.

[350] U.S. and World Population Clock, U.S. Census Bureau, https://www.census.gov/popclock/.

analysis likely overstates the percentage of texts that are currently routed to the appropriate 988 crisis center. As a result, the benefits of our proposed intervention are likely underestimated. We seek comment on this assumption and our rationale.

96. Another reason our tally may underestimate the benefits of georouting texts to 988 is that youths 17 and under are the age cohort losing the greatest number of productive years of life to suicide. In 2022 alone, the 1,582 suicides among youth 17 and under cost the U.S. 78,866 potential years of life before age 65, the typical retirement age. Our age-agnostic valuation of reduced mortality may not fully capture this loss. In addition, 24% of texts to 988 are generated by adults; therefore, by excluding adults we overlook the prevention a sizable fraction of the 47,891 suicides among those 18 and older, for whom we proffer no estimated benefits of mortality reduction. Further, we do include morbidity and property costs associated with unsuccessful suicide attempts. Finally, we have not reckoned at all with the vast, unquantifiable benefits of sparing victims' families, friends, and communities the emotional devastation of losing children to suicide. We seek comment on the magnitude of any benefits that we may have overlooked or underestimated. More generally, we seek comment on our benefits estimates and the methodology underlying them. In particular, we seek comment on the assumptions used to identify and estimate the number of text-to-988 misroutes among youth 17 and under. We seek comment on the number of 988 misroutes occurring among adults 18 and older. We also seek comment on the extent of text-to-988 misroutes that may be occurring among LGBTQI+ individuals, racial and ethnic minorities, veterans, and other communities at disproportionately greater risk of suicide.

2. Costs

97. AT&T, the Crisis Text Line, and CTIA warn of significant text-to-988 implementation challenges, both on the processing and receiving ends of 988 texts, and urge the Commission to either delay or altogether refrain from requiring text-to-988 capability.[351] INCOMPAS advocates a four-year text-to-988 implementation timeline for non-nationwide wireless providers.[352] According to Intrado Life & Safety, on the other hand, "developing a text-to-988 solution for both the current 988 Lifeline network and state ESInets tells us the problem is easily addressable from a technical standpoint. Implementing text-to-988 is easily achievable through either the current 988 Lifeline or to a state's ESInet by applying the current routing infrastructure for text-to-911 and changing to support the digits '988' in the Text Control Centers that Intrado Life & Safety and Comtech maintain for text-to-911."[353] Intrado Life & Safety continues, "[p]roviders should not require any other changes for implementation. The only credible barrier to text-to-988 is that the 988 Lifeline network is likely not currently capable of georouting text-to-988 calls, but this potential barrier disappears if providers leverage the states' existing NG911 infrastructure."[354] Given competing claims regarding implementation costs, we seek comment on credible, specific estimates of implementation costs and how such costs may vary by type or size of provider, network technology, or along any other relevant dimension. What are the key costs of setting up geolocation for covered 988 texts? What are the costs for covered text providers to have the capability to provide georouting data with covered 988 text messages? What are the costs for covered text providers to provide georouting data with covered 988 text messages, when available, to the 988 Lifeline? What aspects of implementation of georouting for 988 voice calls will transfer to geolocation for covered 988 texts at minimal additional cost? We seek comment on the cost to providers of directly implementing our proposed requirements, or alternatively of purchasing the required services from a third-party. What costs are associated with Text Control Centers, if such a solution is chosen by covered text providers? We also seek detailed descriptions of the technical barriers to implementing georouting for text-to-988 and specific, itemized estimates of the costs of overcoming those barriers, if possible. We seek detailed

[351] AT&T Reply Comments at 6-7; Crisis Text Line Comments at 2-4; CTIA Reply at 2-3, 10-11.

[352] INCOMPAS Comments at 4.

[353] Intrado Life & Safety Comments at 7.

[354] *Id.*

descriptions of the nature and costs of any proposed technically feasible solutions to implement text-to-988 and their accompanying timelines.

G. Other Efforts to Promote Digital Equity and Inclusion

98. *Digital Equity*. The Commission, as part of its continuing effort to advance digital equity for all,[355] including people of color, persons with disabilities, persons who live in rural or Tribal areas, and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality, invites comments on any equity-related considerations[356] and benefits (if any) that may be associated with the proposals and issues discussed herein. Specifically, we seek comment on how our proposals may promote or inhibit advances in diversity, equity, inclusion, and accessibility, as well as the scope of the Commission's relevant legal authority.

V. PROCEDURAL MATTERS

99. *Regulatory Flexibility Act*. The Regulatory Flexibility Act of 1980, as amended (RFA),[357] requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that "the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities."[358] Accordingly, the Commission has prepared a Final Regulatory Flexibility Analysis (FRFA) concerning the potential impact of the rule and policy changes adopted in this *Third Report and Order* on small entities. The FRFA is set forth in Appendix C.

100. We have also prepared an Initial Regulatory Flexibility Analysis (IRFA) concerning the potential impact of the rule and policy changes contained in the *Third Further Notice of Proposed Rulemaking*. The IRFA is set forth in Appendix D. Written public comments are requested on the IRFA. Comments must be filed by the deadlines for comments on the *Third Further Notice of Proposed Rulemaking* indicated on the first page of this document and must have a separate and distinct heading designating them as responses to the IRFA.

101. *Paperwork Reduction Act Analysis*. The *Third Report and Order* does not contain proposed information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). The *Third Further Notice of Proposed Rulemaking* may contain proposed new and revised information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and OMB to comment on the information collection requirements contained in this document, as required by

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[355] Section 1 of the Communications Act of 1934 as amended provides that the FCC "regulat[es] interstate and foreign commerce in communication by wire and radio so as to make [such service] available, so far as possible, to all the people of the United States, without discrimination on the basis of race, color, religion, national origin, or sex." 47 U.S.C. § 151.

[356] We define the term "equity" consistent with Executive Order 13985 as the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. *See* Exec. Order No. 13985, 86 Fed. Reg. 7009, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (Jan. 20, 2021).

[357] *See* 5 U.S.C. § 603. The RFA, 5 U.S.C. §§ 601–612, was amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 857 (1996).

[358] 5 U.S.C. § 605(b).

the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C § 3506(c)(4), we seek specific comment on how we might further reduce the information collection burden for small business concerns with fewer than 25 employees.

102. *Congressional Review Act.* The Commission has determined, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget concurs, that this rule is "non-major" under the Congressional Review Act, 5 U.S.C. § 804(2). The Commission will send a copy of this *Third Report and Order and Third Further Notice of Proposed Rulemaking* to Congress and the Government Accountability Office pursuant to 5 U.S.C. § 801(a)(1)(A).

103. *Providing Accountability Through Transparency Act*. Consistent with the Providing Accountability Through Transparency Act, Public Law 118-9, a summary of the *Third Further Notice of Proposed Rulemaking* will be available on https://www.fcc.gov/proposed-rulemakings.

104. *Ex Parte Rules*. This proceeding in this *Third Further Notice of Proposed Rulemaking* shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.[359] Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with Rule 1.1206(b).[360] Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

105. *Comment Filing Procedures*. Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: https://www.fcc.gov/ecfs/.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
- Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.

[359] 47 CFR § 1.1200(a).

[360] *Id.* § 1.1206(b).

- Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

106. *Confidentiality*. Some information and materials requested by this *Third Further Notice of Proposed Rulemaking* may be confidential and proprietary. Individuals and entities may request that confidential and proprietary information submitted to the Commission be withheld from public inspection consistent with section 0.459 of the Commission's rules.[361]

107. *People with Disabilities*: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

108. *Additional Information*. For additional information on this proceeding, contact Merry Wulff, Wireline Competition Bureau, Competition Policy Division, at Merry.Wulff@fcc.gov or (202) 418-1084.

VI. ORDERING CLAUSES

109. Accordingly, **IT IS ORDERED** that, pursuant to the authority found in Sections 1, 2, 4, 201, 218, 251(e), 301, 303, 307, 309(a), 316, 332 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154, 154, 201, 218, 251(e), 301, 303, 307, 309(a), 316, and 332, this *Report and Order* **IS ADOPTED** and **WILL BECOME EFFECTIVE** 30 days after publication in the Federal Register.

110. **IT IS FURTHER ORDERED** that pursuant to the authority found in Sections 1, 2, 4, 201, 218, 251(e), 301, 303, 307, 309(a), 316, 332, and 615c of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154, 154, 201, 218, 251(e), 301, 303, 307, 309(a), 316, 332, and 615c, this *Third Further Notice of Proposed Rulemaking* **IS ADOPTED** and **WILL BECOME EFFECTIVE** 30 days after publication in the Federal Register.

111. **IT IS FURTHER ORDERED** that Part 52 of the Commission's rules **IS AMENDED** as set forth in Appendix A, and such rule amendment will become effective 30 days after publication in the Federal Register.

112. **IT IS FURTHER ORDERED** that the Commission's Office of the Secretary, **SHALL SEND** a copy of this *Third Report and Order and Third Notice of Proposed Rulemaking*, including the Final Regulatory Flexibility Analysis and Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

113. **IT IS FURTHER ORDERED** that the Office of the Managing Director, Performance and Program Management, **SHALL SEND** a copy of this *Third Report and Order and Third Further Notice of Proposed Rulemaking* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. § 801(a)(1)(A).

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

[361] 47 CFR § 0.459.

APPENDIX A

FINAL RULES

The Federal Communications Commission amends part 52 of Title 47 of the Code of Federal Regulations as follows:

PART 52 □ NUMBERING

1. The authority citation for part 52 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 153, 154, 155, 201-205, 207-209, 218, 225-227, 251-252, 271, 303, 332, unless otherwise noted.

2. Amend § 52.200 by revising paragraph (b) to read as follows:

§ 52.200 Designation of 988 for a National Suicide Prevention and Mental Health Crisis Hotline.

* * * * *

(b) All covered providers shall transmit all calls initiated by an end user dialing 988 to the national suicide prevention and mental health crisis hotline system maintained by the Assistant Secretary for Mental Health and Substance Use and the Secretary of Veterans Affairs.

* * * * *

3. Amend § 52.201 by revising paragraph (a) to read as follows:

§ 52.201 Texting to the National Suicide Prevention and Mental Health Crisis Hotline.

(a) ***Support for 988 text message service.*** Beginning July 16, 2022, all covered text providers must route a covered 988 text message to the national suicide prevention and mental health crisis hotline system maintained by the Assistant Secretary for Mental Health and the Secretary of Veterans Affairs.

* * * * *

4. Add § 52.202 to read as follows:

§ 52.202 Georouting of Wireless Calls to the National Suicide Prevention and Mental Health Crisis Hotline.

(a) ***Georouting.*** All CMRS providers must:

(1) Have the capability to provide georouting data with 988 calls to the Lifeline Administrator in a format that is compatible with the Lifeline's routing platform, to allow routing of the 988 call by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the 988 call is initiated.

(2) Provide georouting data, when available, with 988 calls to the Lifeline Administrator sufficient to allow routing of the 988 call by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the 988 call is initiated.

(b) ***Scope of section.*** The requirements of this section are only applicable to CMRS providers, excluding mobile satellite service (MSS) operators, to the extent that they:

(1)

(i) Offer real-time, two way switched voice service that is interconnected with the public switched network; and

(ii) Use an in-network switching facility that enables the provider to reuse frequencies

and accomplish seamless hand-offs of subscriber calls. These requirements are applicable to entities that offer voice service to consumers by purchasing airtime or capacity at wholesale rates from CMRS licensees.

(2) The requirements of this section do not apply to 988 calls transmitted using roaming capabilities.

(c) ***Compliance.***

(1) By 30 days after [INSERT DATE 30 DAYS AFTER DATE OF FEDERAL REGISTER PUBLICATION]: Nationwide CMRS providers shall provide georouting data with wireless 988 calls.

(2) By 24 months after [INSERT DATE 30 DAYS AFTER DATE OF FEDERAL REGISTER PUBLICATION]: All CMRS providers shall provide georouting data with wireless 988 calls.

(d) ***Definitions.*** For purposes of this section:

Commercial mobile radio service (CMRS) means a mobile service that is:

(1)
(i) Provided for profit, *i.e.,* with the intent of receiving compensation or monetary gain;
(ii) An interconnected service; and
(iii) Available to the public, or to such classes of eligible users as to be effectively available to a substantial portion of the public; or

(2) The functional equivalent of such a mobile service described in paragraph (1) of this definition.

(3) A variety of factors may be evaluated to make a determination whether the mobile service in question is the functional equivalent of a commercial mobile radio service, including: Consumer demand for the service to determine whether the service is closely substitutable for a commercial mobile radio service; whether changes in price for the service under examination, or for the comparable commercial mobile radio service, would prompt customers to change from one service to the other; and market research information identifying the targeted market for the service under review.

(4) Unlicensed radio frequency devices under part 15 of this chapter are excluded from this definition of Commercial mobile radio service.

Georouting data. Location data generated from cell-based location technology that is aggregated to a level that will not identify the location of the cell site or base station receiving the 988 call or otherwise identify the precise location of the handset.

Lifeline Administrator. The Lifeline Administrator controls the 988 call routing platform pursuant to contract with the Substance Abuse Mental Health Services Administration.

Nationwide CMRS provider. A CMRS provider whose service extends to a majority of the population and land area of the United States.

Non-nationwide CMRS provider. Any CMRS provider other than a nationwide CMRS provider.

APPENDIX B

PROPOSED RULES

The Federal Communications Commission amends part 52 of Title 47 of the Code of Federal Regulations as follows:

PART 52 □ NUMBERING

1. The authority citation for part 52 continues to read as follows:

Authority: 47 U.S.C. 151, 152, 153, 154, 155, 201-205, 207-209, 218, 225-227, 251-252, 271, 303, 332, unless otherwise noted.

2. Amend § 52.201 by:

a. Revising paragraph (b);
b. Adding to paragraph (c) in alphabetical order definitions for "Commercial mobile radio service (CMRS)," "Georouting data," and "Lifeline Administrator;" and
c. Adding paragraph (d).

The revisions and additions read as follows:

§ 52.201 Texting to the National Suicide Prevention and Mental Health Crisis Hotline.

* * * * *

(b) *Access to SMS networks for 988 text messages*. To the extent that Commercial Mobile Radio Service (CMRS) providers offer Short Message Service (SMS), they shall allow access by any other covered text provider to the capabilities necessary for transmission of 988 text messages originating on such other covered text providers' application services.

(c) * * *

* * * * *

Commercial mobile radio service (CMRS) means a mobile service that is:

(1)
(i) Provided for profit, *i.e.,* with the intent of receiving compensation or monetary gain;
(ii) An interconnected service; and
(iii) Available to the public, or to such classes of eligible users as to be effectively available to a substantial portion of the public; or

(2) The functional equivalent of such a mobile service described in paragraph (1) of this definition.

(3) A variety of factors may be evaluated to make a determination whether the mobile service in question is the functional equivalent of a commercial mobile radio service, including: Consumer demand for the service to determine whether the service is closely substitutable for a commercial mobile radio service; whether changes in price for the service under examination, or for the comparable commercial mobile radio service, would prompt customers to change from one service to the other; and market research information identifying the targeted market for the service under review.

(4) Unlicensed radio frequency devices under part 15 of this chapter are excluded from this definition of Commercial mobile radio service.

* * * * *

Georouting data means location data generated from cell-based location technology that is aggregated to a level that will not identify the location of the cell site or base station receiving the 988 call or text or otherwise identify the precise location of the handset.

Lifeline Administrator is the entity that controls the 988 call routing platform pursuant to contract with the Substance Abuse Mental Health Services Administration.

* * * * *

(d) *Georouting.* By [INSERT DATE SIX MONTHS AFTER DATE OF FEDERAL REGISTER PUBLICATION], all covered text providers must:

(1) Have the capability to provide georouting data with covered 988 text messages to the Lifeline Administrator in a format that is compatible with the Lifeline's routing platform, to allow routing of the covered 988 text message by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the covered 988 text is initiated.

(2) Provide georouting data, when available, with covered 988 text messages to the Lifeline Administrator sufficient to allow routing of the covered 988 text message by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the covered 988 text is initiated.

APPENDIX C

Final Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),[1] an Initial Regulatory Flexibility Analysis (IRFA) was incorporated in the *Implementation of the National Suicide Hotline Act of 2018, Second Further Notice of Proposed Rulemaking* (*988 Georouting Further Notice*) adopted in April 2024.[2] The Federal Communications Commission (Commission) sought written public comment on the proposals in the *988 Georouting Further Notice*, including comments on the IRFA. The comments received are discussed below. This Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.[3]

A. Need for, and Objectives of, the Report and Order

2. In the *Third Report and Order*, the Commission adopts rules to facilitate access to life-saving services for people in suicidal, mental health, and substance use crises by improving the routing of wireless calls to the 988 Suicide & Crisis Lifeline (988 Lifeline or Lifeline). The 988 Lifeline was originally designed to route calls to crisis centers based on the area code and exchange associated with a caller's device.[4] However, as technology trends have shifted from landline phones to mobile phones,[5] many callers now seek help from the 988 Lifeline using wireless devices with area codes that may not correspond to their physical locations.[6] Although the 988 Lifeline provides meaningful support for help-seekers regardless of their location,[7] discrepancies between callers' physical locations and the area codes associated with their wireless devices can complicate access to local resources, which mental health advocates emphasize are critical to achieving the full life-saving potential of the 988 Lifeline.[8]

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[1] 5 U.S.C. § 603. The RFA, 5 U.S.C. §§ 601–612, was amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 857 (1996).

[2] *Implementation of the National Suicide Hotline Act of 2018*, WC Docket No. 18-336, Second Further Notice of Proposed Rulemaking, FCC 24-45, 2024 WL 1905193, at *16, Appx. A (rel. Apr. 26, 2024).

[3] 5 U.S.C. § 604.

[4] *See* Substance Abuse and Mental Health Services Administration (SAMHSA), *988 Frequently Asked Questions*, *FAQs About Privacy, Call Routing, and Network Functioning*, https://www.samhsa.gov/find-help/988/faqs (last visited Sept. 2, 2024).

[5] CTIA estimates that the total number of wireless subscriber connections increased from approximately 207 million in 2005 to 558 million in 2023. *See* CTIA, *Summary of CTIA's Annual Wireless Industry Survey 2022*, https://api.ctia.org/wp-content/uploads/2022/09/Summary-of-CTIAs-Wireless-Industry-Survey-2022.pdf (last visited Aug. 22, 2024) (noting the estimated number of wireless connections for 2005); CTIA, *2024 Annual Survey*, at 4, https://api.ctia.org/wp-content/uploads/2024/08/2024-Annual-Survey-1.pdf (last visited Sept. 24, 2024). *See also* Pew Research Center, *Mobile Fact Sheet* (Jan. 31, 2024), https://www.pewresearch.org/internet/fact-sheet/mobile/ (noting "[t]he vast majority of Americans – 97% – now own a cellphone of some kind").

[6] *See* Letter from Miriam E. Delphin-Rittmon, Ph.D., Assistant Secretary for Mental Health and Substance Use, SAMHSA, to NAMI et al., WC Docket No. 18-336, at 1 (filed Aug. 5, 2024) (SAMHSA Aug. 5, 2024 Letter) (noting that "[w]hile callers today receive a localized response based on their phone's area code, many people rely on wireless phones with area codes that do not match their physical locations").

[7] *See, e.g.*, Burrell Behavioral Health Comments at 1 (stating that studies have shown that "nearly eighty percent of callers interviewed nine days on average after the call reported that the 988 Lifeline prevented them from taking their own lives"); Ashley Lemke Comments at 1 (same); HeartLine Comments at 1 (same); NWHS Comments at 1 (same); VOAWW Comments at 2 (same).

[8] *See, e.g.*, AFSP Comments at 1 ("Ensuring that every contact is receiving the most localized, appropriate, and immediate supports is critical in addressing and resolving mental health, suicide, and substance use crises in real time."); Burrell Behavioral Health Comments at 2 ("Localized crisis support could be the difference between life and death for hundreds of thousands of individuals annually."); *see also* Ashley Lemke Comments at 2; HeartLine

(continued….)

3. The rules adopted in the *Third Report and Order* aim to facilitate access to critical local resources for the vast majority of wireless 988 callers by requiring wireless providers to implement georouting solutions for 988 calls. Specifically, the *Third Report and Order* requires that all Commercial Mobile Radio Service (CMRS) providers[9] have the capability to provide georouting data with 988 calls to the Lifeline Administrator in a format that is compatible with the Lifeline's routing platform.[10] The *Third Report and Order* also requires that all CMRS providers must provide georouting data, when available, with 988 calls to the Lifeline Administrator. These requirements will enable the 988 Lifeline to route wireless calls to appropriate crisis centers based on the geographic area associated with the origin of a 988 call, rather than by area code and exchange. With "georouting data" as defined under the Commission's rule, CMRS providers must aggregate location data generated from cell-based technology to a level that does not identify the location of the cell site and base station receiving the 988 call or otherwise specify the caller's precise location. The *Third Report and Order* adopts a 30 day timeline for nationwide CMRS providers to implement georouting for wireless 988 calls and provides 24 months for implementation by non-nationwide CMRS providers. Finally, the *Third Report and Order* revises the Commission's existing 988 voice and texting rules to permit routing to the national suicide prevention and mental health crisis hotline system without need for translation to the toll free access number. This revision will provide greater flexibility and help futureproof the use of 988 by enabling wireless providers to implement georouting solutions that may require broader routing parameters.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

4. There were no comments filed that specifically addressed the proposed rules and policies presented in the *988 Georouting Further Notice* IRFA. However, several commenters discussed the potential impact of rules on non-nationwide CMRS providers.

5. The Competitive Carriers Association (CCA), Southern Communications Services, Inc. (Southern Linc), and the Rural Wireless Association (RWA) advocated for the Commission to give providers flexibility to account for their individual networks, the limitations of current georouting solutions, or the challenges faced by non-nationwide providers.[11] In addition, RWA advocated for the Commission to allow small rural non-nationwide CMRS providers to implement georouting solutions on a voluntary basis.[12] Alternatively, RWA called for the Commission to allow small rural non-nationwide CMRS providers additional time, funds to subsidize efforts, and flexibility in developing georouting

(Continued from previous page)
Comments at 1; NWHS Comments at 2; Tabatha Stafford Comments at 2; VOAWW Comments at 2 (all supporting the same conclusion).

[9] In the *Third Report and Order*, the Commission uses the term "wireless provider" to mean Commercial Mobile Radio Service (CMRS) provider as defined in 47 CFR § 9.3. The Commission defines a "[n]ationwide CMRS provider" as "[a] CMRS provider whose service extends to a majority of the population and land area of the United States. CMRS providers as those providers whose service extends to a majority of the population and land area of the United States." A "[n]on-nationwide CMRS provider" for purposes of the rule is "[a]ny CMRS provider other than a nationwide CMRS provider." *See* Appx. A (new 47 CFR § 52.202).

[10] The Commission defines "Lifeline Administrator" as the entity that "controls the 988 call routing platform pursuant to contract with the Substance Abuse Mental Health Services Administration." *See* Appx. A (new 47 CFR § 52.202).

[11] RWA Comments at 2 (arguing that the Commission should "allow small rural CMRS non-nationwide providers the flexibility to choose the georouting solution that works best for their circumstances"); Southern Linc Reply at 2 (arguing that the Commission should "provide flexibility with respect to the georouting solution that may be implemented"); CCA Reply at 2 ("If the Commission were to decide to implement rules, however, it should adopt general rules that allow flexibility for all carriers and that take into consideration their individual networks, the limitations of currently available 988 georouting solutions, and the challenges such rules would pose on non-nationwide providers.").

[12] RWA Comments at 1.

solutions.[13] Several commenters also urged the Commission to give non-nationwide CMRS providers sufficient time to implement georouting solutions.[14] The approach taken by the *Third Report and Order* addresses these comments by adopting rules that allow wireless providers to build on the success of georouting solutions that have been developed with SAMHSA and the Lifeline Administrator, while also providing the flexibility for small and other providers to implement georouting solutions that account for their network capabilities and are compatible with the Lifeline's routing platform.

C. Response to Comments by the Chief Counsel for Advocacy of the Small Business Administration

6. Pursuant to the Small Business Jobs Act of 2010, which amended the RFA, the Commission is required to respond to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA), and to provide a detailed statement of any change made to the proposed rules as a result of those comments.[15] The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Rules Will Apply

7. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the rules adopted herein.[16] The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction."[17] In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act.[18] A "small business concern" is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.[19]

8. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe, at the outset, three broad groups of small entities that could be directly affected herein.[20] First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, according to data from the Small Business Administration's (SBA) Office of Advocacy, in general a small business is an independent business having fewer than 500 employees.[21] These types of small

[13] *Id.* at 1-2.

[14] Comtech Comments at 8-9; RWA Comments at 1-2; CCA Reply at 2; CTIA Reply at 7; RWA Reply at 4; Southern Linc Reply at 4; CTIA Reply at 7.

[15] 5 U.S.C. § 604(a)(3).

[16] *Id.* § 604(a)(4).

[17] *Id.* § 601(6).

[18] *Id.* § 601(3) (incorporating by reference the definition of "small-business concern" in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies "unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register."

[19] 15 U.S.C. § 632.

[20] 5 U.S.C. § 601(3)-(6).

[21] *See* SBA, Office of Advocacy, "What's New With Small Business?," https://advocacy.sba.gov/wp-content/uploads/2023/03/Whats-New-Infographic-March-2023-508c.pdf (Mar. 2023).

businesses represent 99.9% of all businesses in the United States, which translates to 33.2 million businesses.[22]

9. Next, the type of small entity described as a "small organization" is generally "any not-for-profit enterprise which is independently owned and operated and is not dominant in its field."[23] The Internal Revenue Service (IRS) uses a revenue benchmark of $50,000 or less to delineate its annual electronic filing requirements for small exempt organizations.[24] Nationwide, for tax year 2022, there were approximately 530,109 small exempt organizations in the U.S. reporting revenues of $50,000 or less according to the registration and tax data for exempt organizations available from the IRS.[25]

10. Finally, the small entity described as a "small governmental jurisdiction" is defined generally as "governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand."[26] U.S. Census Bureau data from the 2022 Census of Governments[27] indicate there were 90,837 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States.[28] Of this number, there were 36,845 general purpose governments (county,[29] municipal, and town or township[30]) with populations of

[22] *Id.*

[23] 5 U.S.C. § 601(4).

[24] The IRS benchmark is similar to the population of less than 50,000 benchmark in 5 U.S.C § 601(5) that is used to define a small governmental jurisdiction. Therefore, the IRS benchmark has been used to estimate the number of small organizations in this small entity description. S*ee* Annual Electronic Filing Requirement for Small Exempt Organizations – Form 990-N (e-Postcard), "Who must file," https://www.irs.gov/charities-non-profits/annual-electronic-filing-requirement-for-small-exempt-organizations-form-990-n-e-postcard. We note that the IRS data does not provide information on whether a small exempt organization is independently owned and operated or dominant in its field.

[25] *See* Exempt Organizations Business Master File Extract (EO BMF), "CSV Files by Region," https://www.irs.gov/charities-non-profits/exempt-organizations-business-master-file-extract-eo-bmf. The IRS Exempt Organization Business Master File (EO BMF) Extract provides information on all registered tax-exempt/non-profit organizations. The data utilized for purposes of this description was extracted from the IRS EO BMF data for businesses for the tax year 2022 with revenue less than or equal to $50,000 for Region 1-Northeast Area (71,897), Region 2-Mid-Atlantic and Great Lakes Areas (197,296), and Region 3-Gulf Coast and Pacific Coast Areas (260,447) that includes the continental U.S., Alaska, and Hawaii. This data includes information for Puerto Rico (469).

[26] 5 U.S.C. § 601(5).

[27] 13 U.S.C. § 161. The Census of Governments survey is conducted every five (5) years compiling data for years ending with "2" and "7". *See also* Census of Governments, https://www.census.gov/programs-surveys/economic-census/year/2022/about.html.

[28] *See* U.S. Census Bureau, 2022 Census of Governments – Organization Table 2. Local Governments by Type and State: 2022 [CG2200ORG02], https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html. Local governmental jurisdictions are made up of general purpose governments (county, municipal and town or township) and special purpose governments (special districts and independent school districts). *See also* tbl.2. CG2200ORG02 Table Notes_Local Governments by Type and State_2022.

[29] *See id.* at tbl.5. County Governments by Population-Size Group and State: 2022 [CG2200ORG05], https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html. There were 2,097 county governments with populations less than 50,000. This category does not include subcounty (municipal and township) governments.

[30] *See id.* at tbl.6. Subcounty General-Purpose Governments by Population-Size Group and State: 2022 [CG2200ORG06], https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html. There were 18,693 municipal and 16,055 town and township governments with populations less than 50,000.

less than 50,000 and 11,879 special purpose governments (independent school districts[31]) with enrollment populations of less than 50,000.[32] Accordingly, based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 entities fall into the category of "small governmental jurisdictions."[33]

11. *Wireless Carriers and Service Providers*. Wireless Telecommunications Carriers (*except* Satellite) is the closest industry with a SBA small business size standard applicable to these service providers.[34] The SBA small business size standard for this industry classifies a business as small if it has 1,500 or fewer employees.[35] U.S. Census Bureau data for 2017 show that there were 2,893 firms that operated in this industry for the entire year.[36] Of this number, 2,837 firms employed fewer than 250 employees.[37] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 594 providers that reported they were engaged in the provision of wireless services.[38] Of these providers, the Commission estimates that 511 providers have 1,500 or fewer employees.[39] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

12. *Wireless Communications Services*. Wireless Communications Services (WCS) can be used for a variety of fixed, mobile, radiolocation, and digital audio broadcasting satellite services. Wireless spectrum is made available and licensed for the provision of wireless communications services in several frequency bands subject to Part 27 of the Commission's rules.[40] Wireless Telecommunications Carriers (*except* Satellite)[41] is the closest industry with an SBA small business size standard applicable to these services. The SBA small business size standard for this industry classifies a business as small if it

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[31] *See id.* at tbl.10. Elementary and Secondary School Systems by Enrollment-Size Group and State: 2022 [CG2200ORG10], https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html. There were 11,879 independent school districts with enrollment populations less than 50,000. *See also* tbl.4. Special-Purpose Local Governments by State Census Years 1942 to 2022 [CG2200ORG04], CG2200ORG04 Table Notes_Special Purpose Local Governments by State_Census Years 1942 to 2022.

[32] While the special purpose governments category also includes local special district governments, the 2022 Census of Governments data does not provide data aggregated based on population size for the special purpose governments category. Therefore, only data from independent school districts is included in the special purpose governments category.

[33] This total is derived from the sum of the number of general purpose governments (county, municipal and town or township) with populations of less than 50,000 (36,845) and the number of special purpose governments - independent school districts with enrollment populations of less than 50,000 (11,879), from the 2022 Census of Governments - Organizations tbls. 5, 6 & 10.

[34] *See* U.S. Census Bureau, *2017 NAICS Definition, "517312 Wireless Telecommunications Carriers* (*except Satellite*)," https://www.census.gov/naics/?input=517312&year=2017&details=517312.

[35] *See* 13 CFR § 121.201, NAICS Code 517312 (as of 10/1/22, NAICS Code 517112).

[36] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517312, https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[37] *Id*. The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[38] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[39] *Id.*

[40] *See* 47 CFR §§ 27.1 – 27.1607.

[41] *See* U.S. Census Bureau, *2017 NAICS Definition, "517312 Wireless Telecommunications Carriers* (*except Satellite*)," https://www.census.gov/naics/?input=517312&year=2017&details=517312.

has 1,500 or fewer employees.[42] U.S. Census Bureau data for 2017 show that there were 2,893 firms that operated in this industry for the entire year.[43] Of this number, 2,837 firms employed fewer than 250 employees.[44] Thus under the SBA size standard, the Commission estimates that a majority of licensees in this industry can be considered small.

13. The Commission's small business size standards with respect to WCS involve eligibility for bidding credits and installment payments in the auction of licenses for the various frequency bands included in WCS. When bidding credits are adopted for the auction of licenses in WCS frequency bands, such credits may be available to several types of small businesses based average gross revenues (small, very small and entrepreneur) pursuant to the competitive bidding rules adopted in conjunction with the requirements for the auction and/or as identified in the designated entities section in Part 27 of the Commission's rules for the specific WCS frequency bands.[45]

14. In frequency bands where licenses were subject to auction, the Commission notes that as a general matter, the number of winning bidders that qualify as small businesses at the close of an auction does not necessarily represent the number of small businesses currently in service. Further, the Commission does not generally track subsequent business size unless, in the context of assignments or transfers, unjust enrichment issues are implicated. Additionally, since the Commission does not collect data on the number of employees for licensees providing these services, at this time we are not able to estimate the number of licensees with active licenses that would qualify as small under the SBA's small business size standard.

15. *Wireless Telephony*. Wireless telephony includes cellular, personal communications services, and specialized mobile radio telephony carriers. The closest applicable industry with an SBA small business size standard is Wireless Telecommunications Carriers (except Satellite).[46] The size standard for this industry under SBA rules is that a business is small if it has 1,500 or fewer employees.[47] For this industry, U.S. Census Bureau data for 2017 show that there were 2,893 firms that operated for the entire year.[48] Of this number, 2,837 firms employed fewer than 250 employees.[49] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 331 providers that reported they were engaged in the provision of cellular, personal communications services, and specialized mobile radio services.[50] Of these providers, the Commission estimates that 255

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[42] *See* 13 CFR § 121.201, NAICS Code 517312 (as of 10/1/22, NAICS Code 517112).

[43] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517312, https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[44] *Id*. The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[45] *See* 47 CFR §§ 27.201 – 27.1601. The Designated entities sections in Subparts D – Q each contain the small business size standards adopted for the auction of the frequency band covered by that subpart.

[46] *See* U.S. Census Bureau, *2017 NAICS Definition, "517312 Wireless Telecommunications Carriers (except Satellite),"* https://www.census.gov/naics/?input=517312&year=2017&details=517312.

[47] *See* 13 CFR § 121.201, NAICS Code 517312 (as of 10/1/22, NAICS Code 517112).

[48] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517312, https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[49] *Id*. The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[50] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), (continued….)

providers have 1,500 or fewer employees.[51] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

16. *Wireless Telecommunications Carriers (except Satellite).* This industry comprises establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves.[52] Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular services, paging services, wireless Internet access, and wireless video services.[53] The SBA size standard for this industry classifies a business as small if it has 1,500 or fewer employees.[54] U.S. Census Bureau data for 2017 show that there were 2,893 firms in this industry that operated for the entire year.[55] Of that number, 2,837 firms employed fewer than 250 employees.[56] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 594 providers that reported they were engaged in the provision of wireless services.[57] Of these providers, the Commission estimates that 511 providers have 1,500 or fewer employees.[58] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

17. *Wired Telecommunications Carriers.* The U.S. Census Bureau defines this industry as establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks.[59] Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband Internet services.[60] By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.[61] Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers.[62]

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https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[51] *Id.*

[52] *See* U.S. Census Bureau, *2017 NAICS Definition, "517312 Wireless Telecommunications Carriers (except Satellite),"* https://www.census.gov/naics/?input=517312&year=2017&details=517312.

[53] *Id.*

[54] *See* 13 CFR § 121.201, NAICS Code 517312 (as of 10/1/22, NAICS Code 517112).

[55] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517312, https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[56] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[57] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[58] *Id.*

[59] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[60] *Id.*

[61] *Id.*

[62] Fixed Local Service Providers include the following types of providers: Incumbent Local Exchange Carriers (ILECs), Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax
(continued….)

18. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[63] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[64] Of this number, 2,964 firms operated with fewer than 250 employees.[65] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were engaged in the provision of fixed local services.[66] Of these providers, the Commission estimates that 4,146 providers have 1,500 or fewer employees.[67] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

19. *Local Exchange Carriers (LECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include both incumbent and competitive local exchange service providers. Wired Telecommunications Carriers[68] is the closest industry with an SBA small business size standard.[69] Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers.[70] The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[71] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[72] Of this number, 2,964 firms operated with fewer than 250 employees.[73] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were fixed local exchange service providers.[74] Of these providers, the Commission estimates that 4,146 providers have 1,500 or

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CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, and Other Local Service Providers. Local Resellers fall into another U.S. Census Bureau industry group and therefore data for these providers is not included in this industry.

[63] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[64] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[65] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[66] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[67] *Id.*

[68] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[69] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[70] Fixed Local Exchange Service Providers include the following types of providers: Incumbent Local Exchange Carriers (ILECs), Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, Local Resellers, and Other Local Service Providers.

[71] *Id.*

[72] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[73] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[74] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), (continued….)

fewer employees.[75] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

20. *Incumbent Local Exchange Carriers (Incumbent LECs).* Neither the Commission nor the SBA have developed a small business size standard specifically for incumbent local exchange carriers. Wired Telecommunications Carriers[76] is the closest industry with an SBA small business size standard.[77] The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[78] U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year.[79] Of this number, 2,964 firms operated with fewer than 250 employees.[80] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 1,212 providers that reported they were incumbent local exchange service providers.[81] Of these providers, the Commission estimates that 916 providers have 1,500 or fewer employees.[82] Consequently, using the SBA's small business size standard, the Commission estimates that the majority of incumbent local exchange carriers can be considered small entities.

21. *Competitive Local Exchange Carriers (CLECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include several types of competitive local exchange service providers.[83] Wired Telecommunications Carriers[84] is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[85] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[86] Of this number, 2,964 firms operated with fewer than

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https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[75] *Id.*

[76] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[77] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[78] *Id.*

[79] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[80] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[81] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[82] *Id.*

[83] Competitive Local Exchange Service Providers include the following types of providers: Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, Local Resellers, and Other Local Service Providers.

[84] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[85] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[86] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311,

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250 employees.[87] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 3,378 providers that reported they were competitive local service providers.[88] Of these providers, the Commission estimates that 3,230 providers have 1,500 or fewer employees.[89] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

22. *Interexchange Carriers (IXCs).* Neither the Commission nor the SBA have developed a small business size standard specifically for Interexchange Carriers. Wired Telecommunications Carriers[90] is the closest industry with a SBA small business size standard.[91] The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[92] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[93] Of this number, 2,964 firms operated with fewer than 250 employees.[94] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 127 providers that reported they were engaged in the provision of interexchange services. Of these providers, the Commission estimates that 109 providers have 1,500 or fewer employees.[95] Consequently, using the SBA's small business size standard, the Commission estimates that the majority of providers in this industry can be considered small entities.

23. *Local Resellers*. Neither the Commission nor the SBA have developed a small business size standard specifically for Local Resellers. Telecommunications Resellers is the closest industry with a SBA small business size standard.[96] The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households.[97] Establishments in this industry resell telecommunications; they

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https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[87] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[88] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), https://docs.fcc.gov/public/attachments/DOC-379181A1.pdf.

[89] *Id.*

[90] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[91] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[92] *Id.*

[93] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[94] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[95] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[96] *See* U.S. Census Bureau, *2017 NAICS Definition*, "*517911 Telecommunications Resellers,*" https://www.census.gov/naics/?input=517911&year=2017&details=517911.

[97] *Id.*

do not operate transmission facilities and infrastructure.[98] Mobile virtual network operators (MVNOs) are included in this industry.[99] The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees.[100] U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year.[101] Of that number, 1,375 firms operated with fewer than 250 employees.[102] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 207 providers that reported they were engaged in the provision of local resale services.[103] Of these providers, the Commission estimates that 202 providers have 1,500 or fewer employees.[104] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

24. *Toll Resellers*. Neither the Commission nor the SBA have developed a small business size standard specifically for Toll Resellers. Telecommunications Resellers[105] is the closest industry with a SBA small business size standard. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure.[106] Mobile virtual network operators (MVNOs) are included in this industry.[107] The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees.[108] U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year.[109] Of that number, 1,375 firms operated with fewer than 250 employees.[110] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 457 providers that reported they were engaged in the provision of toll services.[111] Of these providers, the Commission

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[98] *Id*.

[99] *Id.*

[100] *See* 13 CFR § 121.201, NAICS Code 517911 (as of 10/1/22, NAICS Code 517121).

[101] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517911, https://data.census.gov/cedsci/table?y=2017&n=517911&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[102] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[103] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[104] *Id.*

[105] *See* U.S. Census Bureau, *2017 NAICS Definition*, "*517911 Telecommunications Resellers,*" https://www.census.gov/naics/?input=517911&year=2017&details=517911.

[106] *Id.*

[107] *Id*.

[108] *See* 13 CFR § 121.201, NAICS Code 517911 (as of 10/1/22, NAICS Code 517121).

[109] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517911, https://data.census.gov/cedsci/table?y=2017&n=517911&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[110] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[111] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), (continued….)

estimates that 438 providers have 1,500 or fewer employees.[112] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

25. *Other Toll Carriers*. Neither the Commission nor the SBA has developed a definition for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. Wired Telecommunications Carriers[113] is the closest industry with a SBA small business size standard.[114] The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[115] U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year.[116] Of this number, 2,964 firms operated with fewer than 250 employees.[117] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 90 providers that reported they were engaged in the provision of other toll services.[118] Of these providers, the Commission estimates that 87 providers have 1,500 or fewer employees.[119] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

26. *All Other Telecommunications*. This industry is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation.[120] This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems.[121] Providers of Internet services (e.g. dial-up ISPs) or Voice over Internet Protocol (VoIP) services, via client-supplied telecommunications connections are also included in this industry.[122] The SBA small business size standard for this industry classifies firms with annual receipts of $40 million or less as small.[123] U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry

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https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[112] *Id.*

[113] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[114] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[115] *Id.*

[116] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[117] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[118] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[119] *Id.*

[120] *See* U.S. Census Bureau, *2017 NAICS Definition*, "*517919 All Other Telecommunications,*" https://www.census.gov/naics/?input=517919&year=2017&details=517919.

[121] *Id.*

[122] *Id.*

[123] *See* 13 CFR § 121.201, NAICS Code 517919 (as of 10/1/22, NAICS Code 517810).

that operated for the entire year.[124] Of those firms, 1,039 had revenue of less than $25 million.[125] Based on this data, the Commission estimates that the majority of "All Other Telecommunications" firms can be considered small.

27. *Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing*. This industry comprises establishments primarily engaged in manufacturing radio and television broadcast and wireless communications equipment.[126] Examples of products made by these establishments are: transmitting and receiving antennas, cable television equipment, GPS equipment, pagers, cellular phones, mobile communications equipment, and radio and television studio and broadcasting equipment.[127] The SBA small business size standard for this industry classifies businesses having 1,250 employees or less as small.[128] U.S. Census Bureau data for 2017 show that there were 656 firms in this industry that operated for the entire year.[129] Of this number, 624 firms had fewer than 250 employees.[130] Thus, under the SBA size standard, the majority of firms in this industry can be considered small.

28. *Semiconductor and Related Device Manufacturing*. This industry comprises establishments primarily engaged in manufacturing semiconductors and related solid state devices.[131] Examples of products made by these establishments are integrated circuits, memory chips, microprocessors, diodes, transistors, solar cells and other optoelectronic devices.[132] The SBA small business size standard for this industry classifies entities having 1,250 or fewer employees as small.[133] U.S. Census Bureau data for 2017 show that there were 729 firms in this industry that operated for the entire year.[134] Of this total, 673 firms operated with fewer than 250 employees.[135] Thus under the SBA

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[124] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEREVFIRM, NAICS Code 517919, https://data.census.gov/cedsci/table?y=2017&n=517919&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[125] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, *see* https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

[126] *See* U.S. Census Bureau, *2017 NAICS Definition, "334220 Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing,"* https://www.census.gov/naics/?input=334220&year=2017&details=334220.

[127] *Id*.

[128] *See* 13 CFR § 121.201, NAICS Code 334220.

[129] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 334220, https://data.census.gov/cedsci/table?y=2017&n=334220&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[130] *Id*. The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[131] *See* U.S. Census Bureau, *2017 NAICS Definition, "334413 Semiconductor and Related Device Manufacturing,"* https://www.census.gov/naics/?input=334413&year=2017&details=334413.

[132] *Id.*

[133] *See* 13 CFR § 121.201, NAICS Code 334413.

[134] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 334413, https://data.census.gov/cedsci/table?y=2017&n=334413&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

size standard, the majority of firms in this industry can be considered small.

29. *Software Publishers.* This industry comprises establishments primarily engaged in computer software publishing or publishing and reproduction.[136] Establishments in this industry carry out operations necessary for producing and distributing computer software, such as designing, providing documentation, assisting in installation, and providing support services to software purchasers.[137] These establishments may design, develop, and publish, or publish only.[138] The SBA small business size standard for this industry classifies businesses having annual receipts of $47 million or less as small.[139] U.S. Census Bureau data for 2017 indicate that 7,842 firms in this industry operated for the entire year.[140] Of this number 7,226 firms had revenue of less than $25 million.[141] Based on this data, we conclude that a majority of firms in this industry are small.

E. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

30. The *Third Report and Order* adopts rules that require small and other wireless providers to implement georouting solutions for wireless 988 calls. Specifically, the *Third Report and Order* requires providers to have the capability to provide georouting data with 988 calls to the Lifeline Administrator in a format that is compatible with the Lifeline's routing platform. Additionally, small and other providers must provide georouting data, when available, with 988 calls sufficient to allow routing of the 988 call by the Lifeline Administrator to the appropriate crisis center based on the geographic area where the handset is located at the time the 988 call is initiated. The *Third Report and Order* also adopts a definition of georouting data that requires wireless providers to aggregate location data generated from cell-based location technology to a level that will not identify the location of the cell site or base station receiving the 988 call or otherwise identify the precise location of the handset.

31. In the *988 Georouting Second Further Notice*, the Commission sought comment on the costs and benefits of deploying georouting solutions to help the Commission evaluate the impact of relevant proposals on small entities. We recognize that small providers may face operational limitations and costs when implementing georouting solutions for wireless 988 calls. However, the record reflects that nationwide CMRS providers have already developed and implemented or are in the process of implementing georouting solutions for wireless 988 calls, which can minimize cost implications for small entities by serving as models for georouting solutions. The *Third Report and Order* adopts rules that allow wireless providers flexibility to leverage these georouting solutions, and we expect that our approach will reduce compliance costs for wireless providers, including small entities. Moreover, we estimate that the public safety benefits resulting from the requirements adopted in the *Third Report and*

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[135] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[136] *See* U.S. Census Bureau, *2017 NAICS Definition, "511210 Software Publishers,"* https://www.census.gov/naics/?input=511210&year=2017&details=511210.

[137] *Id.*

[138] *Id.*

[139] *See* 13 CFR § 121.201, NAICS Code 511210 (as of 10/1/22 NAICS Code 513210).

[140] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEREVFIRM, NAICS Code 511210, https://data.census.gov/cedsci/table?y=2017&n=511210&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[141] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, *see* https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

Order far exceed implementation costs.[142]

F. Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

32. The RFA requires an agency to provide, "a description of the steps the agency has taken to minimize the significant economic impact on small entities . . . including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected."[143]

33. The *Third Report and Order* adopts rules that are designed to give flexibility where appropriate to ensure that wireless providers, including small providers, can determine the best approach for compliance based on the needs of their networks. The *Third Report and Order* considers comments advocating for allowing the deployment of georouting solutions for wireless 988 calls on a purely voluntary basis. We conclude, however, that purely voluntary implementation undermines our goal of ensuring that the clear public interest benefits of georouting are realized nationwide in a timely manner. The *Third Report and Order* also declines to exempt non-nationwide CMRS providers as requested by RWA,[144] but instead adopts flexible requirements that allow small and other wireless providers to leverage the georouting solutions that have been developed by nationwide providers in collaboration with SAMHSA and the Lifeline Administrator to implement technically feasible solutions that are compatible with the Lifeline's routing platform.

34. With respect to "georouting data," the *Third Report and Order* adopts a definition that balances the need to maintain callers' privacy by not requiring wireless providers to transmit more precise geolocation data with wireless 988 calls, while still ensuring that the 988 Lifeline has sufficient aggregated location data to route wireless 988 calls to geographically appropriate crisis centers. We decline to require wireless providers to use a specific method for aggregating cell-based location data or to mandate one particular geographic boundary for georouting solutions, minimizing potential burdens by allowing small and other wireless providers flexibility to employ technically feasible options that are best suited for their networks to meet this requirement.

35. The *Third Report and Order* further minimizes the potential burdens of wireless providers, including small providers, by excluding 988 calls transmitted using roaming capabilities from application of the georouting requirements to account for technical limitations identified in the record. The *Third Report and Order* declines, however, to limit the application of georouting rules to voice calls carried end-to-end on IP networks, as requested by some commenters.[145] Instead, we adopt requirements that minimize potential burdens by giving wireless providers the flexibility to work with the Lifeline Administrator on a case-by-case basis to address any individualized network considerations and by providing non-nationwide providers with an ample compliance time frame to develop technical solutions.

36. The *Third Report and Order* considers alternative georouting solutions that bypass the 988 Lifeline's centralized routing system but concludes that the benefits of centralized routing far

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[142] *Third Report and Order* Section III.K.

[143] 5 U.S.C. § 604(a)(6).

[144] RWA Comments at 5 (arguing that "[r]equiring that small rural non-nationwide CMRS providers implement 988 georouting for all wireless calls at this time would be premature" and that "these providers should be specifically exempted from any mandate imposed on other wireless carriers").

[145] *See* CTIA Comments at 6 (arguing that "any Commission-imposed georouting requirements should be limited to voice calls initiated, maintained, and terminated (i.e., carried end-to-end) on IP-based networks"); CCA Reply at 4 (stating that "[c]urrent 988 georouting solutions utilize the capabilities of IP-based networks from call origination through termination"); CTIA Reply at 6 (stating that current georouting solutions "are premised on the IP-based capabilities of the 988 Lifeline, its vendors, and wireless networks").

outweigh the costs of localized routing. Specifically, we find that maintaining the 988 Lifeline's centralized routing process will help preserve the Lifeline Administrator's critical role in routing 988 calls to crisis centers, simplify the administration of the Lifeline, and allow for faster implementation of georouting solutions.

37. With respect to compliance timelines, the *Third Report and Order* adopts an implementation time frame for nationwide CMRS providers that aligns with the timelines identified for deploying the georouting solutions developed in coordination with SAMHSA and the Lifeline Administrator. To further reduce the burden on small entities and address technical and resource challenges, we grant a longer compliance timeline to non-nationwide CMRS providers. Specifically, we establish an implementation time frame following the effective date of the georouting rule of 30 days for nationwide CMRS providers and 24 months for all non-nationwide CMRS providers.

38. Further, the *Third Report and Order* gives wireless providers flexibility to implement georouting solutions that may require broader routing requirements by revising existing 988 voice and texting rules to permit routing to the national suicide prevention and mental health crisis hotline system without need for translation to the toll free access number. Finally, we decline the National Emergency Number Association's (NENA) request to establish an expiration date for the georouting requirements set forth in the *Third Report and Order*, but may consider technological developments in the future.[146]

G. Report to Congress

39. The Commission will send a copy of the *Third Report and Order*, including this FRFA, in a report to be sent to Congress pursuant to the Congressional Review Act.[147] In addition, the Commission will send a copy of the *Third Report and Order*, including this FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the *Third Report and Order* and FRFA (or summaries thereof) will also be published in the Federal Register.[148]

[146] NENA Comments at 7.

[147] 5 U.S.C. § 801(a)(1)(A).

[148] *Id.* § 604(b).

APPENDIX D

Initial Regulatory Flexibility Analysis

1. As required by the Regulatory Flexibility Act of 1980, as amended (RFA),[1] the Commission has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in this *Implementation of the National Suicide Hotline Improvement Act of 2018 Third Further Notice of Proposed Rulemaking* (*Third Further Notice*). Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments in the *Third Further Notice*. The Commission will send a copy of the *Third Further Notice*, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration (SBA).[2] In addition, the *Third Further Notice* and IRFA (or summaries thereof) will be published in the Federal Register.[3]

A. Need for, and Objectives of, the Proposed Rules

2. In the *Third Further Notice*, we propose to require 988 covered text providers[4] to support georouting in order to ensure that the 988 Lifeline may route covered 988 text messages[5] to the appropriate local crisis center and enhance the support and resources available to text users in crisis. Currently, covered 988 text messages are routed to local crisis centers using information conveyed by the number assigned to the device, such as the area code,[6] which in many cases will not reflect the current location of the device user.[7] Mental health and crisis counseling experts have opined that connecting callers in crisis with local crisis centers is important to connect life-saving services to those in need of public health and safety resources and enable them to speak with local counselors who may be more familiar with cultural issues or community stressors in the caller's area.[8] To better connect 988 text users with local crisis resources, we propose to adopt and seek comment on a two-part requirement for covered text providers to: (1) have the capability to provide georouting data with covered 988 text messages to the Lifeline Administrator; and (2) provide georouting data, when available, with covered 988 text messages to the Lifeline Administrator. Covered text providers would be required to comply with this requirement six months from the effective date of final rules.

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[1] *See* 5 U.S.C. § 603. The RFA, *see* 5 U.S.C. § 601 – 612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 845 (1996).

[2] *See* 5 U.S.C. § 603(a).

[3] *Id.*

[4] 47 CFR § 52.201(c) (defining "covered text provider" as including "all [Commercial Mobile Radio Service (CMRS)] providers as well as all providers of interconnected text messaging services that enable consumers to send text messages to and receive text messages from all or substantially all text-capable U.S. telephone numbers, including through the use of applications downloaded or otherwise installed on mobile phones").

[5] 47 CFR § 52.201(c) (defining "covered 988 text messages" as a "988 text message in [Short Message Service (SMS)] format and any other format that the Wireline Competition Bureau has determined must be supported by covered text providers").

[6] Crisis Text Line Comments at 2.

[7] *Implementation of the National Suicide Hotline Act of 2018*, WC Docket No. 18-336, Second Further Notice of Proposed Rulemaking, FCC 24-45, 2024 WL 1905193, at *3, para. 7 (rel. Apr. 26, 2024) (*988 Georouting Second Further Notice*).

[8] *See id.* at *1, para. 2.

B. Legal Basis

3. The proposed action is authorized under sections 1, 2, 4, 201, 218, 251(e), 301, 303, 307, 309(a), 316, 332, and 615c of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 152, 154, 201, 218, 251(e), 301, 303, 307, 309(a), 316, 332, and 615c.

C. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

4. The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules and by the rule revisions on which the Notice seeks comment, if adopted.[9] The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction."[10] In addition, the term "small business" has the same meaning as the term "small-business concern" under the Small Business Act.[11] A "small-business concern" is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.[12]

5. *Small Businesses, Small Organizations, Small Governmental Jurisdictions.* Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe, at the outset, three broad groups of small entities that could be directly affected herein.[13] First, while there are industry specific size standards for small businesses that are used in the regulatory flexibility analysis, according to data from the Small Business Administration's (SBA) Office of Advocacy, in general a small business is an independent business having fewer than 500 employees.[14] These types of small businesses represent 99.9% of all businesses in the United States, which translates to 33.2 million businesses.[15]

6. Next, the type of small entity described as a "small organization" is generally "any not-for-profit enterprise which is independently owned and operated and is not dominant in its field."[16] The Internal Revenue Service (IRS) uses a revenue benchmark of $50,000 or less to delineate its annual electronic filing requirements for small exempt organizations.[17] Nationwide, for tax year 2022, there

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[9] 5 U.S.C. § 603(b)(3).

[10] *Id*. 5 U.S.C. § 601(6).

[11] *Id*. § 601(3) (incorporating by reference the definition of "small-business concern" in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies "unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register."

[12] 15 U.S.C. § 632.

[13] 5 U.S.C. § 601(3)-(6).

[14] *See* SBA, Office of Advocacy, "What's New With Small Business?," https://advocacy.sba.gov/wp-content/uploads/2023/03/Whats-New-Infographic-March-2023-508c.pdf (Mar. 2023).

[15] *Id*.

[16] 5 U.S.C. § 601(4).

[17] The IRS benchmark is similar to the population of less than 50,000 benchmark in 5 U.S.C § 601(5) that is used to define a small governmental jurisdiction. Therefore, the IRS benchmark has been used to estimate the number of small organizations in this small entity description. S*ee* Annual Electronic Filing Requirement for Small Exempt Organizations – Form 990-N (e-Postcard), "Who must file," https://www.irs.gov/charities-non-profits/annual-electronic-filing-requirement-for-small-exempt-organizations-form-990-n-e-postcard. We note that the IRS data does not provide information on whether a small exempt organization is independently owned and operated or dominant in its field.

were approximately 530,109 small exempt organizations in the U.S. reporting revenues of $50,000 or less according to the registration and tax data for exempt organizations available from the IRS.[18]

7. Finally, the small entity described as a "small governmental jurisdiction" is defined generally as "governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand."[19] U.S. Census Bureau data from the 2022 Census of Governments[20] indicate there were 90,837 local governmental jurisdictions consisting of general purpose governments and special purpose governments in the United States.[21] Of this number, there were 36,845 general purpose governments (county,[22] municipal, and town or township[23]) with populations of less than 50,000 and 11,879 special purpose governments (independent school districts[24]) with enrollment populations of less than 50,000.[25] Accordingly, based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 entities fall into the category of "small governmental jurisdictions."[26]

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[18] *See* Exempt Organizations Business Master File Extract (EO BMF), "CSV Files by Region," https://www.irs.gov/charities-non-profits/exempt-organizations-business-master-file-extract-eo-bmf. The IRS Exempt Organization Business Master File (EO BMF) Extract provides information on all registered tax-exempt/non-profit organizations. The data utilized for purposes of this description was extracted from the IRS EO BMF data for businesses for the tax year 2022 with revenue less than or equal to $50,000 for Region 1-Northeast Area (71,897), Region 2-Mid-Atlantic and Great Lakes Areas (197,296), and Region 3-Gulf Coast and Pacific Coast Areas (260,447) that includes the continental U.S., Alaska, and Hawaii. This data includes information for Puerto Rico (469).

[19] 5 U.S.C. § 601(5).

[20] 13 U.S.C. § 161. The Census of Governments survey is conducted every five (5) years compiling data for years ending with "2" and "7". *See also* Census of Governments, https://www.census.gov/programs-surveys/economic-census/year/2022/about.html.

[21] *See* U.S. Census Bureau, 2022 Census of Governments – Organization Table 2. Local Governments by Type and State: 2022 [CG2200ORG02], https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html. Local governmental jurisdictions are made up of general purpose governments (county, municipal and town or township) and special purpose governments (special districts and independent school districts). *See also* tbl.2. CG2200ORG02 Table Notes_Local Governments by Type and State_2022.

[22] *See id.* at tbl.5. County Governments by Population-Size Group and State: 2022 [CG2200ORG05], https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html. There were 2,097 county governments with populations less than 50,000. This category does not include subcounty (municipal and township) governments.

[23] *See id.* at tbl.6. Subcounty General-Purpose Governments by Population-Size Group and State: 2022 [CG2200ORG06], https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html. There were 18,693 municipal and 16,055 town and township governments with populations less than 50,000.

[24] *See id.* at tbl.10. Elementary and Secondary School Systems by Enrollment-Size Group and State: 2022 [CG2200ORG10], https://www.census.gov/data/tables/2022/econ/gus/2022-governments.html. There were 11,879 independent school districts with enrollment populations less than 50,000. *See also* tbl.4. Special-Purpose Local Governments by State Census Years 1942 to 2022 [CG2200ORG04], CG2200ORG04 Table Notes_Special Purpose Local Governments by State_Census Years 1942 to 2022.

[25] While the special purpose governments category also includes local special district governments, the 2022 Census of Governments data does not provide data aggregated based on population size for the special purpose governments category. Therefore, only data from independent school districts is included in the special purpose governments category.

[26] This total is derived from the sum of the number of general purpose governments (county, municipal and town or township) with populations of less than 50,000 (36,845) and the number of special purpose governments - independent school districts with enrollment populations of less than 50,000 (11,879), from the 2022 Census of Governments - Organizations tbls. 5, 6 & 10.

8. *Wired Telecommunications Carriers.* The U.S. Census Bureau defines this industry as establishments primarily engaged in operating and/or providing access to transmission facilities and infrastructure that they own and/or lease for the transmission of voice, data, text, sound, and video using wired communications networks.[27] Transmission facilities may be based on a single technology or a combination of technologies. Establishments in this industry use the wired telecommunications network facilities that they operate to provide a variety of services, such as wired telephony services, including VoIP services, wired (cable) audio and video programming distribution, and wired broadband Internet services.[28] By exception, establishments providing satellite television distribution services using facilities and infrastructure that they operate are included in this industry.[29] Wired Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers.[30]

9. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[31] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[32] Of this number, 2,964 firms operated with fewer than 250 employees.[33] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were engaged in the provision of fixed local services.[34] Of these providers, the Commission estimates that 4,146 providers have 1,500 or fewer employees.[35] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

10. *Local Exchange Carriers (LECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include both incumbent and competitive local exchange service providers. Wired Telecommunications Carriers[36] is the closest industry with an SBA small business size standard.[37] Wired

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[27] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[28] *Id.*

[29] *Id.*

[30] Fixed Local Service Providers include the following types of providers: Incumbent Local Exchange Carriers (ILECs), Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, and Other Local Service Providers. Local Resellers fall into another U.S. Census Bureau industry group and therefore data for these providers is not included in this industry.

[31] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[32] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[33] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[34] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf. https://docs.fcc.gov/public/attachments/DOC-379181A1.pdf.

[35] *Id.*

[36] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[37] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

Telecommunications Carriers are also referred to as wireline carriers or fixed local service providers.[38] The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[39] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[40] Of this number, 2,964 firms operated with fewer than 250 employees.[41] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 4,590 providers that reported they were fixed local exchange service providers.[42] Of these providers, the Commission estimates that 4,146 providers have 1,500 or fewer employees.[43] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

11. *Incumbent Local Exchange Carriers (Incumbent LECs).* Neither the Commission nor the SBA have developed a small business size standard specifically for incumbent local exchange carriers. Wired Telecommunications Carriers[44] is the closest industry with an SBA small business size standard.[45] The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[46] U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year.[47] Of this number, 2,964 firms operated with fewer than 250 employees.[48] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 1,212 providers that reported they were incumbent local exchange service providers.[49] Of these providers, the Commission estimates that 916 providers have 1,500 or fewer employees.[50] Consequently, using the SBA's small business size standard, the

[38] Fixed Local Exchange Service Providers include the following types of providers: Incumbent Local Exchange Carriers (ILECs), Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, Local Resellers, and Other Local Service Providers.

[39] *Id.*

[40] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[41] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[42] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[43] *Id.*

[44] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[45] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[46] *Id.*

[47] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[48] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[49] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[50] *Id.*

Commission estimates that the majority of incumbent local exchange carriers can be considered small entities.

12. *Competitive Local Exchange Carriers (CLECs).* Neither the Commission nor the SBA has developed a size standard for small businesses specifically applicable to local exchange services. Providers of these services include several types of competitive local exchange service providers.[51] Wired Telecommunications Carriers[52] is the closest industry with a SBA small business size standard. The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[53] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[54] Of this number, 2,964 firms operated with fewer than 250 employees.[55] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 3,378 providers that reported they were competitive local service providers.[56] Of these providers, the Commission estimates that 3,230 providers have 1,500 or fewer employees.[57] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

13. *Interexchange Carriers (IXCs).* Neither the Commission nor the SBA have developed a small business size standard specifically for Interexchange Carriers. Wired Telecommunications Carriers[58] is the closest industry with a SBA small business size standard.[59] The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[60] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[61] Of this number, 2,964 firms operated with fewer than 250 employees.[62]

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[51] Competitive Local Exchange Service Providers include the following types of providers: Competitive Access Providers (CAPs) and Competitive Local Exchange Carriers (CLECs), Cable/Coax CLECs, Interconnected VOIP Providers, Non-Interconnected VOIP Providers, Shared-Tenant Service Providers, Audio Bridge Service Providers, Local Resellers, and Other Local Service Providers.

[52] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[53] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[54] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[55] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[56] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2021), https://docs.fcc.gov/public/attachments/DOC-379181A1.pdf.

[57] *Id.*

[58] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[59] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[60] *Id.*

[61] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[62] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 127 providers that reported they were engaged in the provision of interexchange services. Of these providers, the Commission estimates that 109 providers have 1,500 or fewer employees.[63] Consequently, using the SBA's small business size standard, the Commission estimates that the majority of providers in this industry can be considered small entities.

14. *Local Resellers*. Neither the Commission nor the SBA have developed a small business size standard specifically for Local Resellers. Telecommunications Resellers is the closest industry with a SBA small business size standard.[64] The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households.[65] Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure.[66] Mobile virtual network operators (MVNOs) are included in this industry.[67] The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees.[68] U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year.[69] Of that number, 1,375 firms operated with fewer than 250 employees.[70] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 207 providers that reported they were engaged in the provision of local resale services.[71] Of these providers, the Commission estimates that 202 providers have 1,500 or fewer employees.[72] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

15. *Toll Resellers*. Neither the Commission nor the SBA have developed a small business size standard specifically for Toll Resellers. Telecommunications Resellers[73] is the closest industry with a SBA small business size standard. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they

[63] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[64] *See* U.S. Census Bureau, *2017 NAICS Definition*, "*517911 Telecommunications Resellers,*" https://www.census.gov/naics/?input=517911&year=2017&details=517911.

[65] *Id.*

[66] *Id.*

[67] *Id.*

[68] *See* 13 CFR § 121.201, NAICS Code 517911 (as of 10/1/22, NAICS Code 517121).

[69] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517911, https://data.census.gov/cedsci/table?y=2017&n=517911&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[70] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[71] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[72] *Id.*

[73] *See* U.S. Census Bureau, *2017 NAICS Definition*, "*517911 Telecommunications Resellers,*" https://www.census.gov/naics/?input=517911&year=2017&details=517911.

do not operate transmission facilities and infrastructure.[74] Mobile virtual network operators (MVNOs) are included in this industry.[75] The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees.[76] U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year.[77] Of that number, 1,375 firms operated with fewer than 250 employees.[78] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 457 providers that reported they were engaged in the provision of toll services.[79] Of these providers, the Commission estimates that 438 providers have 1,500 or fewer employees.[80] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

16. *Other Toll Carriers*. Neither the Commission nor the SBA has developed a definition for small businesses specifically applicable to Other Toll Carriers. This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. Wired Telecommunications Carriers[81] is the closest industry with a SBA small business size standard.[82] The SBA small business size standard for Wired Telecommunications Carriers classifies firms having 1,500 or fewer employees as small.[83] U.S. Census Bureau data for 2017 show that there were 3,054 firms in this industry that operated for the entire year.[84] Of this number, 2,964 firms operated with fewer than 250 employees.[85] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 90 providers that reported they were engaged in the provision of other toll services.[86] Of these providers, the Commission estimates that 87 providers have 1,500 or fewer employees.[87] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

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[74] *Id.*

[75] *Id.*

[76] *See* 13 CFR § 121.201, NAICS Code 517911 (as of 10/1/22, NAICS Code 517121).

[77] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517911, https://data.census.gov/cedsci/table?y=2017&n=517911&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[78] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[79] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[80] *Id.*

[81] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[82] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[83] *Id.*

[84] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[85] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[86] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[87] *Id.*

17. *Prepaid Calling Card Providers.* Neither the Commission nor the SBA has developed a small business size standard specifically for prepaid calling card providers. Telecommunications Resellers[88] is the closest industry with a SBA small business size standard. The Telecommunications Resellers industry comprises establishments engaged in purchasing access and network capacity from owners and operators of telecommunications networks and reselling wired and wireless telecommunications services (except satellite) to businesses and households. Establishments in this industry resell telecommunications; they do not operate transmission facilities and infrastructure.[89] Mobile virtual network operators (MVNOs) are included in this industry.[90] The SBA small business size standard for Telecommunications Resellers classifies a business as small if it has 1,500 or fewer employees.[91] U.S. Census Bureau data for 2017 show that 1,386 firms in this industry provided resale services for the entire year.[92] Of that number, 1,375 firms operated with fewer than 250 employees.[93] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 62 providers that reported they were engaged in the provision of prepaid card services.[94] Of these providers, the Commission estimates that 61 providers have 1,500 or fewer employees.[95] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

18. *Wireless Telecommunications Carriers (except Satellite).* This industry comprises establishments engaged in operating and maintaining switching and transmission facilities to provide communications via the airwaves.[96] Establishments in this industry have spectrum licenses and provide services using that spectrum, such as cellular services, paging services, wireless Internet access, and wireless video services.[97] The SBA size standard for this industry classifies a business as small if it has 1,500 or fewer employees.[98] U.S. Census Bureau data for 2017 show that there were 2,893 firms in this industry that operated for the entire year.[99] Of that number, 2,837 firms employed fewer than 250

[88] *See* U.S. Census Bureau, *2017 NAICS Definition*, "*517911 Telecommunications Resellers,*" https://www.census.gov/naics/?input=517911&year=2017&details=517911.

[89] *Id.*

[90] *Id.*

[91] *See* 13 CFR § 121.201, NAICS Code 517911 (as of 10/1/22, NAICS Code 517121).

[92] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517911, https://data.census.gov/cedsci/table?y=2017&n=517911&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[93] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[94] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[95] *Id.*

[96] *See* U.S. Census Bureau, *2017 NAICS Definition, "517312 Wireless Telecommunications Carriers (except Satellite),"* https://www.census.gov/naics/?input=517312&year=2017&details=517312.

[97] *Id.*

[98] *See* 13 CFR § 121.201, NAICS Code 517312 (as of 10/1/22, NAICS Code 517112).

[99] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517312, https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

employees.[100] Additionally, based on Commission data in the 2022 Universal Service Monitoring Report, as of December 31, 2021, there were 594 providers that reported they were engaged in the provision of wireless services.[101] Of these providers, the Commission estimates that 511 providers have 1,500 or fewer employees.[102] Consequently, using the SBA's small business size standard, most of these providers can be considered small entities.

19. *Cable and Other Subscription Programming.* The U.S. Census Bureau defines this industry as establishments primarily engaged in operating studios and facilities for the broadcasting of programs on a subscription or fee basis.[103] The broadcast programming is typically narrowcast in nature (e.g., limited format, such as news, sports, education, or youth-oriented). These establishments produce programming in their own facilities or acquire programming from external sources.[104] The programming material is usually delivered to a third party, such as cable systems or direct-to-home satellite systems, for transmission to viewers.[105] The SBA small business size standard for this industry classifies firms with annual receipts less than $47 million as small.[106] Based on U.S. Census Bureau data for 2017, 378 firms operated in this industry during that year.[107] Of that number, 149 firms operated with revenue of less than $25 million a year and 44 firms operated with revenue of $25 million or more.[108] Based on this data, the Commission estimates that a majority of firms in this industry are small.

20. *Cable Companies and Systems (Rate Regulation).* The Commission has developed its own small business size standard for the purpose of cable rate regulation. Under the Commission's rules, a "small cable company" is one serving 400,000 or fewer subscribers nationwide.[109] Based on industry data, there are about 420 cable companies in the U.S.[110] Of these, only seven have more than 400,000

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[100] *Id*. The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[101] Federal-State Joint Board on Universal Service, Universal Service Monitoring Report at 26, Table 1.12 (2022), https://docs.fcc.gov/public/attachments/DOC-391070A1.pdf.

[102] *Id.*

[103] *See* U.S. Census Bureau, *2017 NAICS Definition, "515210 Cable and Other Subscription Programming,"* https://www.census.gov/naics/?input=515210&year=2017&details=515210.

[104] *Id.*

[105] *Id.*

[106] *See* 13 CFR § 121.201, NAICS Code 515210 (as of 10/1/22, NAICS Code 516210).

[107] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEREVFIRM, NAICS Code 515210, https://data.census.gov/cedsci/table?y=2017&n=515210&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available. The US Census Bureau withheld publication of the number of firms that operated for the entire year to avoid disclosing data for individual companies (see Cell Notes for this category).

[108] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We note that the U.S. Census Bureau withheld publication of the number of firms that operated with sales/value of shipments/revenue in all categories of revenue less than $500,000 to avoid disclosing data for individual companies (see Cell Notes for the sales/value of shipments/revenue in these categories). Therefore, the number of firms with revenue that meet the SBA size standard would be higher than noted herein. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, *see* https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

[109] 47 CFR § 76.901(d).

[110] S&P Global Market Intelligence, S&P Capital IQ Pro, U.S. MediaCensus, *Operator Subscribers by Geography* (last visited May 26, 2022).

subscribers.[111] In addition, under the Commission's rules, a "small system" is a cable system serving 15,000 or fewer subscribers.[112] Based on industry data, there are about 4,139 cable systems (headends) in the U.S.[113] Of these, about 639 have more than 15,000 subscribers.[114] Accordingly, the Commission estimates that the majority of cable companies and cable systems are small.

21. *Cable System Operators (Telecom Act Standard)*. The Communications Act of 1934, as amended, contains a size standard for a "small cable operator," which is "a cable operator that, directly or through an affiliate, serves in the aggregate fewer than one percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed $250,000,000."[115] For purposes of the Telecom Act Standard, the Commission determined that a cable system operator that serves fewer than 498,000 subscribers, either directly or through affiliates, will meet the definition of a small cable operator.[116] Based on industry data, only six cable system operators have more than 498,000 subscribers.[117] Accordingly, the Commission estimates that the majority of cable system operators are small under this size standard. We note however, that the Commission neither requests nor collects information on whether cable system operators are affiliated with entities whose gross annual revenues exceed $250 million.[118] Therefore, we are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.

22. *All Other Telecommunications*. This industry is comprised of establishments primarily engaged in providing specialized telecommunications services, such as satellite tracking, communications telemetry, and radar station operation.[119] This industry also includes establishments primarily engaged in providing satellite terminal stations and associated facilities connected with one or more terrestrial systems and capable of transmitting telecommunications to, and receiving telecommunications from, satellite systems.[120] Providers of Internet services (e.g. dial-up ISPs) or Voice over Internet Protocol (VoIP) services, via client-supplied telecommunications connections are also included in this industry.[121] The SBA small business size standard for this industry classifies firms with annual receipts of $40 million

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[111] S&P Global Market Intelligence, S&P Capital IQ Pro, *Top Cable MSOs 12/21Q* (last visited May 26, 2022); S&P Global Market Intelligence, Multichannel Video Subscriptions, Top 10 (April 2022).

[112] 47 CFR § 76.901(c).

[113] S&P Global Market Intelligence, S&P Capital IQ Pro, U.S. MediaCensus, *Operator Subscribers by Geography* (last visited May 26, 2022).

[114] S&P Global Market Intelligence, S&P Capital IQ Pro, *Top Cable MSOs 12/21Q (*last visited May 26, 2022).

[115] 47 U.S.C. § 543(m)(2).

[116] *FCC Announces Updated Subscriber Threshold for the Definition of Small Cable Operator*, Public Notice, DA 23-906 (MB 2023) (*2023 Subscriber Threshold PN*). In this Public Notice, the Commission determined that there were approximately 49.8 million cable subscribers in the United States at that time using the most reliable source publicly available. *Id*. This threshold will remain in effect until the Commission issues a superseding Public Notice.. *See* 47 CFR § 76.901(e)(1).

[117] S&P Global Market Intelligence, S&P Capital IQ Pro, *Top Cable MSOs 06/23Q (*last visited Sept. 27, 2023); S&P Global Market Intelligence, Multichannel Video Subscriptions, Top 10 (April 2022).

[118] The Commission does receive such information on a case-by-case basis if a cable operator appeals a local franchise authority's finding that the operator does not qualify as a small cable operator pursuant to § 76.901(e) of the Commission's rules. *See* 47 CFR § 76.910(b).

[119] *See* U.S. Census Bureau, *2017 NAICS Definition*, "*517919 All Other Telecommunications,*" https://www.census.gov/naics/?input=517919&year=2017&details=517919.

[120] *Id.*

[121] *Id.*

or less as small.[122] U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year.[123] Of those firms, 1,039 had revenue of less than $25 million.[124] Based on this data, the Commission estimates that the majority of "All Other Telecommunications" firms can be considered small.

23. *Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing*. This industry comprises establishments primarily engaged in manufacturing radio and television broadcast and wireless communications equipment.[125] Examples of products made by these establishments are: transmitting and receiving antennas, cable television equipment, GPS equipment, pagers, cellular phones, mobile communications equipment, and radio and television studio and broadcasting equipment.[126] The SBA small business size standard for this industry classifies businesses having 1,250 employees or less as small.[127] U.S. Census Bureau data for 2017 show that there were 656 firms in this industry that operated for the entire year.[128] Of this number, 624 firms had fewer than 250 employees.[129] Thus, under the SBA size standard, the majority of firms in this industry can be considered small.

24. *Semiconductor and Related Device Manufacturing*. This industry comprises establishments primarily engaged in manufacturing semiconductors and related solid state devices.[130] Examples of products made by these establishments are integrated circuits, memory chips, microprocessors, diodes, transistors, solar cells and other optoelectronic devices.[131] The SBA small business size standard for this industry classifies entities having 1,250 or fewer employees as small.[132] U.S. Census Bureau data for 2017 show that there were 729 firms in this industry that operated for the entire year.[133] Of this total, 673 firms operated with fewer than 250 employees.[134] Thus under the SBA size standard, the majority of firms in this industry can be considered small.

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[122] *See* 13 CFR § 121.201, NAICS Code 517919 (as of 10/1/22, NAICS Code 517810).

[123] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEREVFIRM, NAICS Code 517919, https://data.census.gov/cedsci/table?y=2017&n=517919&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[124] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, *see* https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

[125] *See* U.S. Census Bureau, *2017 NAICS Definition, "334220 Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing,*" https://www.census.gov/naics/?input=334220&year=2017&details=334220.

[126] *Id*.

[127] *See* 13 CFR § 121.201, NAICS Code 334220.

[128] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 334220, https://data.census.gov/cedsci/table?y=2017&n=334220&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[129] *Id*. The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[130] *See* U.S. Census Bureau, *2017 NAICS Definition, "334413 Semiconductor and Related Device Manufacturing,"* https://www.census.gov/naics/?input=334413&year=2017&details=334413.

[131] *Id.*

[132] *See* 13 CFR § 121.201, NAICS Code 334413.

[133] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 334413,

(continued….)

25. *Software Publishers.* This industry comprises establishments primarily engaged in computer software publishing or publishing and reproduction.[135] Establishments in this industry carry out operations necessary for producing and distributing computer software, such as designing, providing documentation, assisting in installation, and providing support services to software purchasers.[136] These establishments may design, develop, and publish, or publish only.[137] The SBA small business size standard for this industry classifies businesses having annual receipts of $47 million or less as small.[138] U.S. Census Bureau data for 2017 indicate that 7,842 firms in this industry operated for the entire year.[139] Of this number 7,226 firms had revenue of less than $25 million.[140] Based on this data, we conclude that a majority of firms in this industry are small.

26. *Internet Service Providers (Non-Broadband).* Internet access service providers using client-supplied telecommunications connections (e.g., dial-up ISPs) as well as VoIP service providers using client-supplied telecommunications connections fall in the industry classification of All Other Telecommunications.[141] The SBA small business size standard for this industry classifies firms with annual receipts of $40 million or less as small.[142] For this industry, U.S. Census Bureau data for 2017 show that there were 1,079 firms in this industry that operated for the entire year.[143] Of those firms, 1,039 had revenue of less than $25 million.[144] Consequently, under the SBA size standard a majority of firms in this industry can be considered small.

27. *Wired Broadband Internet Access Service Providers (Wired ISPs).*[145] Providers of wired

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https://data.census.gov/cedsci/table?y=2017&n=334413&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[134] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[135] *See* U.S. Census Bureau, *2017 NAICS Definition, "511210 Software Publishers,"* https://www.census.gov/naics/?input=511210&year=2017&details=511210.

[136] *Id.*

[137] *Id.*

[138] *See* 13 CFR § 121.201, NAICS Code 511210 (as of 10/1/22 NAICS Code 513210).

[139] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEREVFIRM, NAICS Code 511210, https://data.census.gov/cedsci/table?y=2017&n=511210&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[140] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, *see* https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

[141] *See* U.S. Census Bureau, *2017 NAICS Definition, "517919 All Other Telecommunications,"* https://www.census.gov/naics/?input=517919&year=2017&details=517919.

[142] *See* 13 CFR § 121.201, NAICS Code 517919 (as of 10/1/22, NAICS Code 517810).

[143] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEREVFIRM, NAICS Code 517919, https://data.census.gov/cedsci/table?y=2017&n=517919&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[144] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, *see* https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

[145] Formerly included in the scope of the Internet Service Providers (Broadband), Wired Telecommunications Carriers and All Other Telecommunications small entity industry descriptions.

broadband Internet access service include various types of providers except dial-up Internet access providers. Wireline service that terminates at an end user location or mobile device and enables the end user to receive information from and/or send information to the Internet at information transfer rates exceeding 200 kilobits per second (kbps) in at least one direction is classified as a broadband connection under the Commission's rules.[146] Wired broadband Internet services fall in the Wired Telecommunications Carriers industry.[147] The SBA small business size standard for this industry classifies firms having 1,500 or fewer employees as small.[148] U.S. Census Bureau data for 2017 show that there were 3,054 firms that operated in this industry for the entire year.[149] Of this number, 2,964 firms operated with fewer than 250 employees.[150]

28. Additionally, according to Commission data on Internet access services as of June 30, 2019, nationwide there were approximately 2,747 providers of connections over 200 kbps in at least one direction using various wireline technologies.[151] The Commission does not collect data on the number of employees for providers of these services, therefore, at this time we are not able to estimate the number of providers that would qualify as small under the SBA's small business size standard. However, in light of the general data on fixed technology service providers in the Commission's *2022 Communications Marketplace Report*,[152] we believe that the majority of wireline Internet access service providers can be considered small entities.

29. *Wireless Broadband Internet Access Service Providers (Wireless ISPs or WISPs)*.[153] Providers of wireless broadband Internet access service include fixed and mobile wireless providers. The Commission defines a WISP as "[a] company that provides end-users with wireless access to the Internet[.]"[154] Wireless service that terminates at an end user location or mobile device and enables the end user to receive information from and/or send information to the Internet at information transfer rates exceeding 200 kilobits per second (kbps) in at least one direction is classified as a broadband connection

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[146] *See* 47 CFR § 1.7001(a)(1).

[147] *See* U.S. Census Bureau, *2017 NAICS Definition, "517311 Wired Telecommunications Carriers,"* https://www.census.gov/naics/?input=517311&year=2017&details=517311.

[148] *See* 13 CFR § 121.201, NAICS Code 517311 (as of 10/1/22, NAICS Code 517111).

[149] *See* U.S. Census Bureau, *2017 Economic Census of the United States, Selected Sectors: Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517311, https://data.census.gov/cedsci/table?y=2017&n=517311&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[150] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[151] *See* Federal Communications Commission, Internet Access Services: Status as of June 30, 2019 at 27, Fig. 30 *(IAS Status 2019)*, Industry Analysis Division, Office of Economics & Analytics (March 2022). The report can be accessed at https://www.fcc.gov/economics-analytics/industry-analysis-division/iad-data-statistical-reports. The technologies used by providers include aDSL, sDSL, Other Wireline, Cable Modem and FTTP). Other wireline includes: all copper-wire based technologies other than xDSL (such as Ethernet over copper, T-1/DS-1 and T3/DS-1) as well as power line technologies which are included in this category to maintain the confidentiality of the providers.

[152] *See Communications Marketplace Report*, GN Docket No. 22-203, 2022 WL 18110553 at 10, paras. 26-27, Figs. II.A.5-7 (2022) (*2022 Communications Marketplace Report*).

[153] Formerly included in the scope of the Internet Service Providers (Broadband), Wireless Telecommunications Carriers (except Satellite) and All Other Telecommunications small entity industry descriptions.

[154] Federal Communications Commission, Internet Access Services: Status as of June 30, 2019 at 27, Fig. 30 *(IAS Status 2019)*, Industry Analysis Division, Office of Economics & Analytics (March 2022). The report can be accessed at https://www.fcc.gov/economics-analytics/industry-analysis-division/iad-data-statistical-reports.

under the Commission's rules.[155] Neither the SBA nor the Commission have developed a size standard specifically applicable to Wireless Broadband Internet Access Service Providers. The closest applicable industry with an SBA small business size standard is Wireless Telecommunications Carriers (except Satellite).[156] The SBA size standard for this industry classifies a business as small if it has 1,500 or fewer employees.[157] U.S. Census Bureau data for 2017 show that there were 2,893 firms in this industry that operated for the entire year.[158] Of that number, 2,837 firms employed fewer than 250 employees.[159]

30. Additionally, according to Commission data on Internet access services as of June 30, 2019, nationwide there were approximately 1,237 fixed wireless and 70 mobile wireless providers of connections over 200 kbps in at least one direction.[160] The Commission does not collect data on the number of employees for providers of these services, therefore, at this time we are not able to estimate the number of providers that would qualify as small under the SBA's small business size standard. However, based on data in the Commission's *2022 Communications Marketplace Report* on the small number of large mobile wireless nationwide and regional facilities-based providers, the dozens of small regional facilities-based providers and the number of wireless mobile virtual network providers in general,[161] as well as on terrestrial fixed wireless broadband providers in general,[162] we believe that the majority of wireless Internet access service providers can be considered small entities.

31. *All Other Information Services.* This industry comprises establishments primarily engaged in providing other information services (except news syndicates, libraries, archives, Internet publishing and broadcasting, and Web search portals).[163] The SBA small business size standard for this industry classifies firms with annual receipts of $47 million or less as small.[164] U.S. Census Bureau data for 2017 show that there were 704 firms in this industry that operated for the entire year.[165] Of those firms, 556 had revenue of less than $25 million.[166] Consequently, we estimate that the majority of firms in this industry are small entities.

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[155] *See* 47 CFR § 1.7001(a)(1).

[156] *See* U.S. Census Bureau, *2017 NAICS Definition, "517312 Wireless Telecommunications Carriers (except Satellite),"* https://www.census.gov/naics/?input=517312&year=2017&details=517312.

[157] *See* 13 CFR § 121.201, NAICS Code 517312 (as of 10/1/22, NAICS Code 517112).

[158] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Employment Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEEMPFIRM, NAICS Code 517312, https://data.census.gov/cedsci/table?y=2017&n=517312&tid=ECNSIZE2017.EC1700SIZEEMPFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[159] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard.

[160] *See IAS Status 2019,* Fig. 30.

[161] *See Communications Marketplace Report*, GN Docket No. 22-203, 2022 WL 18110553 at 27, paras. 64-68. (2022) (*2022 Communications Marketplace Report*).

[162] *Id.* at 8, para. 22.

[163] *See* U.S. Census Bureau, *2017 NAICS Definition, "519190 All Other Information Services,"* https://www.census.gov/naics/?input=519190&year=2017&details=519190.

[164] *See* 13 CFR § 121.201, NAICS Code 519190 (as of 10/1/22, NAICS Codes 519290).

[165] *See* U.S. Census Bureau, *2017 Economic Census of the United States*, *Selected Sectors: Sales, Value of Shipments, or Revenue Size of Firms for the U.S.: 2017,* Table ID: EC1700SIZEREVFIRM, NAICS Code 519190, https://data.census.gov/cedsci/table?y=2017&n=519190&tid=ECNSIZE2017.EC1700SIZEREVFIRM&hidePreview=false. At this time, the 2022 Economic Census data is not available.

[166] *Id.* The available U.S. Census Bureau data does not provide a more precise estimate of the number of firms that meet the SBA size standard. We note that the U.S. Census Bureau withheld publication of the number of firms that operated with sales/value of shipments/revenue of less than $100,000 to avoid disclosing data for individual

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D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

32. The *Third Further Notice* proposes and seeks comment on implementing new georouting rules for covered 988 text messages, that if adopted, may impose new or modified compliance obligations on small entities. In particular, we propose to require covered text providers to have the capability to provide and to actually provide georouting data to the 988 Lifeline with covered texts, when such information is available. We also propose that covered text providers be subject to georouting requirements to the same extent that they are currently required to send covered 988 texts to the 988 Lifeline. Covered text providers would be required to comply with this requirement six months from the effective date of final rules. In addition, we tentatively conclude that, at a minimum, Commercial Mobile Radio Service (CMRS) providers must support georouting for Short Message Service (SMS) text formats to the Lifeline.

33. The record in this proceeding indicates small providers may face various barriers to compliance,[167] however it does not currently contain detailed information on the costs for covered text providers to implement georouting for covered 988 text messages. Therefore, at this time, the Commission is not in a position to determine whether implementation of georouting for covered 988 text messages would result in significant costs for covered text providers. To help the Commission more fully evaluate the cost of compliance, we seek additional detailed information on various cost issues implicated by our proposed rules. Specifically, we have requested information on technological challenges and the costs for covered text providers to implement georouting for covered 988 text messages. We expect the information that we receive in response to our requested cost inquiries will help the Commission identify and evaluate compliance costs and burdens for small entities that may result from the proposals and inquiries we make in the *Third Further Notice* to implement georouting for covered 988 text messages.

E. Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

34. The RFA requires an agency to describe any significant alternatives that could minimize impacts to small entities that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for such small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for such small entities.[168]

35. In the *Third Further Notice*, the Commission seeks comment from all entities, including small entities, regarding the impact of the proposed rules on small entities. The Commission seeks comment on the impact, cost or otherwise, that requiring georouting for text-to-988 will impose on regional and rural carriers and small businesses. The Commission also seeks comment on whether to limit the scope of the georouting rule to one or more specific text formats, such as SMS, or to certain types of covered text providers, such as CMRS providers or covered text providers that have access to cellular networks. We will also consider whether the rule should require covered text providers provide georouting data with covered 988 texts "when available" as proposed, or instead provide georouting data with texts to 988 "when technically feasible." Further, the Commission asks whether to extend

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companies (see Cell Notes for the sales/value of shipments/revenue in this category). Therefore, the number of firms revenue that meet the SBA size standard would be higher than noted herein. We also note that according to the U.S. Census Bureau glossary, the terms receipts and revenues are used interchangeably, *see* https://www.census.gov/glossary/#term_ReceiptsRevenueServices.

[167] *Third Further Notice* para. 97 (discussing costs for implementation and compliance).

[168] 5 U.S.C. § 603(c)(1)-(4).

compliance time frames for different kinds of covered text providers, such as nationwide or non-nationwide CMRS providers or other kinds of interconnected text providers.

F. Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules

36. None.

STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL

Re: *Implementation of the National Suicide Hotline Act of 2018*, WC Docket No. 18-336, Third Report and Order and Third Further Notice of Proposed Rulemaking (October 17, 2024).

Yesterday I was in California. I joined Department of Health and Human Services Secretary Becerra and Congressman Cárdenas and visited Sycamores, a community-based resource center that helps adults, children, and families through some of their darkest and most difficult times. Sycamores is rooted in Los Angeles. They know what is happening in their backyard, they know what their neighbors need, and they have mobile mental health teams ready to provide on-the-ground assistance. I got to see how they work and how they deploy when crisis calls in their community.

When the original Suicide and Crisis Lifeline was launched in 2005, it was a ten-digit number, and the system used the area code associated with your phone number to route your call so those who answered could help nearby. Back then, when most calls came from a landline, routing by area code made sense. But times change. Today, thanks to a multi-year effort of the Federal Communications Commission, the ten-digit Lifeline is now an easy-to-remember three-digit number—988—and 80 percent of the calls to 988 now come from a wireless phone.

For so many people, the area code on our wireless phones no longer matches the place where we live. That means if you have a phone number from Maryland, but moved to California, and dialed 988 in crisis, you would still be routed to a center providing assistance in Maryland. Counselors in Maryland would still do their best to assist you, but it goes without saying that they won't be in a position to connect you with local resources like Sycamores in California.

This is a mismatch we should fix. We can save more lives by getting more people who dial the Suicide and Crisis Lifeline connected to resources that are local. That is where georouting fits in. When georouting is used, wireless calls to 988 are routed to call centers based not on the area code but instead on the nearby towers that wireless calls use to connect. This provides a more accurate picture of a caller's general location, while still protecting their privacy. More importantly, georouting means those responding to 988 inquiries have a lot more knowledge of local resources and events and are better equipped to assist the caller with getting the help they need.

We have already made real headway getting georouting in place for 988 calls. The Federal Communications Commission has been working with our federal partners at the Department of Health and Human Services and the Substance Abuse and Mental Health Services Administration to implement this technology. Last year I kicked this effort off by writing letters to the nationwide wireless providers urging them to explore georouting with development, testing, and trials. That work has paid off, with two nationwide wireless providers launching georouting for 988 calls last month, and a third provider coming on board shortly. I am grateful for this progress. But we cannot fall back. We need to make sure everyone calling 988 from a wireless phone can get connected to help that is nearby. So today we are setting clear deadlines for wireless providers across the country to implement georouting for calls to the Suicide and Crisis Lifeline.

Still, we are not stopping here. There is more we can do to keep improving access to 988 and making sure those who reach out in crisis get the local support they need.

Years ago, I led this agency's work to support texting to 988—expanding the Lifeline to take more than just traditional phone calls. After all, this is the primary way so many of us communicate today, especially young people. So in addition to requiring georouting for 988 calls, today we are launching a rulemaking to determine how best to implement georouting for 988 texts. Texting technology is different, and presents special challenges because texts contain unique information and move along a different pathway than calls. So while the Lifeline's Administrator can receive texts to 988, there is currently no way to also receive georouting data from the text's sender. But when there's a will,

there's a way. We are not going to stop working to improve the Lifeline until everyone gets access to the local help they need.

I want to thank Congressman Cárdenas and Secretary Becerra for joining me at Sycamores and for being such terrific champions for 988. Their drive to set up and improve the three-digit Lifeline is a big reason why we are here today. I also want to thank Senator Padilla and Senator Tillis for their support on Capitol Hill. Most of all, thank you to Sycamores for the gracious way they opened their doors for us, and for the heroic care and services they and so many others like them around the country provide to people in their community.

Finally, I am grateful for the staff responsible for this effort, including Callie Coker, Jesse Goodwin, Trent Harkrader, Heather Hendrickson, Jesse Jachman, Jodie May, Christi Shewman, and Merry Wulff from the Wireline Competition Bureau; Brenda Boykin, John Evanoff, David Furth, Timothy Hoseth, Renee Roland, Rasoul Safavian, and Rachel Wehr from the Public Safety and Homeland Security Bureau; Garnet Hanly, Leon Jackler, John Lockwood, and Susan Mort from the Wireless Telecommunications Bureau; Terry Cavanaugh, Douglas Klein, Richard Mallen, Erika Olsen, Elliot Tarloff, and Chin Yoo from the Office of General Counsel; Stacy Jordan, Eugene Kiselev, and Eric Ralph from the Office of Economics and Analytics; and Michael Gussow and Jocelyn James from the Office of Communications Business Opportunities.

STATEMENT OF
COMMISSIONER BRENDAN CARR

Re: *Implementation of the National Suicide Hotline Act of 2018*, WC Docket No. 18-336, Third Report and Order and Third Further Notice of Proposed Rulemaking (October 17, 2024).

On August 14, 2018, President Trump signed into law the National Suicide Hotline Improvement Act, requiring that the FCC and SAMHSA study the feasibility of designating a 3-digit dialing code for access to suicide prevention and mental health services. The FCC under Chairman Pai's leadership quickly rolled up its sleeves and got to work, examining the potential impact such a code could have on suicide prevention. The following year, Chairman Pai proposed that the FCC move forward with the necessary steps to establish 988 as the national 3-digit code to access the National Suicide Prevention Lifeline.

This easy-to-remember number has become more than a lifeline for individuals in crisis—indeed, in just two short years since its launch on July 16, 2022, counselors have answered more than 10 million calls, texts, and chats from people seeking help with suicidal thoughts and mental health-related crises.

But our work has not stopped. Today's item continues to build on the foundation that was laid by ensuring that individuals in crisis are properly routed to a nearby helpline center so that they can receive the most relevant support and information available. This will undoubtedly save additional lives and have a lasting impact on the success of 988. So I want to thank Chairwoman Rosenworcel for her work and leadership on this issue. And I want to thank the staff of the Wireline Competition Bureau for their continued efforts to make 988 as successful as envisioned. The item has my support.

STATEMENT OF
COMMISSIONER GEOFFREY STARKS

Re: *Implementation of the National Suicide Hotline Act of 2018*, WC Docket No. 18-336, Third Report and Order and Third Further Notice of Proposed Rulemaking (October 17, 2024).

The 988 Lifeline is made of up more than 200 crisis centers across the country. Last week, I was fortunate enough to visit one of them.

Lines for Life in Portland, Oregon is dedicated to preventing substance abuse and suicide and promoting mental wellness through intervention, prevention, and advocacy. As the largest 988 center in Oregon, it fields calls from 34 of the state's 36 counties. Through the power of its 270 employees, 90 full-time call responders, and 80 volunteers, Lines for Life effectively responds to more than 60,000 calls per year.

On my visit, I had the chance to speak with Debbie. She started out as a volunteer, and has handled thousands of calls over the years – the most at Lines for Life. Now she's one of the center's leaders, and helps train other call takers. Debbie told me about the necessity of matching 988 callers with local responders, saying "we have our fingers on the pulse of the mental health resources in the area." Without missing a beat, her coworker Alexis added that "we have it on a county-by-county basis." Through their years of experience, Debbie, Alexis, and the entire Lines for Life team know the best way to help someone in crisis is to connect them with the resources right in their own community. Whether that's mental health counseling, addiction services, or housing resources, the Lines for Life team is best prepared to match callers with the local assets most equipped to assist a caller.

That's why the action we're taking today is so important. It will make sure that the many, many Americans who reach out to 988 on what could be the darkest day of their life are heard by local counselors like Debbie and Alexis, who understand what they are going through and know how to get them the resources they need the most.

The Lines for Life team also highlighted their work with the numerous tribes that live in the Pacific Northwest. However, their description of their efforts here had a familiar refrain: the lack of connectivity on Tribal land limits Lines for Life's ability to recommend certain resources, like virtual therapy or other telehealth options. We must ensure that all Americans have access to high-speed internet.

Lines for Life also operates the innovative Youthline service, a free teen-to-teen crisis support and help line. Youthline connects teens and young adults to trained peers that help address everything from anxiety and loneliness to sexual orientation to depression and suicidal ideation. At Youthline, I spoke with Morgan, a manager who told me the center's young volunteers impressed her every single day with "their capacity for compassion, understanding, and healing." I had the privilege to sit down with one of those volunteers named Julie. I asked her why she got involved with Youthline and her response was something I'll never forget. She said she volunteered because she wanted to "help kids understand that they are not broken."

* * *

Thank you to the Chairwoman, and to all of the Commission staff who worked on this item. It has my full support.