



# PUBLIC NOTICE

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## WIRELINE COMPETITION BUREAU INVITES COMMENT ON COSTS AND FEASIBILITY OF PROVIDING LOCATION INFORMATION FOR 988 CALLS AND CLARIFIES 988 IMPLEMENTATION DATE

WC Docket No. 18-336

**Comments Due: December 21, 2020**  
**Reply Comments Due: January 11, 2021**

On October 17, 2020, the President signed the National Suicide Hotline Designation Act of 2020 into law (Suicide Hotline Act).<sup>1</sup> The Suicide Hotline Act designates 988 as the universal telephone number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system within one year after enactment of the Suicide Hotline Act. It also directs the Commission to submit a report on location identification.<sup>2</sup> By this public notice, we seek comment on issues to inform the location identification report, which is due to Congress by April 17, 2021.<sup>3</sup>

Section 5 of the Suicide Hotline Act requires the Commission to submit a report to the appropriate committees “that examines the feasibility and cost of including an automatic dispatchable location that would be conveyed with a 9–8–8 call, regardless of the technological platform used and including with calls from multi-line telephone systems,”<sup>4</sup> and as such, we seek comment on these issues generally. More specifically, what is the feasibility of including location information with a 988 call? What technical issues are involved and how can they be overcome, including with respect to multi-line telephone systems? How long would an implementation process take? What are the costs involved—both the financial costs and any potential risks to consumer privacy or other non-monetary costs? We note that in addition to soliciting written public comment by this Public Notice, we will invite members of our expert advisory committee, the North American Numbering Council, to discuss and provide input on the feasibility and cost of including an automatic dispatchable location with a 988 call at a forthcoming meeting.

We also take this opportunity to clarify the 988 implementation date, as well as the effective date of the designation of 988 as the universal telephone number within the United States for the national suicide prevention and mental health crisis hotline. Prior to enactment of the Suicide Hotline Act, the

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<sup>1</sup> National Suicide Hotline Designation Act of 2020, Pub. L. No. 116-172 (Suicide Hotline Act).

<sup>2</sup> See Suicide Hotline Act §§ 4-5.

<sup>3</sup> Congress also directed the Commission to submit a report on fee accountability. The fee accountability report is not due to Congress until October 17, 2022. See Suicide Hotline Act § 4(b). Thus, the Bureau will seek comment to inform that report in the future once states evaluate the use of 988 funds.

<sup>4</sup> Suicide Hotline Act § 5.

Commission designated 988 as the universal telephone number within the United States for the national suicide prevention and mental health crisis hotline in a *Report and Order* released on July 17, 2020, and that became effective on October 16, 2020.<sup>5</sup> The *Report and Order* also set an implementation date of July 16, 2022 for all telecommunications carriers, interconnected voice over Internet Protocol (VoIP) providers, and one-way VoIP providers to make any network changes necessary to ensure that users can dial 988 to reach the Lifeline.<sup>6</sup> The Suicide Hotline Act states that the 988 designation shall take effect one year after enactment, but is silent on implementation. The implementation deadline set forth in the *Report and Order* “to allow sufficient time—but no more time than necessary—for covered providers to meet the challenges of implementing 10-digit dialing in 87 area codes and of making necessary changes to their switches” therefore remains unchanged by the Suicide Hotline Act.<sup>7</sup>

Although the Suicide Hotline Act does not mention the Commission’s earlier designation of 988 in the *Report and Order*, we construe Congress’s independent designation of 988 in the Suicide Hotline Act as a ratification of the Commission’s designation. Accordingly, the *Report and Order* is unaffected by the Suicide Hotline Act, except that we now clarify that the designation of 988 as the universal telephone number within the United States for the national suicide prevention and mental health crisis hotline will take effect on October 17, 2021, which is one year after the date of enactment of the Suicide Hotline Act, and not on October 16, 2020. This clarification is necessary to make the *Report and Order* consistent with Congress’s clear intent that designation become effective one year after the date of enactment, as stated in section 3 of the Suicide Hotline Act.<sup>8</sup>

*Filing Requirements.* Pursuant to section 1.419 of the Commission’s rules, 47 CFR § 1.419, interested parties may file comments on or before **December 21, 2020**, and reply comments on or before **January 11, 2021**. All filings should refer to WC Docket No. 18-336. Filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission. Comments may be filed by paper or by using the Commission’s Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- **Electronic Filers:** Comments and replies may be filed electronically via ECFS: <http://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 overnight courier, or by first-class or overnight U.S. Postal Service mail.

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<sup>5</sup> *Implementation of the National Suicide Hotline Improvement Act of 2018*, WC Docket No. 18-336, Report and Order, 35 FCC Rcd 7373, 7387, 7422, paras. 29, 92-93 (2020) (*Report and Order*). The *Report and Order* was published in the Federal Register on September 16, 2020. *Implementation of the National Suicide Hotline Improvement Act of 2018*, 85 Fed. Reg. 57767, 57783 (Sept. 16, 2020).

<sup>6</sup> 47 CFR § 52.200(b)-(e), see also Suicide Hotline Act § 3.

<sup>7</sup> *Report and Order*, 35 FCC Rcd at 7404, para. 57.

<sup>8</sup> See Suicide Hotline Act § 3(a) (revising section 251(e) of the Communications Act to state that “9–8–8 is designated as the universal telephone number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system...”; *id.* § 3(b) (stating that this amendment “shall take effect on the date that is 1 year after the date of enactment of this Act”). To the extent necessary, we hereby waive the October 16, 2020 effective date of the designation in the *Report and Order* until one year after the date of enactment of the Suicide Hotline Act. This waiver is necessary to effectuate Congress’s intent, and we are aware of no harm to the public interest that would be caused by adopting the effective date that Congress prescribed in the Suicide Hotline Act.

- Filings can be sent by commercial overnight courier or by first-class or overnight U.S. Postal Service mail.<sup>9</sup>
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L St, NE, Washington, DC 20554.

*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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

*Ex Parte Rules.* Proceedings in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.<sup>10</sup> 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). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in these proceedings should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Michelle Sclater, Attorney Advisor, Competition Policy Division, Wireline Competition Bureau at (202) 418-0388 or by email at [Michelle.Sclater@fcc.gov](mailto:Michelle.Sclater@fcc.gov).

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<sup>9</sup> In response to the COVID-19 pandemic, the FCC has closed its current hand-delivery filing location at FCC Headquarters. We encourage outside parties to take full advantage of the Commission’s electronic filing system. Any party that is unable to meet the filing deadline due to the building closure may request a waiver of the comment or reply comment deadline, to the extent permitted by law. *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Filing*, Public Notice, DA 20-304 (rel. Mar. 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

<sup>10</sup> See 47 CFR §§ 1.1200(a), 1.1206.