Wireless RERC Inclusion in the FCC Report on NG911 Services

On February 22, 2013 the Federal Communications Commission (FCC) released a Report to Congress entitled *Legal and Regulatory Framework for Next Generation 911 Services*. The Rehabilitation Engineering Research Center for Wireless Technologies¹ (Wireless RERC) was referenced ten times throughout the document, including a complete section of the Wireless RERC recommendations regarding how the authority of the government should be amended in part, to better provide access to 911 by people with disabilities. In preparation of the report, the FCC issued a *Public Notice* that sought public input on issues related to the legal and regulatory infrastructure needed for the transition from legacy 911 to Next Generation 911 (NG911). The Wireless RERC provided input into the *Public Notice* addressing 1) the ability of states to effectively coordinate the transition to NG911, 2) what role the federal government should play in NG911 oversight, 3) legislation to require or incentivize the development of technologies that provide more accurate and efficient transmission of 9-1-1 caller information in an NG911 environment, and 4) the Commission collecting additional data about NG9-1-1 capabilities in its PSAP database.

The FCC has used many of our assertions to reinforce their recommendations to Congress. For example, we are referenced in support of NG911 deployment being governed at the state and local level and for favoring new 911 funding mechanisms, as the current system is thought to be outdated and inefficient for supporting the transition to NG911. In regard to how 911 funds should be collected, the Wireless RERC input noted the importance of a fee-based approach ensuring that “non-voice-enabled services contribute their fair share to 911 funding.”

¹ The Rehabilitation Engineering Research Center for Wireless Technologies is supported by the National Institute on Disability and Rehabilitation Research of the U.S. Department of Education, grant #H133E110002. The opinions contained in this paper are those of the grantee and do not necessarily reflect those of the U.S. Department of Education.
Report also included Wireless RERC recommendations on specifically increasing the role and authority of the Emergency Access Advisory Committee (EAAC), expanding the Public Safety Interoperable Communications (PSIC) grant program to include technologies that advance NG911, and enhancing the Master Public Safety Advisory Point (PSAP) Registry to provide an interactive map showing each PSAP’s NG911 capability.

See pages 22, 33-34, 43, 48 and 53 in the enclosure or, for ease of reference, the paragraphs that highlight the Wireless RERC’s contributions can be found below:

a. The consensus view expressed by commenters is that state and local authorities should retain their primary role in the management and development of NG911 by PSAPs, and that general state and local oversight authority over these matters should not be supplanted by the federal government, even in light of the sweeping changes to networks and technology involved in the transition to NG911.2

b. Some commenters urge Congress to require states without state-level 911 boards or oversight bodies to establish them.3

c. Commenters overwhelmingly favor an overhaul of current 911 funding mechanisms, believing the current system to be outdated and inadequate for facilitating the transition to NG911.4

d. NENA urges Congress to "consider a 9-1-1 funding model based on service fees

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2 See Boulder Regional Emergency Telephone Service Authority (BRETSA) Comments at 6-7; Connecticut DESPP/DSET (Connecticut) Comments at 2-3; CSI Comments at 1; NASNA Comments at 2; National Emergency Number Association (NENA) Comments at 3, 5; Texas 911 Entities Comments at 6-7; Verizon and Verizon Wireless (Verizon) Comments at 4; Intrado Comments at 3; L.R. Kimball Comments at 3; Motorola Solutions (Motorola) Comments at 2-3; Wireless RERC Comments at 4; CTIA – The Wireless Association (CTIA) Reply Comments at 12.

3 Hawaii E911 Board (Hawaii) Comments at 1; Bandwidth.com Comments at 6; L.R. Kimball Comments at 2; Motorola Comments at 3; Wireless RERC Comments at 5.

4 APCO Comments at 5; AT&T Comments at 7-8; Bandwidth.com Comments at 8; Connecticut Comments at 7; CSI Comments at 4; Hawaii Comments at 2; iCERT Comments at 2-3; Intrado Comments at 9-10; NENA Comments at 18-19; Texas 911 Entities Comments at 16; TIA Comments at 4-6; T-Mobile Comments at 9-10; TracFone Wireless Comments and Reply Comments throughout; Verizon Comments at 9-10; Wireless RERC Comments at 5,9; AICC Reply Comments at 5,6; APCO Reply Comments at 2; CTIA Reply Comments at 15; NENA Reply Comments at 4; NexGen Global Technologies Reply Comments at 3; NTCA Reply Comments at 4; Sprint Nextel Reply Comments at 7.
imposed on access network subscriptions.  

5 e. The Wireless RERC makes a number of recommendations in its comments as to the role of existing working groups that advocate on behalf of the disability community. It first recommends that EAAC, with the Consumer and Governmental Affairs Bureau (CGB)'s oversight, “be responsible for facilitating compliance with disability access requirements dictated not only by the [CVAA] but also Title II and Title IV of the Americans with Disabilities Act.”6 More specifically, the Wireless RERC suggests that EAAC’s charter be amended to include the authority to:

i. Develop guidance for state agencies designated to oversee NG911, outlining their obligations and sensitizing them to the needs of people with disabilities and recommending that subject matter experts in the area of (a) disability access policy and (b) assistive and accessible communications technologies be included in their coordination and implementation efforts.

ii. Test NG911 compliance with accessibility requirements, including “secret shopper” calls based on reasonable disability-oriented scenarios. Scoring poorly on such a compliance test should result in a notification letter, and subsequent failure should initiate an official investigation subject to joint enforcement actions by the Commission and the DOJ.

iii. Develop boilerplate, disability-oriented public information materials and ensure they are made available to states in accessible formats so that the state agency can tailor the materials to their needs. Develop a nationwide PSA (for radio and television that includes the captions and/or a sign language interpreter) regarding NG9-1-1 that directs viewers to check the availability of text-to-911 or NG911 via a PSAP registry.

iv. Integrate NG911 implementation with the Commission’s other subscriber-facing accessibility initiatives, especially relay services (TRS [telecommunications relay services], VRS [video relay services], captioned telephone, and STS [speech-to-speech relay services]) and the National Deaf Blind Equipment Distribution Program.

v. Provide results on an ongoing basis to the Interagency Coordinating Council on Emergency Preparedness and People with Disabilities (ICC) to

5 NENA Comments at 18. NENA asserts that this “would effectively eliminate a ‘free-riding’ problem, at the expense of capturing revenue from a small number of users who do not use any 9-1-1 capable originating service.” See also Wireless RERC Comments at 9 (a fee-based approach must ensure that non-voice-enabled services “contribute their fair share” to 911 funding).

6 Wireless RERC Comments at 6.
ensure cohesive development and implementation of NG911 policies and technologies.\(^7\)

f. Wireless RERC proposes that Congress fund research on new technologies to be added to NG911.\(^8\)

g. Commenters generally support enhancing the Master PSAP Registry to include more data relating to NG911 development. For example, Wireless RERC proposes upgrading the registry database to include an interactive map showing the level of NG911 capability of each PSAP.\(^9\)

About the Wireless RERC: Funded since 2001, the Wireless RERC is a partnership between Georgia Tech and Shepherd Center, funded by the U.S. Department of Education’s National Institute on Disability and Rehabilitation Research (NIDRR). Dr. Helena Mitchell, Executive Director, Center for Advanced Communications Policy, is the Wireless RERC’s Principal Investigator. The Center’s mission is to research, evaluate and develop innovative wireless technologies and products that meet the needs and improve the quality of life and community participation of people with disabilities.

\(^7\) Id. at 7-8.

\(^8\) Wireless RERC Comments at 10 (noting that ‘[t]he PSIC grant program would have to be expanded to include technologies to advance NG9-1-1 and allow for eligibility of academic institutions of higher learning and other non-profit research centers.”).

\(^9\) Wireless RERC Comments at 7.