

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Ensuring the Reliability and Resiliency of The 988 Suicide & Crisis Lifeline	)	PS Docket No. 23-5
	)	
Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications	)	PS Docket No. 15-80
	)	
Implementation of the National Suicide Hotline Improvement Act of 2018	)	WC Docket No. 18-336

**COMMENTS OF THE VOICE ON THE NET COALITION**

The Voice on the Net (“VON”) Coalition<sup>1</sup> hereby submits these comments in response to the Notice of Proposed Rulemaking (the “NPRM”),<sup>2</sup> wherein the Commission seeks comments on whether VoIP providers should be required to report to the Commission’s network outage reporting system (“NORS”) outages that potentially affect the 988 National Suicide Prevention Lifeline (“Lifeline”). While VON supports outage reporting when individuals are prevented from reaching the Lifeline, reporting outages at individual crisis centers would neither be useful nor necessary to ensure that individuals can continue to reach the Lifeline. This is because when local Lifeline crisis centers experience a disruption, calls are automatically routed to a back-up center, and there is no outage of the Lifeline.

**Background.** By early measures, industry implementation of 988, the new 3-digit code designated to reach the Lifeline, has been a success with an increasing number of calls and texts

---

<sup>1</sup> The VON Coalition works to advance regulatory policies that enable Americans to take advantage of the promise and potential of VoIP. For more information, see [www.von.org](http://www.von.org).

<sup>2</sup> *Notice of Proposed Rulemaking (“NPRM”)*, PS Docket No. 23-5 (rel. Jan. 27, 2023); see also, 88 Fed. Reg. 20790 (April 7, 2023) (establishing a comment date of May 8, 2023).

routed to the Lifeline using 988.<sup>3</sup> As currently configured, calls to 988 are routed to the closest accredited local crisis center according to the caller's area code, and if that center is unable to respond, the system automatically routes callers to a backup center.<sup>4</sup> In December 2022, callers were unable to reach any Lifeline crisis center when the carrier responsible for routing all Lifeline calls experienced an outage. In response, the Commission now proposes rules that would require covered service providers to report outages to NORS, similar to the requirements for 911, and separately notify the federal agency responsible for overseeing the Lifeline.

Specifically, the Commission proposes to define “covered 988 service providers” as those providers that provide the 988 Lifeline with capabilities such as the ability to receive, process, or forward calls,” and asks whether the absence of a reroute should be a consideration when applying the outage reporting rules.<sup>5</sup>

**Discussion.** VON supports the Commission's goal of ensuring easy access to suicide prevention and mental health crisis intervention services. VON also supports sensible rules regarding 988 outage reporting that consider the difference between 911 and 988 call routing. Importantly, 911 calling is inherently local. When a caller dials 911, the calls are routed to the local PSAP based on the caller's location. If that local PSAP is out of service, the call cannot be completed, and the caller cannot get help. Therefore, it makes sense that outage reports for individual PSAPs are necessary to ensure that callers can get help when needed and problems can be addressed at that local level.

The Lifeline, on the other hand, is by national by design. When a caller dials 988, the call is picked up by the 988 call routing provider and routed to a call center within the area code of

---

<sup>3</sup> *NPRM* at para. 8.

<sup>4</sup> *Id.* at para. 9.

<sup>5</sup> *Id.* at para. 15.

the calling number. If that local crisis center cannot be reached because it is busy, closed, or experiencing an outage, the call is automatically routed to a back-up center. VON understands that as long as a 988 caller has a working phone line, 988 calls should only fail when the 988 call routing provider experiences an outage; the 988 caller can get help even if the local call center is experiencing an outage.

Considering the built-in redundancy to account for unavailability of local crisis service centers, the Commission should make clear that the definition of “covered service provider” does not include entities that provide service directly to local crisis centers. This is because a reroute is generally available, and Lifeline service should not be affected. Indeed, only the entity that controls the routing of 988 calls will know when a re-route is unavailable and outage reporting could be triggered.

In short, outage reporting requirements for local 988 call centers would not enhance the 988 experience and would distract providers from working to fix the outage. Instead, outage reporting obligations should apply only to the 988 call routing providers providing services to 988 special facilities and not in other circumstances.

## CONCLUSION

The Commission should act in accordance with the recommendations herein

Respectfully submitted,

**VOICE ON THE NET COALITION**

/s/ Glenn S. Richards

Glenn S. Richards

Pillsbury Winthrop Shaw Pittman LLP

1200 Seventeenth Street, NW

Washington, DC 20036

(202) 663-8000

*Its Attorney*

May 8, 2023