

**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
	)	

**REPLY COMMENTS  
FAILSAFE COMMUNICATIONS,  
INC.**

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June 6, 2023

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FailSafe Communications, Inc. (“FailSafe”)<sup>1</sup> respectfully submits these reply comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Notice of Proposed Rulemaking (“NPRM”) proposing reporting requirements for outages potentially affecting calls or texts to 988.<sup>2</sup>

FailSafe’s primary focus is on the detection and reporting of 911 calls that do not go through. The Commission may learn more about FailSafe by going to its web site, [www.telesentient.com](http://www.telesentient.com). Both 911 calls and 988 calls are extremely important to the caller. As the 988 and Behavioral Health Crisis Coordinating Office within the Substance Abuse and Mental

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<sup>1</sup> FailSafe Communications, Inc. is the owner of three patents (US Patent No. 10,812,663 B2, 11,582,352 B2 and 10,667,199) relating to deriving new information by combining information from the telephone network with external databases. FailSafe believes this technology can assist in the detection and correction of outages affecting 911 calls and in the correct routing of emergency services to callers.

<sup>2</sup> Ensuring the Reliability and Resiliency of the 988 Suicide & Crisis Lifeline; Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications; Implementation of the National Suicide Hotline Improvement Act of 2018, Notice of Proposed Rulemaking, FCC No. 23-7, PS Docket Nos. 23-5, 15-80; WC Docket No. 18-336 (rel. Jan. 27, 2023) (“NPRM”).

Health Services Administration (SAMHSA) comments recognize, 80% of persons contacting 988 report being suicidal at the time of contact or in the recent past.<sup>3</sup> FailSafe supports the Commission’s efforts to enhance the delivery of these calls.

The first challenge is identifying the 988 calls<sup>4</sup> that do not go through. The Alliance for Telecommunications Industry Solutions (ATIS) explains in its comments that calls to 988 are translated to the 800-273-8255 lifeline toll-free number, and then routed as any other 8xx toll-free number.<sup>5</sup> For every carrier, that means there are call signals over Signaling System 7 (“SS7”) (or equivalent technology) that capture the originating Automatic Number Identification (“ANI”) of the originating caller. The same signaling network can identify calls that do not go through. It is technically possible to have the network send an alert each time such a call does not go through.

Once an uncompleted 988 call occurs, what should be done with the caller? AT&T correctly notes that the caller does not need to be notified of a call not going through.<sup>6</sup> The caller knows – and may be in even greater distress because the call was not completed. Boulder Emergency Telephone Service Authority (“BRETSA”) recommends routing the call to any available crisis center.<sup>7</sup> FailSafe agrees that the highest priority should be to get the caller to *someone*. “Counselors who answer the phones or respond to texts and online chats for 988 are supposed to be trained to actively listen, discuss the callers' concerns and wishes, and collaborate with them to find solutions.”<sup>8</sup> While the best solution is to have a local crisis center help the caller,

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<sup>3</sup> SAMHSA Comments at 1.

<sup>4</sup> FailSafe’s Reply Comments focus on calls, as opposed to texts. Different carriers capture and store texts in different manners. FailSafe encourages the Commission to explore the means by which carriers can identify which “988” texts do not go through and encourage crisis centers to reach out to such texters.

<sup>5</sup> ATIS Comments at 3.

<sup>6</sup> AT&T Comments at 8 – 9.

<sup>7</sup> BRETSA Comments at 2.

<sup>8</sup> <https://www.npr.org/sections/health-shots/2022/08/11/1116769071/social-media-posts-warn-people-not-to-call-988-heres-what-you-need-to-know>

at a time of crisis *any* friendly ear may be the difference between life and death.

The Commission’s NPRM is primarily focused on reporting outages that affect 988 calls. FailSafe would respectfully argue that this is a misplaced focus. The true focus should be on getting help to the individual callers who do not get through to 988. If a carrier knows that a 988 call did not go through, it should send the originating ANI to SAMHSA, VA, and the Network Administrator. FailSafe agrees with Mental Health America (MHA) that the Commission should “consider ways to allow for outreach to those who may have called and did not get critical help due to the outage or degradation of the service.”<sup>9</sup>

CX360 d/b/a Mosaicx (“CX360”) is rightfully proud of its Intelligent Virtual Assistant which “understand natural language used by customers and enables customers to converse dynamically and naturally—as they normally would—with a virtual assistant that ‘understands’ dynamic human conversational dialogs.”<sup>10</sup> FailSafe would urge the Commission to explore using this technology to call back the person in crisis. Suicidal people do not need a new report - they need help.

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<sup>9</sup> MHA Comments at 1.

<sup>10</sup> CX360 Comments at 2.

FailSafe shares the Commission's vision of a safer America. This is a cause that transcends politics and should unite all Americans. FailSafe pledges to assist the Commission in reaching this goal.

Respectfully submitted,

/s/ Eddie M. Pope

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