



Ajit Pai
Commissioner

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, DC 20554

April 12, 2016

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
United States House of Representatives
2183 Rayburn House Office Building
Washington, DC 20515

The Honorable Frank Pallone
Ranking Member
Committee on Energy and Commerce
United States House of Representatives
237 Cannon House Office Building
Washington, DC 20515

The Honorable Greg Walden
Chairman
Subcommittee on Communications and Technology
United States House of Representatives
2182 Rayburn House Office Building
Washington, DC 20515

The Honorable Anna Eshoo
Ranking Member
Subcommittee on Communications and Technology
United States House of Representatives
241 Cannon House Office Building
Washington, DC 20515

Dear Chairman Upton, Ranking Member Pallone, Chairman Walden, and Ranking Member Eshoo:

I want to commend the U.S. House Energy and Commerce Committee's Subcommittee on Communications and Technology for holding its April 13, 2016, hearing on several worthy bills, including H.R. 4167, the Kari's Law Act of 2015.

Many people now know the tragedy that inspired this legislation. In December 2013, Kari Rene Hunt Dunn was attacked and killed by her estranged husband in a Marshall, Texas hotel room. Her nine-year-old daughter, who was with her, tried calling 911 four times as she had been taught to do. But her calls for help never went through. That's because the hotel's phone system required guests to dial a "9" before calling 911.

Since that day, Kari's father, Hank Hunt, has worked tirelessly to ensure that every call to 911 directly connects callers to emergency personnel. When I learned about this two years ago, I started an inquiry into the status of 911 dialing at hotels across the country that use multi-line telephone systems (MLTS). I wanted to understand the scope of the problem and what could be done to fix it.

I have attached a copy of the report I gave on the one-year anniversary of that inquiry, but I want to highlight a couple of points here. First, my inquiry showed that nearly every MLTS could be configured or reconfigured to allow direct 911 calling. Indeed, in the course of just one year, many lodging properties did reconfigure their systems. Second, MLTS vendors reported that it cost little to no money to reprogram a system to allow direct 911 calling. Third, and perhaps most relevant to the Subcommittee, a number of MLTS vendors—including Shoretel, Windstream, NEC, and Vertical Communications—reported that they had or were making direct 911 calling the default setting in all of their MLTS products.

Much progress has been made in fixing this problem at hotels and motels, but there's much more to be done. For those are far from the only facilities that use MLTS. Office buildings, schools, libraries,

and other large buildings also rely upon MLTS. That is why it is so important that we continue to make direct access to emergency personnel a priority.

The legislation introduced by Congressman Louie Gohmert and co-sponsored by Congressmen Farenthold, Duncan, Thompson, and Culberson would do just that, bringing us one step closer to accomplishing Hank Hunt's mission. I applaud the efforts of Hank, this bipartisan group of Congressmen, and the countless others who are leading on this issue.

Thank you for holding this hearing and for working to ensure that calls to 911 always go through.

Sincerely,

A black rectangular redaction box covering the signature of Ajit Pai.

Ajit Pai
Commissioner
Federal Communications Commission

Attachment

**REMARKS OF FCC COMMISSIONER AJIT PAI
AT THE MARSHALL, TEXAS POLICE DEPARTMENT**

**“ON CONNECTING AMERICANS TO EMERGENCY PERSONNEL
WHENEVER THEY DIAL 911”**

MARSHALL, TX

JANUARY 23, 2015

Our nation's third President, Thomas Jefferson, said that “one man with courage makes a majority.” Today, we are gathered here in Marshall, Texas because of one such man.

As a father, I can't begin to imagine what it would be like to lose one of my children. But Hank Hunt knows that pain. Thirteen months ago, his daughter Kari was killed by her estranged husband in a hotel room not far from here.

Hank's nine-year-old granddaughter was in the room and tried to save her mother by dialing 911, but the call didn't go through. So she tried dialing 911 again, and again, and again—each time, the same result. She was never able to reach anyone who could help because the hotel's phone system required her to first use an access code—“9”—before dialing 911. Had the hotel's phone system been configured properly, her 911 call would have been answered by a public servant working in this very building—by someone who could have helped.

Confronted with such a tragedy, many people would retreat into their grief. And no one would fault them for doing so. But Hank chose another path. He didn't want anyone else to suffer the way that his family had suffered. So he began a movement to raise awareness about the problem his granddaughter experienced when she dialed 911 in that hotel room—a problem that delayed the arrival of first responders by precious minutes.

Like many of you, I am here because of Hank's fortitude. After hearing his story one year ago, I gave Hank my personal commitment that I would do my best to ensure that no one would ever again confront the same situation that his granddaughter faced, dialing 911 but not being able to reach anyone who could help.

By and large, our nation's 911 system has been a tremendous success story. And much of that success is due to the simplicity and uniformity of that three-digit number. When your life or the life of a loved one is on the line, you shouldn't have to think about whether you need to use a “9”, “8”, or “7” to get an outside line. You should be able to dial 911 and reach first responders who can assist you in your time of need. Dialing 911 must always work.

And this is especially true when it comes to our kids. My colleague Commissioner Rosenworcel says that the first phone number she taught her children was 911. And I bet that there are millions of parents across the United States who did the same thing. But when we teach our children to call for help, we don't tell them that in some places they need to dial 911, in other places they need to dial 9-911, and in still other places they need to dial 8-911. No, we teach them that the number is the number—everywhere and every time.

After hearing Hank's story, I wanted to assess the scope of the problem as well as potential solutions. So, almost one year ago, I started an inquiry into the use of multi-line telephone systems (MLTS) for 911 dialing. Working with our nation's lodging industry and MLTS manufacturers and vendors, we quickly determined that what happened with the phone system in Marshall wasn't an anomaly. It was indicative of a widespread problem.

For example, according to a survey conducted by the American Hotel & Lodging Association (AH&LA) early last year before remediation efforts began, dialing 911 would *not* work in over 55% of franchised hotels. And for independently-owned hotels, the figure was even worse: 68%. These numbers were particularly troubling because the vast majority of the nation's lodging properties are franchised or independently owned.

Moreover, most MLTS vendors reported that they did not ship all of their products with a default setting to allow for the direct dialing of 911. This meant that the problem extended well beyond hotels. In tens of thousands of other large buildings across our country, such as schools and offices, the telephone system could fail Americans when they need it the most.

Finally, we learned that this problem could be solved. The MLTS vendors reported that every single one of their phone systems could be configured to allow for direct dialing of 911. And they said that reprogramming systems that were set up without direct dialing would be relatively easy and inexpensive. So in nearly all cases, there is no technical reason why every phone in this country cannot be set up to allow direct 911 calling.

Once we had a handle on the extent of the problem, we rolled up our sleeves and went to work to fix it. And I want to emphasize the word "we." Although my name has appeared in some news stories about this issue, this has truly been a team effort. Mark Fletcher, for one, has been tireless in raising awareness—including my own, for which I would like to thank him—and advocating for change. And as a result of that team effort, there is good news to share this morning.

Let's start with hotels and motels, where the picture is much brighter than it was one year ago. At the beginning of 2014, none of our nation's largest hotel chains had brand standards requiring their franchised properties to allow direct access to 911. This might explain why franchised locations lagged far behind their owned and managed counterparts when it came to direct dialing. But today, Carlson, Hilton, La Quinta, Marriott, Motel 6, and Starwood have adopted such brand standards, and Hyatt has committed to adopting one this year. These steps alone will extend direct 911 dialing to over 7,800 lodging properties.

These companies are now in the process of making sure that their franchised locations come into compliance with these new brand standards, and their work is paying off. For example, at all 854 La Quinta properties in the United States, guests can now directly dial 911. Direct access to 911 is now a reality at over 75% of Marriott's franchised properties, and Marriott reports that the number will be 100% by the end of 2015.

Lodging companies are also leading by example. At every single hotel owned or directly managed by Carlson, Hyatt, InterContinental, La Quinta, Marriott, Motel 6, Starwood, and Wyndham, guests can now directly dial 911. And that is also the case at 99% of properties owned or managed by Hilton—which is up from just 50% a few months ago.

Even at those chains that have not yet adopted a formal brand standard, substantial progress has been made with respect to franchised properties. Consider the InterContinental Hotels Group, which includes Holiday Inn, Crowne Plaza, and Staybridge. Last year, it found that 927 of its franchised properties didn't allow direct access to 911. But now, according to the company's latest report, that problem has been fixed at 824 of those hotels. And it will be corrected at the remaining 103 properties by the end of March. Think about that; one company by itself soon will have fixed this problem at 927 locations across our country.

Stepping back from the blizzard of facts and figures, what does this all mean? One way to look at it is this: We are on track to have solved this problem by the end of this year at all Country Inn & Suites, Crowne Plaza, Doubletree, Embassy Suites, Fairfield Inn, Four Points, Gaylord, Hampton Inn, Hilton, Holiday Inn, Hyatt, InterContinental, La Quinta, Marriott, Motel 6, Park Plaza, Radisson, Residence Inn,

Ritz-Carlton, St. Regis, Sheraton, Staybridge, W, and Westin properties. That's all hat *and* a lot of cattle. That's real progress.

But our efforts haven't been limited to these large hotel chains. AH&LA has been working with all of the association's 19,790 member properties to move the ball forward on this issue. It's been explaining how to upgrade phone systems to enable direct 911 dialing and educating them on the urgency of getting this done before another tragedy strikes. The results? Thousands of independent hotels and motels now have direct 911 dialing. I salute AH&LA for its leadership and commitment to solving this problem, and in particular, Vanessa Sinders, who's here today. She and her organization have taken the bull by the horns and worked hard on this issue.

Credit for our progress also goes to dedicated Americans throughout our nation. One great example is C.J. Clayton, the general manager of the Staybridge Suites down the road in Longview. When she learned about Kari's story, she proactively did what was necessary for her hotel to permit direct 911 dialing. C.J. is here with us today, too. Thank you, C.J., and thanks to every other manager who has stepped up and done the right thing for the safety of their guests.

When it comes to hotels and motels, we've achieved significant results. But there's still more to do. Hotel chains must follow through and fully implement the brand standards they have adopted. We need to convince those chains that have yet to adopt brand standards to do the right thing. And we need to make sure that the smaller chains and independent hotels continue their efforts as well.

Now, as I said earlier, this problem isn't limited to hotels. That's why our effort has also included the companies that make and distribute commercial phone systems. All of the systems being manufactured today *can be* configured to enable direct 911 dialing. But the key question is whether they *are* configured that way in the field.

I am pleased that vendors generally recommend to their customers that their phone systems should be configured to enable direct 911 dialing. But a recommendation buried in an avalanche of instructions isn't good enough. Instead, these systems should be shipped with a default setting that permits direct 911 dialing. That way, a school, company, or library won't have to take special steps to activate direct 911 dialing in its building.

Thankfully, we have made progress in achieving that goal. Specifically, I am grateful to Shortel, Windstream, NEC, and Vertical Communications for making direct 911 dialing a default setting in all of their MLTS products. I hope that other vendors will soon follow suit.

We also need the cooperation of vendors to make sure that phone systems that have already been installed throughout our country are configured properly. For instance, Avaya has recommended that its customers verify that their systems allow direct 911 dialing. It's also sent a Product Support Notice listing the 911 checkup services they can use. Panasonic has issued a Service Bulletin to their resellers encouraging them to tell customers to program their systems for direct 911 dialing. And some MLTS vendors and distributors have been offering free or low cost ways for property owners to modify their existing systems and ensure that direct 911 dialing is enabled. I commend these efforts, and I hope that all vendors will follow these companies' leads, take steps to alert their customers about this issue, and help them ensure that their systems permit direct 911 dialing.

But more is needed. Many institutions have phone systems that aren't configured to allow for direct 911 dialing. They need to fix them. And in this respect, I am disappointed that the place where I work, the Federal Communications Commission, has fallen short.

Last year, my colleague Commissioner O'Rielly discovered something disturbing. At the FCC's headquarters, the phone system doesn't allow for direct 911 dialing. When you pick up a phone and dial 911, this is what you hear: "Your call cannot be completed as dialed. Please consult your directory and call again or ask your operator for assistance. This is a recording." I know this remains the case because

the last thing I did before leaving Washington for this event was dial 911 from my office. I got that same recording.

In my view, another sentence should be added to that message: "This is completely unacceptable." At the FCC, we should be leading the way, not lagging behind, when it comes to public safety communications. Unfortunately, I don't have the authority to solve the problem. That's why both Commissioner O'Rielly and I have asked the Chairman of the FCC to fix it.

It hasn't yet happened. But I'm going to be a pest until it does. If hotel chains can step up to the plate and enable direct 911 dialing at thousands of properties across the country in one year's time, then surely the FCC can do the same at our own headquarters.

* * *

The bottom line is that we never know when and where an emergency will occur. It could happen tomorrow in a Marshall, Texas hotel room. It could happen next week at an office building or a school. But we do know that when disaster strikes, when life and death may hang in the balance, there is a pretty good chance that someone is going to pick up the phone and dial 911. That call needs to reach emergency personnel like the dedicated public servants here at the Marshall Police Department.

That's why the movement that Hank Hunt started right here in Marshall has been so successful. Hank brought to light a problem that never occurred to most of us. And he championed an issue where the right answer is obvious. You don't need to be an expert in communications law or electrical engineering to understand that people who dial 911 should be able to reach someone who can help. You just need some good, old-fashioned common sense.

But to begin that movement in the face of such a horrific personal tragedy required much more than common sense. It required selflessness. It required persistence. And most importantly, it required courage—the courage of one man who is in the process of making a majority with each and every phone system that is reconfigured to connect those in need with those who can help.

It has been a tremendous honor to work alongside this man. I know that he'll keep working until the job is done. And I'll be there with him.

SUMMARY OF FCC COMMISSIONER AJIT PAI'S REPORT ON THE PROGRESS BEING MADE TO ENSURE THAT DIALING 911 ALWAYS WORKS

On January 23, 2015, Commissioner Ajit Pai updated the American public on the progress being made to ensure that dialing 911 always works. Commissioner Pai launched an inquiry into this issue one year ago when he learned that the multi-line telephone systems (MLTS) used in many hotels and other large buildings often required guests to dial "9" or some other access code before dialing 911. At the headquarters of the Marshall, TX Police Department, Commissioner Pai reported as follows:

- **Where We Started One Year Ago**

- None of the major hotel chains required their franchisees to permit direct 911 dialing.
- At 68% of independently-owned hotels and at 55% of franchised hotels, directly dialed 911 calls would not go through. Only 25% of surveyed MLTS vendors reported that all of their products shipped with a default setting that allowed for direct 911 dialing.

- **Where We Are Now**

Hotels

- 100% of the hotels owned or managed by Carlson, Hyatt, InterContinental, La Quinta, Marriott, Motel 6, Starwood, and Wyndham now permit direct 911 dialing. Hilton is at 99% (up from 50% in April 2014) and expects to reach 100% this year.
- 70% of the largest hotel chains have required or are in the process of requiring all franchise locations to have direct 911 dialing. That alone will extend direct 911 dialing to over 7,800 properties.
- 100% of the franchised locations of La Quinta now permit direct 911 dialing. Over 75% of Marriott's franchised locations do, and it expects to reach 100% this year.
- InterContinental, which includes Holiday Inn, Crowne Plaza, and Staybridge, now has direct 911 dialing at 824 of the 927 locations that previously lacked the capability. It is committed to converting the remaining 103 properties by the end of March.
- By the end of 2015, the 911 problem should be solved at *all* Country Inn & Suites, Crowne Plaza, Doubletree, Embassy Suites, Fairfield Inn, Four Points, Gaylord, Hampton Inn, Hilton, Holiday Inn, Hyatt, InterContinental, La Quinta, Marriott, Motel 6, Park Plaza, Radisson, Residence Inn, Ritz-Carlton, St. Regis, Sheraton, Staybridge, W, and Westin properties.

MLTS Vendors

- 50% of surveyed MLTS vendors now ship all of their MLTS products with a default setting of direct 911 dialing. This includes Shortel, Windstream, NEC, and Vertical Communications.
- 100% of surveyed MLTS vendors now recommend that their products be set up to allow direct 911 dialing.
- Several vendors are taking other steps to ensure that existing customers configure their MLTS systems to allow direct 911 dialing, such as offering free or low cost options to modify equipment and sending product support notices.