



PUBLIC NOTICE

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FCC ANNOUNCES THE ESTABLISHMENT OF THE ENDING 9-1-1 FEE DIVERSION NOW STRIKE FORCE AND SEEKS NOMINATIONS FOR MEMBERSHIP

By this Public Notice, the Federal Communications Commission (Commission) announces the formation of a new federal advisory committee, the Ending 9-1-1 Fee Diversion Now Strike Force (911 Strike Force), pursuant to the Don't Break Up the T-Band Act of 2020, set forth in Division FF, Title IX, Section 902 of the Consolidated Appropriations Act, 2021 (Section 902).¹ As required by Section 902(d)(3), the 911 Strike Force shall study how the Federal Government can most expeditiously end diversion of 911 fees and charges by states and other taxing jurisdictions (911 fee diversion). In carrying out this study, the 911 Strike Force shall:

- (i) determine the effectiveness of any Federal laws, including regulations, policies, and practices, or budgetary or jurisdictional constraints regarding how the Federal Government can most expeditiously end 911 fee diversion;
- (ii) consider whether criminal penalties would further prevent 911 fee diversion; and
- (iii) determine the impacts of 911 fee diversion.

As required by Section 902(d)(3)(D), it is anticipated that not later than September 23, 2021 (270 days after the enactment of Section 902), the 911 Strike Force shall publish on the website of the Commission and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study required by Section 902, including:

- (i) any recommendations regarding how to most expeditiously end 911 fee diversion, including actions that can be taken by Federal departments and agencies and appropriate changes to law or regulations; and
- (ii) a description of what progress, if any, relevant Federal departments and agencies have made in implementing the recommendations under clause (i).

Section 902(d)(3)(C) states that the 911 Strike Force shall be composed of such representatives of Federal departments and agencies as the Commission considers appropriate, in addition to:

- (i) State attorneys general;
- (ii) States or taxing jurisdictions found not to be engaging in diversion of 911 fees or charges;
- (iii) States or taxing jurisdictions trying to stop the diversion of 911 fees or charges;

¹ Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, Division FF, Title IX, Section 902, Don't Break Up the T-Band Act of 2020 (Section 902).

- (iv) State 911 administrators;
- (v) public safety organizations;
- (vi) groups representing the public and consumers; and
- (vii) groups representing public safety answering point professionals.

The Commission seeks nominations of members for each of the above categories on the 911 Strike Force. Members will be selected to balance fairly the expertise and viewpoints that are necessary to address effectively the issues to be considered by the 911 Strike Force. Members of the 911 Strike Force, including the Chairperson, shall be selected by the Chairperson of the Commission, in consultation with appropriate Commission staff.

Members will serve at the discretion of the Chairperson of the Commission. Members must be willing to commit to serving on the 911 Strike Force until the study is completed and the report issued, which is expected to be no later than September 23, 2021. Attendance at 911 Strike Force meetings shall be at the member's own expense. Due to COVID-19 precautions, however, it is anticipated that members will meet electronically until further notice. Members also will be expected to participate in deliberations of at least one informal subcommittee or other subgroup, if established. The time commitment for participation in any informal subcommittee or other subgroup may be substantial. However, informal subcommittee or other subgroup meetings may be conducted informally, using suitable technology to facilitate the meetings, subject to oversight by the Designated Federal Officer of the 911 Strike Force.

The Commission intends to establish the 911 Strike Force by April 2021 and hold the first meeting of the 911 Strike Force in May 2021. **Nominations for membership to the 911 Strike Force should be submitted to the FCC no later than March 19, 2021.** Procedures for submitting nominations are set forth below.

The 911 Strike Force will be organized under, and will operate in accordance with, the provisions of the Federal Advisory Committee Act (FACA).² As permitted by FACA, the 911 Strike Force will be authorized to facilitate its work through informal subcommittees or other subgroups, which will report their activities and recommendations to the 911 Strike Force as a whole.

Meetings of the full 911 Strike Force shall be open to the public (either in person or electronically), and timely notice of each meeting shall be published in the Federal Register and shall be further publicized through other appropriate vehicles. All such meetings will be fully accessible to individuals with disabilities.

APPLICATION PROCEDURE, DEADLINE, AND MEMBER APPOINTMENTS

All nominations should be received by the Commission as soon as possible, but no later than March 19, 2021.

No specific nomination form is required; however, each nomination must include the following information:

- Name, title, and organization of the nominee and a description of the organization, sector, or other interest the nominee will represent;
- Nominee's mailing address, e-mail address, and telephone number;
- A statement summarizing the nominee's qualifications and reasons why the nominee should be appointed to the 911 Strike Force;

² 5 U.S.C. App. 2.

- A statement describing the organization the nominee would represent, as well as the benefit of having the organization represented on the 911 Strike Force.

The applicant's nomination to the 911 Strike Force also must be confirmed by an authorized person (e.g., organization or company official) stating that such organization or company wants the nominated person to represent it on the 911 Strike Force. For example, this confirmation may be in the following format: "I am [insert official's name], the [insert official's title] at the [insert name of organization – e.g., company, government entity, trade association, etc.], with responsibilities for [concise description of position]. My organization would like [insert proposed member's name], who is currently [an employee of/consultant/attorney to X organization], to serve as our representative on the Federal Communications Commission's Ending 9-1-1 Fee Diversion Now Strike Force."

For applicants seeking to represent an entity that is, or who are themselves, a party to an FCC contract or subcontract or providing services for the benefit of the FCC under contract or subcontract, the nomination must include the following: 1) a general description of the contract/agreement; 2) a description of the product/services that the applicant provides pursuant to the contract/agreement; 3) a list of all parties to the contract/agreement; 4) the name of the Commission contracting officer (if known); and 5) a certification of the applicant that the applicant has provided written notice to the contracting officer and the FCC Manager, Contracts and Purchasing Center, that the applicant or representative nominee, as applicable, has applied for membership on the 911 Strike Force.

All organizational or individual members of the Committee or its working groups are subject to an ethics review by the Commission's Office of General Counsel. All members will have an initial and continuing obligation to disclose any interests in, or connections to persons or entities that are, or will be, regulated by or have interests before the Commission.

This Public Notice is not intended to be the exclusive method by which the Commission will solicit nominations to identify qualified candidates; however, all candidates for membership on the 911 Strike Force will be subject to the same evaluation criteria.

All nominations, including the requisite statements listed above, should be submitted by e-mail to 911StrikeForce@fcc.gov.

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 or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice).

For additional information about the 911 Strike Force, please contact John A. Evanoff, Designated Federal Officer of the 911 Strike Force, at 202-418-0848 or John.Evanoff@fcc.gov; or Jill Coogan, Deputy Designated Federal Officer, at 202-418-1499 or Jill.Coogan@fcc.gov.