



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 6, 2010

The Honorable John M. Shimkus
U.S. House of Representatives
2452 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Shimkus:

Thank you for your letter regarding state diversion of 911 funds for non-911 purposes. I share your concern that the diversion of 911 funds will impede the improvement of 911 services and call centers.

As you noted, in accordance with the NET 911 Act, the Commission staff is wrapping up its work on the Second Annual Report to Congress on State Collection and Distribution of 911 Fees and Charges. Among other things, this report will give us important data on state use of 911 funds during the past year. According to early indications, the majority of states have used their 911 funds for 911 purposes. Nevertheless, some states reported using these funds for other purposes. Akin to first annual report submitted to Congress in July 2009, the second annual report will provide full details on the practices of each state.

I have directed the Commission's staff to explore steps that the Commission could take within its existing jurisdiction, including under the NET 911 Improvement Act, to address the practice of some states diverting 911 funds to other purposes. In particular, they are examining whether the Commission's truth-in-billing requirements could be used to expose or discourage this practice. Another option they are exploring is whether the Commission would have the authority to preempt the assessment of excessive fees on communications services, such as substantial fees that are designated for 911 purposes but diverted to other uses. However, questions remain regarding the extent of the Commission's existing jurisdiction to restrict states from diverting funds. Additional legislation would be one way to address such questions. I welcome your continued leadership in devising legislation to address this critical issue.

I support and appreciate efforts by the 911 Caucus, NENA, and others to highlight the importance of this issue. The Commission staff will continue to address the issue of state diversion of 911 funds in its ongoing communication and outreach with the states. I look forward to working closely with you and the 911 Caucus to remedy this very important matter. Please let me know if you have any additional questions or concerns.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 6, 2010

The Honorable Richard M. Burr
United States Senate
217 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Burr:

Thank you for your letter regarding state diversion of 911 funds for non-911 purposes. I share your concern that the diversion of 911 funds will impede the improvement of 911 services and call centers.

As you noted, in accordance with the NET 911 Act, the Commission staff is wrapping up its work on the Second Annual Report to Congress on State Collection and Distribution of 911 Fees and Charges. Among other things, this report will give us important data on state use of 911 funds during the past year. According to early indications, the majority of states have used their 911 funds for 911 purposes. Nevertheless, some states reported using these funds for other purposes. Akin to first annual report submitted to Congress in July 2009, the second annual report will provide full details on the practices of each state.

I have directed the Commission's staff to explore steps that the Commission could take within its existing jurisdiction, including under the NET 911 Improvement Act, to address the practice of some states diverting 911 funds to other purposes. In particular, they are examining whether the Commission's truth-in-billing requirements could be used to expose or discourage this practice. Another option they are exploring is whether the Commission would have the authority to preempt the assessment of excessive fees on communications services, such as substantial fees that are designated for 911 purposes but diverted to other uses. However, questions remain regarding the extent of the Commission's existing jurisdiction to restrict states from diverting funds. Additional legislation would be one way to address such questions. I welcome your continued leadership in devising legislation to address this critical issue.

I support and appreciate efforts by the 911 Caucus, NENA, and others to highlight the importance of this issue. The Commission staff will continue to address the issue of state diversion of 911 funds in its ongoing communication and outreach with the states. I look forward to working closely with you and the 911 Caucus to remedy this very important matter. Please let me know if you have any additional questions or concerns.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 6, 2010

The Honorable Amy Klobuchar
United States Senate
302 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Klobuchar:

Thank you for your letter regarding state diversion of 911 funds for non-911 purposes. I share your concern that the diversion of 911 funds will impede the improvement of 911 services and call centers.

As you noted, in accordance with the NET 911 Act, the Commission staff is wrapping up its work on the Second Annual Report to Congress on State Collection and Distribution of 911 Fees and Charges. Among other things, this report will give us important data on state use of 911 funds during the past year. According to early indications, the majority of states have used their 911 funds for 911 purposes. Nevertheless, some states reported using these funds for other purposes. Akin to first annual report submitted to Congress in July 2009, the second annual report will provide full details on the practices of each state.

I have directed the Commission's staff to explore steps that the Commission could take within its existing jurisdiction, including under the NET 911 Improvement Act, to address the practice of some states diverting 911 funds to other purposes. In particular, they are examining whether the Commission's truth-in-billing requirements could be used to expose or discourage this practice. Another option they are exploring is whether the Commission would have the authority to preempt the assessment of excessive fees on communications services, such as substantial fees that are designated for 911 purposes but diverted to other uses. However, questions remain regarding the extent of the Commission's existing jurisdiction to restrict states from diverting funds. Additional legislation would be one way to address such questions. I welcome your continued leadership in devising legislation to address this critical issue.

I support and appreciate efforts by the 911 Caucus, NENA, and others to highlight the importance of this issue. The Commission staff will continue to address the issue of state diversion of 911 funds in its ongoing communication and outreach with the states. I look forward to working closely with you and the 911 Caucus to remedy this very important matter. Please let me know if you have any additional questions or concerns.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

August 6, 2010

The Honorable Anna G. Eshoo
U.S. House of Representatives
205 Cannon Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for your letter regarding state diversion of 911 funds for non-911 purposes. I share your concern that the diversion of 911 funds will impede the improvement of 911 services and call centers.

As you noted, in accordance with the NET 911 Act, the Commission staff is wrapping up its work on the Second Annual Report to Congress on State Collection and Distribution of 911 Fees and Charges. Among other things, this report will give us important data on state use of 911 funds during the past year. According to early indications, the majority of states have used their 911 funds for 911 purposes. Nevertheless, some states reported using these funds for other purposes. Akin to first annual report submitted to Congress in July 2009, the second annual report will provide full details on the practices of each state.

I have directed the Commission's staff to explore steps that the Commission could take within its existing jurisdiction, including under the NET 911 Improvement Act, to address the practice of some states diverting 911 funds to other purposes. In particular, they are examining whether the Commission's truth-in-billing requirements could be used to expose or discourage this practice. Another option they are exploring is whether the Commission would have the authority to preempt the assessment of excessive fees on communications services, such as substantial fees that are designated for 911 purposes but diverted to other uses. However, questions remain regarding the extent of the Commission's existing jurisdiction to restrict states from diverting funds. Additional legislation would be one way to address such questions. I welcome your continued leadership in devising legislation to address this critical issue.

I support and appreciate efforts by the 911 Caucus, NENA, and others to highlight the importance of this issue. The Commission staff will continue to address the issue of state diversion of 911 funds in its ongoing communication and outreach with the states. I look forward to working closely with you and the 911 Caucus to remedy this very important matter. Please let me know if you have any additional questions or concerns.

Sincerely,



Julius Genachowski