

REPORT TO CONGRESS

**ON STATE COLLECTION AND DISTRIBUTION OF
911 AND ENHANCED 911 FEES AND CHARGES**

**Submitted Pursuant to
Public Law No. 110-283**

**FEDERAL COMMUNICATIONS COMMISSION
Julius Genachowski, Chairman**

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I. INTRODUCTION

1. This Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges is submitted by the Chairman, Federal Communications Commission (Commission),¹ pursuant to the New and Emerging Technologies 911 Improvement Act of 2008 (NET 911 Act).² Prepared by Commission staff in the Public Safety and Homeland Security Bureau (Bureau),³ this is the fourth such annual report on the collection and distribution of 911 and Enhanced 911 (E911) fees and charges by the states, the District of Columbia, the U.S. territories, and the Indian territories, and covers the period January 1 to December 31, 2011. As discussed below,⁴ 45 states plus Puerto Rico submitted information indicating that they use collected 911/E911 funds exclusively for 911/E911 purposes. Five states and Guam report that they use or are allowed to use collected funds, at least in part, to support programs other than 911 and E911.

II. BACKGROUND

2. *NET 911 Act.* Section 101 of the NET 911 Act added a new section 6(f)(2) to the Wireless Communications and Public Safety Act of 1999 (Wireless 911 Act), which provides:

To ensure efficiency, transparency, and accountability in the collection and expenditure of a fee or charge for the support or implementation of 9-1-1 or enhanced 9-1-1 services, the Commission shall submit a report within 1 year after the date of enactment of the New and Emerging Technologies 911 Improvement Act of 2008, and annually thereafter, to the Committee on Commerce, Science and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives detailing the status in each State of the collection and distribution of such fees or charges, and including findings on the amount

¹ See 47 U.S.C. § 155(a) (stating, *inter alia*, that “[i]t shall be [the Chairman’s] duty . . . to represent the Commission in all matters relating to legislation and legislative reports”).

² New and Emerging Technologies 911 Improvement Act of 2008, Pub. L. No. 110-283, 122 Stat. 2620 (2008) (NET 911 Act).

³ See 47 C.F.R. § 0.191(k) (providing delegated authority to the Public Safety and Homeland Security Bureau to develop responses to legislative inquiries).

⁴ See paras. 16-19, *infra*.

of revenues obligated or expended by each State or political subdivision thereof for any purpose other than the purpose for which any such fees or charges are specified.⁵

3. *2009 Report.* On July 22, 2009, the Commission submitted its first Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges (2009 Report), covering the annual period ending December 31, 2008.⁶ The 2009 Report found that 24 jurisdictions collected 911/E911 fees at the state level, 11 collected fees at the local level, and 19 states collected fees at both the state and local levels.⁷ Estimates of funds collected ranged from a low of \$1,468,363 in Guam to a high of \$190,239,804.99 in Pennsylvania.⁸ The 2009 Report also found that 30 states, Guam, the District of Columbia, and Puerto Rico used the funds exclusively for 911/E911 purposes, while 12 states used some portion of their funds to support other programs.⁹ Additionally, seven states were unable to report whether local funds collected in connection with 911/E911 were used exclusively for that program.¹⁰ Other uses of funds ranged from depositing them into the state's general fund to purchasing public safety radio equipment.¹¹

4. *2010 Report.* On August 13, 2010, the Commission submitted the second Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges (2010 Report), covering the annual period ending on December 31, 2009.¹² The 2010 Report found that 22 jurisdictions collected 911/E911 fees at the state level, 11 collected fees at the local level, and 19 collected fees at both the state and local level.¹³ Estimates of funds collected ranged from a low of \$6.1 million in Maine to a high of \$203.6 million in Texas.¹⁴ The 2010 Report found that 32 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands used the funds exclusively for 911/E911 purposes, while 13 states used some portion of their funds to support other programs.¹⁵ In addition, two states did not respond and three states did not provide this information.¹⁶

5. *2011 Report.* On October 27, 2011, the Commission submitted the Third Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges (2011 Report), covering the annual period ending on December 31, 2010.¹⁷ The Third Annual Report found that in 2010, 22 jurisdictions collected 911/E911 fees at the state level, 8 collected fees at the local level, and 20

⁵ NET 911 Act § 101(2); Wireless 911 Act § 6(f)(2). The NET 911 Act was signed into law on July 23, 2008.

⁶ Federal Communications Commission, Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges (July 22, 2009) (2009 Report).

⁷ *Id.* at ¶¶ 8-10.

⁸ *Id.* at ¶ 12.

⁹ *Id.* at ¶ 13.

¹⁰ *Id.* at ¶ 15.

¹¹ *See id.* at Table 4.

¹² Federal Communications Commission, Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges (August 13, 2010) (2010 Report).

¹³ *Id.* at Table 1.

¹⁴ *Id.* at Table 3.

¹⁵ *Id.* at ¶ 14.

¹⁶ *Id.*

¹⁷ Federal Communications Commission, Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges (Nov. 1, 2011) (2011 Report).

collected fees at both the state and local levels.¹⁸ The funds collected ranged from an estimated low of \$3,017,672 in Louisiana to an estimated high of \$199,025,787 in Texas.¹⁹ The Report also found that 39 states, Puerto Rico, the US Virgin Islands, and the District of Columbia reported using the funds exclusively for 911/E911 purposes, while seven states reported using some portion of their funds to support other programs.²⁰

6. *2012 Revised Information Collection.* For the Commission's 2012 Report, the Bureau modified its information collection to obtain more detailed information about how states and other reporting jurisdictions determine what activities, programs, and organizations qualify as being "in support of 9-1-1 and enhanced 9-1-1 services, or enhancements of such services," for purposes of receiving monies collected from 911/E911 funds.²¹ The Commission's Public Safety and Homeland Security Bureau (Bureau) issued a Public Notice on June 8, 2012, soliciting specific information from state, territorial, and tribal authorities regarding the collection and use of 911/E911 funding in their jurisdictions.²² The Public Notice sought the following information:

- A statement as to whether or not your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, has established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (including a citation to the legal authority for such mechanism).
- The amount of the fees or charges imposed for the implementation and support of 911 and E911 services, and the total amount collected pursuant to the assessed fees or charges, for the annual period ending December 31, 2011.
- A statement describing how the funds collected are made available to localities, and whether your state has established written criteria regarding the allowable uses of the collected funds, including the legal citation to such criteria.
- A statement identifying any entity in your State that has the authority to approve the expenditure of funds collected for 911 or E911 purposes; a description of any oversight procedures established to determine that collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911; and a statement describing enforcement or other corrective actions undertaken in connection with such oversight, for the annual period ending December 31, 2011.
- A statement whether all the funds collected for 911 or E911 purposes have been made available or used for the purposes designated by the funding mechanism, or otherwise

¹⁸ *Id.* at ¶¶ 10-12.

¹⁹ *Id.* at ¶ 14.

²⁰ *Id.* at ¶ 15.

²¹ See Public Safety and Homeland Security Seeks Comment on Information Collection and Recommendations to Congress Regarding State 911/E911 Fees and Expenditures, Public Notice, PS Docket No. 09-14 (rel. Nov. 8, 2011). Commenters supported the expanded data collection. See, e.g., NENA Comments at 1; CTIA Comments at 1; see also, Letter from Kevin F. Neyland, Deputy Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, OMB Control Number 3060-1122 (May 17, 2012).

²² Information Collection Mandated By the New and Emerging Technologies Improvement Act of 2008, PS Docket No. 09-14, *Public Notice* (PSHSB Jun. 8, 2012).

used for the implementation or support of 911 or E911.

- A statement identifying what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support, including a statement identifying the unrelated purposes for which the funds collected for 911 or E911 purposes were made available or used.
- A statement identifying with specificity all activities, programs, and organizations for whose benefit your State, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services. [**New 2012 Information Collection**]
- A statement regarding whether your State classifies expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes, whether your State has expended such funds on Next Generation 911 programs, and if so, how much your state has expended in the annual period ending December 31, 2011 on Next Generation 911 programs. [**New 2012 Information Collection**]
- Any other comments you may wish to provide regarding the applicable funding mechanism for 911 and E911.

7. During the week of June 11, 2012, the Bureau sent letters to the Office of the Governor of each state and territory and the Regional Directors of the Bureau of Indian Affairs (BIA) requesting the information sought in the Public Notice. The Public Notice and letters requested submission of information by July 31, 2012. On September 3, 2012, the Bureau sent second notice letters to those states and territories that had not yet replied to the initial request for information. Thereafter, Bureau staff placed telephone calls to states that had not yet responded and, on October 12, 2012, sent final notice letters to non-responding states and territories requesting information by October 30, 2012. Bureau staff made final outreach calls on November 1, 2012 to non-responding states and territories.

8. The responses that the Bureau received are attached to this report as Appendix B. The Bureau received information from 47 states.²³ With respect to the territories, the Bureau received responses from Guam and Puerto Rico but did not receive responses from the Northern Mariana Islands or the US Virgin Islands. The Bureau also did not receive a response from the District of Columbia. The Bureau received responses from four of twelve BIA offices regarding the status of 911/E911 for Indian tribes.

III. DISCUSSION

9. Based upon the information gathered from the responding states and territories, this Report describes how states and other entities collected 911/E911 funds in calendar year 2011, how much they collected, and how they oversaw the expenditure of these funds. The Report then describes the extent to which states spent the collected 911/E911 funds on programs other than those that support or implement 911/E911 services.

A. State Collection of 911/E911 Fees and Charges

10. States use a variety of methods to collect and distribute 911/E911 fees. Table 1 provides an overview of whether 911/E911 funds are collected by the state (or equivalent jurisdiction), by local

²³ The Commission did not receive responses from the District of Columbia, Louisiana, New Hampshire, or Rhode Island.

jurisdictions, or through a combination of the two.

Table 1

Type of Collection	Number of States
State Collection	14
Local Authority	12
Hybrid	23
No Response	6

11. Fourteen states report that they collect statewide E911 fees that are then either distributed to counties or administered directly by the state.²⁴ Arizona, for example, reports that it imposes a statewide surcharge of twenty cents per month on every telecommunications provider for each activated wire (including VoIP) line and wireless service.²⁵ Revenue generated from this tax is then deposited into the Emergency Telecommunications Services Revolving Fund pursuant to Arizona’s funding statute.²⁶

12. Twelve states allow counties and other local jurisdictions to establish funding mechanisms for 911 and E911 purposes, subject to state statutory requirements.²⁷ Missouri is typical of such states. Missouri statutes allow counties to establish 911 funding mechanisms through one of two ways. The majority of counties in Missouri (52 of 97 counties), have opted to fund 911 through a tax on each “access line” in those parts of the county’s jurisdiction “for which emergency telephone service has been contracted.”²⁸ The remaining counties have opted to establish a county sales tax which, by law, cannot “exceed one percent of the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax.”²⁹

13. Twenty-three states employ a hybrid approach which allows two or more governing bodies or providers to collect surcharges from customers.³⁰ Kentucky is typical of this approach. In Kentucky, as in several other states, local jurisdictions are authorized by law to establish a fee on landlines within the local jurisdiction’s area; whereas, the state has established a fee on all CMRS connections within the state.³¹ All but ten counties in Kentucky have adopted a landline fee; however, Kentucky notes that local governments are exploring new ways to fund local 911/E911 as landline revenue has dropped due to substantial decreases in the use landline phones.³² Kentucky estimates that

²⁴ This category includes Arizona, California, Connecticut, Guam, Hawaii, Maine, Massachusetts, Minnesota, New Jersey, North Carolina, Oregon, Puerto Rico, Vermont, and Virginia.

²⁵ See Arizona Response at 1-2.

²⁶ *Id.* at 2.

²⁷ This category includes Alaska, Arkansas, Idaho, Mississippi, Missouri, Nevada, North Dakota, Ohio, Oklahoma, South Dakota, Wisconsin, and Wyoming.

²⁸ Missouri Response at 1.

²⁹ *Id.* at 1-2.

³⁰ This category includes Alabama, Colorado, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Montana, Nebraska, New Mexico, New York, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Washington, and West Virginia.

³¹ See Kentucky Response at 1-2.

³² See Kentucky Response at 2.

the total decrease in landlines may be as high as 25 percent in the last decade.³³

14. Table 2 indicates whether each state controls the expenditures of funds collected from 911/E911 surcharges. States that responded “no” to this question typically cede control of 911/E911 funds to local jurisdictions. In this table and the tables that follow, states and other entities that did not provide identified information are listed as “DNP.”

Table 2

State	State Approval of Expenditures?
Alabama	Yes for state collection; no for local collection
Alaska	No
Arizona	Yes
Arkansas	No
California	Yes
Colorado	No for local collection; yes for prepaid collection
Connecticut	Yes
Delaware	Yes
District of Columbia	DNP
Florida	Yes
Georgia	Yes
Guam	Yes
Hawaii	Yes
Idaho	No
Illinois	No for wireline; yes for wireless
Indiana	Yes
Iowa	Yes
Kansas	Yes
Kentucky	No for wireline; yes for wireless
Louisiana	DNP
Maine	Yes
Maryland	Yes
Massachusetts	Yes
Michigan	Yes
Minnesota	Yes
Mississippi	Yes
Missouri	No
Montana	Yes
Nebraska	No for wireline; Yes for wireless.
Nevada ³⁴	No
New Hampshire	DNP
New Jersey	Yes

³³ *See id.*

³⁴ While Nevada did not provide a single state-level response, several Nevada counties and tribal areas provided information. These responses can be found in Appendix B.

State	State Approval of Expenditures?
New Mexico	Yes
New York	Yes
North Carolina	Yes
North Dakota	Yes
Ohio	No
Oklahoma	DNP
Oregon	Yes
Pennsylvania	Yes
Puerto Rico	Yes
Rhode Island	DNP
South Carolina	Yes
South Dakota	Yes
Tennessee	Yes
Texas	Yes
Utah	No for local; yes for state
Vermont	Yes
Virginia	Yes
Washington	Yes
West Virginia	Yes
Wisconsin	Yes
Wyoming	No

B. State Estimates of Collected 911/E911 Funds for 2011

15. Table 3 shows the reported amount of money collected by various states, territories, and in a few cases, political subdivisions, for the year ending December 31, 2011. Some states did not provide an estimate of the amount collected. Some states provided separate figures for wireless and wireline services (and, in two cases, for VoIP services as well). Some states that collect funds at the state and local levels provided a full breakdown of all such funds, separately identifying state and local-collected funds. Other states that collect funds at the state and local levels only reported state-collected funds. The funds collected ranged from an estimated low of \$1,779,710 in Guam to an estimated high of \$209,202,098 in Texas.

Table 3

State	Funds Collected in 2011
Alabama	Local: DNP State: \$28,401,585
Alaska	\$12,320,888
Arizona	\$16,747,691
Arkansas	DNP
California	

State	Funds Collected in 2011
	\$85,952,018
Colorado	Local: DNP. Last estimate was in 2008; however, a new assessment will be conducted this year. Prepaid: \$1,907,087
Connecticut	\$22,413,228
Delaware	\$8,775,757
District of Columbia	DNP
Florida	\$122,550,767
Georgia	Landline and Wireless: DNP Pre-paid: \$13,700,097
Guam	\$1,779,710
Hawaii	Wireline: \$1,100,000 Wireless: \$8,655,031
Idaho	\$17,013,000
Illinois	Wireline: DNP Wireless: \$71,900,000
Indiana	Estimates not available for 2012. However, in 2011, approximately \$30,000,000 was collected.
Iowa	Wireline: \$13,246,008 Wireless: \$17,418,245

State	Funds Collected in 2011
Kansas	Of 118 PSAPs in the state, 96 PSAPs reported a total of \$22,125,937. The remaining 22 PSAPs did not report this information and the total number for these PSAPs cannot be ascertained.
Kentucky	Wireline: No exact estimate; however, a recent survey suggests that the total is approximately \$32,000,000 Wireless: \$24,500,000
Louisiana	DNP
Maine	\$8,416,235
Maryland	\$52,099,601
Massachusetts	Wireline: \$21,143,853 Wireless: \$45,259,307 Pre-Paid Wireless: \$2,380,236 VoIP: \$4,625,439
Michigan	\$196,215,849
Minnesota	\$58,654,182
Mississippi	\$60,813,014
Missouri	DNP
Montana	\$13,626,940

State	Funds Collected in 2011
Nebraska	Wireline: \$6,795,727 Wireless: \$8,012,694
Nevada	DNP
New Hampshire	DNP
New Jersey	\$125,000,000 (est.)
New Mexico	\$13,424,002
New York	State: \$194,787,113 Local: DNP
North Carolina	DNP
North Dakota	\$9,506,000
Ohio	DNP
Oklahoma	DNP
Oregon	\$39,370,086
Pennsylvania	Wireline: \$63,995,252 VoIP: \$17,399,788 Wireless: \$110,902,419
Puerto Rico	\$21,367,260
Rhode Island	DNP
South Carolina	Wireline: DNP Wireless: \$22,215,748

State	Funds Collected in 2011
South Dakota	\$8,200,000
Tennessee	Wireline: \$36,005,368 Non-Wireline: \$58,492,513
Texas	\$209,202,098
Utah	\$23,070,307
Vermont	\$4,993,132
Virginia	\$54,079,487
Virgin Islands	DNP
Washington	State: \$26,566,346 Local: \$74,385,769
West Virginia	\$36,176,377
Wisconsin	DNP
Wyoming	DNP

C. Use of 911/E911 Fees and Charges To Fund Programs Other Than 911/E911 Services

16. The majority of respondents – 45 states plus Puerto Rico– indicate that they use collected 911/E911 funds only for 911/E911 purposes. Five states and Guam report that they use or are allowed to use collected funds, at least in part, to support programs other than 911 and E911. Compared to prior years, this represents a reduction in the number of states that have reported using funds for purposes other than 911/E911. In the 2011 Report, seven states reported using funds for non-911/E911 purposes, while in the 2010 Report, thirteen states reported using funds for non-911/E911 purposes, and in the 2009 Report, twelve states reported using funds for non-911/E911 purposes.

17. For this year’s report, the Commission requested that states and territories identify “with

specificity all activities, programs, and organizations for whose benefit your State, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.” The purpose of this request was to generate a more accurate and specific picture of what states and territories defined as being in support of 911/E911. Forty-one states responded to this information request and their responses are included in Appendix B.³⁵

18. States that reported that they use 911/E911 funds for other purposes indicated that they use the collected money for a variety of matters, primarily related to other emergency first responder programs. Guam, for example, reported that \$486,223 was expended for other public safety-related activities, including leasing ambulances and maintaining the territory’s public safety radio communications system. Four other states (Arizona, Illinois, Maine, and New York) indicated that they transferred 911/E911 funds to the General Fund.

19. Two states, New Jersey and West Virginia, indicated that they used 911 fees for other public safety related purposes consistent with their funding statutes. New Jersey’s funding mechanism allows for 911 fees to be used to support other public safety related items, such as National Guard Support Services and the Division of State Police Operating Budget.³⁶ West Virginia states that its funding mechanism allows for 911 fees to be allocated towards its Department of Homeland Security and Emergency Management.³⁷ This funding is used to fund expansion of its Statewide Interoperable Radio System, to subsidize an expansion of cell towers, and to fund equipment upgrades for the West Virginia State Police.³⁸ West Virginia maintains that this funding is in support of 911 services as interoperable radios are used by first responders, cell towers expand cell phone access in areas where it would not otherwise be feasible, and funds used by the West Virginia State Police have been spent to provide radios and other communications devices to state troopers to enable them to have communications with 911 centers.³⁹

20. In short, at the state level for the year ending December 31, 2011, most states report that they used collected 911/E911 fees solely to fund 911/E911 services. Many of the remaining states use some 911/E911 fees for related expenses, such as to cover the administrative costs of collecting the fees, or for other public safety purposes (such as public safety radio communications). Table 4 below summarizes the disclosed uses of revenue in the states that reported using 911/E911 fees for purposes other than 911/E911.

Table 4

State	Use of 911/E911 Fees/Charges for Other Purposes
Arizona	\$2,213,700 was used to help close the General Fund.
Georgia	In 2011, \$13,700,097 was collected in pre-paid 911 fees, none of which was allocated for 911/E911 use.

³⁵ Arkansas, Alabama, District of Columbia, Illinois, Louisiana, Minnesota, New Hampshire, North Dakota, Rhode Island, and Wyoming did not respond to this request.

³⁶ See New Jersey Response at 3-4.

³⁷ See West Virginia Response at 2.

³⁸ See West Virginia Response at 2-3.

³⁹ See West Virginia Response at 3-4.

State	Use of 911/E911 Fees/Charges for Other Purposes
Guam	\$486,323 was appropriated for other public safety-related issues, namely, the leasing of ambulances, and maintenance and repair of the public safety radio communications system.
Illinois	\$2,908,000 went to the General Fund for FY 2012. In FY 2011, \$6,665,500 was transferred to the General Fund, of which \$1,416,000 has been repaid. The rest must be repaid in September 2012.
Maine	\$24,568 was transferred to the General Fund for personnel service reduction initiatives.
New York	In FY 2011-2012, \$22,800,000 was diverted to the General Fund.

D. Next Generation 911

21. As part of its ongoing efforts to support the nationwide transition to Next Generation 911 (NG911), the Commission requested that states provide information on whether they classify expenditures on NG911 as within the scope of permissible expenditures for 911 or E911 purposes, and whether and how much they expended such funds in 2011.

22. Thirty-three respondents indicate that their 911 funding mechanism allows for distribution of 911 funds for the implementation of NG911. Three respondents report that their funding mechanism does not allow for the use of 911 funds for NG911 implementation. Of the states that indicated that their funding mechanism allows for NG911 funding, sixteen states indicated that they used 911 funds for NG911 programs in 2011. Finally, fifteen states indicated that they did not have, or could not provide, such information.⁴⁰

E. Indian Tribes

23. Because of a low response rate among BIA offices, and because many BIA offices do not collect information regarding 911/E911 funding among Indian tribes, the Commission does not have a clear picture of Indian tribe use of 911/E911 funds. The Commission requested information from the twelve (12) regional BIA offices.⁴¹ Only four offices responded,⁴² and none indicated that they had information collection of 911 fees in tribal areas.

24. Last year, the Eastern Region BIA Office reported that no tribe within its jurisdiction has established a funding mechanism for 911/E911.⁴³ The Great Plains Region BIA Office reported that state and local authorities manage the 911 systems for the Indian tribes within its district.⁴⁴ Thus, Indian tribes

⁴⁰ Appendix A provides further information on state use of 911/E911 funds for NG911 purposes.

⁴¹ The BIA has twelve regional offices, organized by geographic location: Alaska Region, Eastern Oklahoma Region, Eastern Region, Southern Plains Region, Great Plains Region, Midwest Region, Navajo Region, Northwest Region, Pacific Region, Rocky Mountain Region, Southwest Region, and Western Region.

⁴² Eastern Region, Pacific Region, Southern Plains Region, and Eastern Oklahoma Region replied to the information request.

⁴³ BIA Eastern Regional Office 2011 Response at 1.

⁴⁴ BIA Great Plains Regional Office 2011 Response at 1.

within its jurisdiction collect no 911/E911 funds.

25. The Commission also received a response from the Shoshone Paiute Tribes in Nevada. The Shoshone Paiute Tribes note that “Shoshone Paiute Tribal residents were being charged \$1 per phone subscriber line per month by CenturyTel (now CenturyLink) by Owyhee County, Idaho.”⁴⁵ However, Owyhee County does not, and never did, provide emergency services to the Shoshone Paiute tribal area.⁴⁶ The Shoshone Paiute Tribes provide their own emergency services, and “after confirmation of these charges, Owyhee County reimbursed the tribe for funding that was owed.”⁴⁷ The Shoshone Paiute Tribes now have their own funding mechanism, which allows CenturyLink to assess a 911 tax for local subscribers.⁴⁸ In calendar year 2011, the Shoshone Paiute Tribes received \$5,154 from this 911 tax.⁴⁹

IV. CONCLUSION

26. The Commission once again is pleased to have the opportunity to report on the issue of 911 fee collection and distribution. Reported information indicates that in 2011, most of the 911/E911 fees collected by the states were in fact used to fund 911/E911 services, and only five states that responded to the Commission’s data collection reported using, or potentially using, 911 fees to support other activities. The Commission intends to release this report to the public, as we have done in previous years. For the first time, the Commission will formally seek public comment about the report and the information contained in it. We will include information about that public comment in next year’s report.

⁴⁵ Shoshone Paiute Tribes Response at 1.

⁴⁶ *See id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.* at 2.

Appendix A

Summary of State Responses

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
Alabama	Hybrid	Yes for state collection; no for local collection	Local: DNP State: \$28,401,585	DNP	No
Alaska	Local	No	\$12,320,888	No	DNP
Arizona	State	Yes	\$16,747,691	Implementation of NG911 falls within scope of mechanism; however, due to limited revenue no funds were expended for NG911 in 2011.	\$2,213,700 used to help close General Fund
Arkansas	Local	No	DNP	DNP	No
California	State	Yes	\$85,952,018	Yes. In 2011, California expended a total of \$645,239 on NG911 Pilot Projects.	No
Colorado	Hybrid	No for local collection. Yes for prepaid collection.	Local: DNP. Last estimate was 2008. A new assessment will be conducted this year. Prepaid: \$1,907,087	Locals can determine whether to use 911 funds for NG911. Some localities have done so; however, no estimate on total amount.	No
Connecticut	State	Yes	\$22,413,228	Yes. In 2011, Connecticut	No

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
				expended \$13,070,000 in in NG911 procurement and construction of the Public Safety data network on which it will be carried.	
Delaware	Hybrid	Yes	\$8,775,757	Yes. In 2011, Delaware invested over \$2,500,000 in NG911 technology.	No
District of Columbia	DNP	DNP	DNP	DNP	DNP
Florida	Hybrid	Yes	\$122,550,767	Yes, but not possible to provide an exact dollar amount.	No
Georgia	Hybrid	Yes	Landline and Wireless: DNP Pre-paid: \$13,700,097	Yes, but did not provide a dollar amount.	No information for local. Yes, for pre-paid. In 2011, \$13,700,097 was collected in pre-paid 911 fees, none of which was allocated for 911/E911 use.
Guam	State	Yes	\$1,779,710	No	Yes. \$486,323 was appropriated for other public safety-related issues, namely, the leasing of ambulances, and maintenance and

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
					repair of the public safety radio communications system.
Hawaii	State	Yes	Wireline: \$1,100,000 Wireless: \$8,655,031	Yes	No
Idaho	Local	No	\$17,013,000	Yes. In 2011, the State awarded \$535,302 to ten counties to assist in their movement to Next Generation equipment.	No
Illinois	Hybrid	No for wireline; yes for wireless.	Wireline: Unable to provide Wireless: \$71,900,000	DNP	No information for wireline. For wireless, \$2,908,000 went to the General Fund for FY 2012. In FY 2011, \$6,665,500 was transferred to the General Fund, of which \$1,416,000 has been repaid. The rest must be repaid in September 2012.
Indiana	Hybrid	Yes	Estimates not available for 2012. However, in 2011, approximately \$30,000,000 was	Yes, however, no specific financials for NG911 expenditures as they are not	No

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
			collected.	reported to the state.	
Iowa	Hybrid	Yes	Wireless: \$17,418,245 Wireline: \$13,246,008	Yes. Approximately \$167,000 was spent in 2011 on the NG911 program.	No
Kansas	Hybrid. Note, however, that Kansas amended its law in 2011 to create a state-based funding mechanism. These changes go into effect January 1, 2012	Yes	Of 118 PSAPs in the state, 96 PSAPs reported a total of \$22,125,937. The remaining 22 PSAPs did not report this information and the total number for these PSAPs cannot be ascertained.	Yes, however, 911 funds were not expended on NG911 in 2011.	No
Kentucky	Hybrid	Yes for wireless. No for wireline.	Wireless: \$24,500,000 Wireline: No exact estimate; however, a recent survey suggests that the total is approximately \$32,000,000	Yes. Expenditures have totaled approximately \$1,000,000.	No
Louisiana	DNP	DNP	DNP	DNP	DNP
Maine	State	Yes	\$8,416,235	The statute does not expressly permit	\$24,568 was transferred to the General Fund for

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
				expenditures for NG911; however, the Maine PUC intends to clarify the issue in the upcoming legislative session. No funds were expended in 2011 for NG911.	personnel service reduction initiatives.
Maryland	Hybrid	Yes	\$52,099,601	Yes. Legislation was passed during the Maryland 2012 Legislative Session that codified a Next Generation 911 definition within the Public Safety Article §1-301. The Emergency Number Systems Board obligated or expended \$8,026,666.32 on NG911 enabled or ready phone systems and NG911 enhanced logging recorders for Maryland Primary and Secondary PSAPs.	No

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
Massachusetts	State	Yes	Wireline: \$21,143,853 Wireless: \$45,259,307 Pre-Paid Wireless: \$2,380,236 VoIP: \$4,625,439	Yes. In 2011, \$241,498 was expended on NG911.	No
Michigan	Hybrid	Yes	\$196,215,849	Yes. In 2011, \$106,700 was expended for NG911 through the ENHANCE 911 Grant Project.	No
Minnesota	State	Yes	\$61,940,811	DNP	No
Mississippi	Local	Yes	\$60,813,014	Determined by local board of supervisors.	No
Missouri	Local	No	DNP	DNP	No
Montana	Hybrid	Yes	\$13,626,940	Yes	No
Nebraska	Hybrid	No for wireline; Yes for wireless.	Wireline: \$6,795,727 Wireless: \$8,012,694	The Enhanced Wireless 911 Services Act does not contain any references to NG911 and the state has not expended any funds on NG911 in 2011.	No

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
Nevada	Local	No	DNP	DNP	DNP
New Hampshire	DNP	DNP	DNP	DNP	DNP
New Jersey	State	Yes	\$127,000,000 (est.)	Yes, however, no funds were expended for NG911 in 2011.	No
New Mexico	Hybrid	Yes	\$13,424,002	Yes. During 2011, New Mexico expended \$491,339 on NG911.	No
New York	Hybrid	Yes	State: \$194,787,113 Local: DNP	Yes.	In FY 2011-2012, \$22,800,000 was diverted to the General Fund.
North Carolina	State	Yes	DNP	Yes. No funds were expended for NG911 in 2011.	No
North Dakota	Local	Yes	\$9,506,000	DNP	No
Ohio	Local	No	DNP	DNP	DNP
Oklahoma	Local	No	DNP	DNP	DNP
Oregon	State	Yes	\$39,370,086	Yes. In 2011, \$295,078 was expended for a consolidation report, much of which was centered on NG911.	No

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
Pennsylvania	Hybrid	Yes	Wireline: \$63,995,252 VoIP: \$17,399,788 Wireless: \$110,902,419	Yes. In 2011, Pennsylvania disbursed \$652,656 for NG911 needs assessments and \$567,207 for NG911 planning, and for the development of functional and operational ESInets.	No
Puerto Rico	State	Yes	\$21,367,260	DNP	No
Rhode Island	DNP	DNP	DNP	DNP	DNP
South Carolina	Hybrid	Yes	Wireline: DNP Wireless: \$22,215,748	Yes, however, specific amount cannot be determined.	No
South Dakota	Local	Yes	\$8,200,000	Yes, however, no funds were expended for NG911 purposes in 2011.	No
Tennessee	Hybrid	Yes	Wireline: \$36,005,368 Non-Wireline: \$58,492,513	Yes. In 2011, Tennessee expended \$4,357,580 for NG911.	No
Texas	Hybrid	Yes	\$209,202,098	Yes.	No

State/Territory	Type of Fund Collection	State Approval of Expenditures	Funds Collected	NG911 Services Funded Under Funding Mechanism	Use of 911/E911 Fees/Charges for Other Purposes
Utah	Hybrid	No for local; yes for state.	\$23,070,307	Yes.	No
Vermont	State	Yes	\$4,993,132	Yes. In 2011, Vermont expended \$1,410,466 for NG911.	No
Virginia	State	Yes	\$54,079,487	Yes. In 2011, the Commonwealth expended \$2,155,818 on NG911 to support regional technology pilots.	No
Washington	Hybrid	Yes	State: \$26,566,346 Local: \$74,385,769	Yes, but no funds expended in 2011 other than operating costs for ESInets.	No
West Virginia	Hybrid	Yes	\$36,176,377	Yes, however, West Virginia did not expend any money on NG911 in 2011.	No
Wisconsin	Local	Yes	DNP	Undetermined. No funds were used for NG911 in 2011.	No
Wyoming	Local	No	DNP	DNP	DNP

Appendix B
Copies of Responses