



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON DC

Mike O'Rielly
Commissioner

June 20, 2018

The Honorable Eddie Calvo
Governor of Guam
Executive Chamber, P.O. Box 2950
Agana, GU 96932

Dear Governor Calvo:

I am writing to follow-up on my February 20, 2018 letter inquiring on your territories' 9-1-1 fee diversion practices. As I stated then, the allocation of 9-1-1 collected fees must not be corrupted by governments diverting funding for other purposes, which ultimately undermines public confidence and the overall integrity of these systems. For these reasons and others, Congress charged the Federal Communications Commission (the FCC or Commission) with examining whether states and territories are using 9-1-1 fees collected from consumers solely for their intended purposes.

In February, I requested that your territory explain why you failed to respond to our request for information, take steps to rectify this failure, and submit to the Commission whether your territory diverted 9-1-1 fees to other functions. As of today, four months later, my office has not received a response from you or your office.

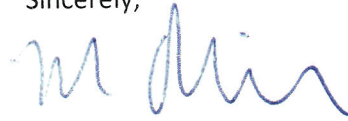
Despite your failure to respond to the Commission's multiple inquiries, it appears that citizens of your territory are speaking out. Because of your refusal to provide information directly to the Commission, I have little choice but to rely on these statements to gain more understanding of the financial situation of Guam's 9-1-1 fund.

According to Guam Fire Department Deputy Chief Joey San Nicolas, as quoted in *The Guam Daily Post*, approximately \$488,000 was transferred out of your territory's 9-1-1 fund in 2016, the year in question for the Commission's latest report. Even worse, \$840,000 appears to have been transferred from the 9-1-1 fund in 2017. In total, despite the FCC currently only having self-reported data for Guam in 2009 and 2012, it appears that from 2014 to 2017, almost \$4 million was transferred out of Guam's 9-1-1 fund.

Such a shortfall is incredibly concerning. As suggested by your own Fire Department Deputy Chief, next generation 9-1-1 is predicted to cost Guam \$2.5 million in equipment and then \$400,000 in yearly maintenance costs. Beyond the transition to NextGen 911, budgetary shortfalls can lead to longer wait times, delayed emergency responses, greater public safety risk to Guam's citizens, and lower morale among emergency personnel.

The citizens of Guam rely on the 9-1-1 system to work in their most dire times of need. It is beyond disappointing to learn that your territory has made a habit of diverting these funds for other purposes. Therefore, I respectfully request that you cease such diversionary practices at once, and work with the Commission to deliver on the promises of NextGen 911 for the residents of Guam.

Sincerely,

A handwritten signature in blue ink, appearing to read "m O'Rielly", with a stylized, cursive script.

Michael O'Rielly