

**STATEMENT OF
ACTING CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *911 Fee Diversion*, PS Docket No. 20-291; *New and Emerging Technologies 911 Improvement Act of 2008*, PS Docket No. 09-14, Notice of Proposed Rulemaking (February 17, 2021)

The first duty of the public servant is the public safety. So it is fitting that the first vote at my first meeting as Acting Chairwoman is this rulemaking to protect and strengthen our nation's emergency number—911.

As the old saying goes, you may only call 911 once in your life, but it will be the most important call you ever make. Chances are when you make that call, you won't put much thought into the system that's behind it. But the reality is that with the advent of the digital age, there are technologies that could improve this system and enhance emergency calling. However, we are unlikely to see those upgrades in all parts of the United States without first halting a practice known as 911 fee diversion. That simply means that when states allow a charge on communications bills for 911 service, they shouldn't be turning around and sending those fees elsewhere, shortchanging public safety in the process.

Unfortunately, fee diversion is not new. I first wrote about this subject more than four years ago. I later testified before Congress about it. Then I shared the pen with my former colleague Michael O'Rielly, who was also concerned about this practice. Then late last year Congress enacted new appropriations legislation providing the FCC with fresh tools to help solve this persistent problem.

So we are wasting no time. Today the Federal Communications Commission starts a rulemaking to ensure that fees that say they are for 911 go to 911. Specifically, we seek comment on rules that would define the kinds of expenditures by states that would constitute 911 fee diversion, create a process for states to petition the FCC for case-by-case review, and require federal 911 grantees to provide information on fee diversion to the FCC.

But that's not all. We know the results of 911 fee diversion can be tragic. It can lead to understaffed calling centers, longer wait times in an emergency, and sluggish dispatch for public safety personnel. And it can slow the ability of 911 call centers to update their systems to support digital age technologies. So consistent with this new law, I've also directed the Public Safety and Homeland Security Bureau to establish an interagency 911 Fee Diversion Strike Force that will study and report on what can be done to end this practice. In fact today, the Bureau will announce it is seeking members for this group from the public safety community as well as local and state governments.

I look forward to the work they will do and the record that develops in response to this rulemaking. All good ideas are welcome. We need them. In fact, I believe they can make a meaningful difference as we navigate both the ongoing pandemic and the transition to next-generation 911. They are especially important for states wrestling with funding challenges and they matter deeply for the nation's 911 operators who run emergency call centers across the country. They deserve the support intended for them; fee diversion needs to stop.

I extend my thanks to the Commission staff who helped prepare this Notice of Proposed Rulemaking, including Brenda Boykin, Jill Coogan, John Evanoff, Lisa Fowlkes, David Furth, Erika Olsen, Rachel Wehr, Michael Wilhelm, from the Public Safety and Homeland Security Bureau; David Horowitz, Keith McRickard, Bill Richardson, Anjali Singh from the Office of the General Counsel; Chuck Needy from the Office of Economics and Analytics; Becky Tangren from the Wireless Telecommunications Bureau; Heather Hendrickson from the Wireline Competition Bureau; and Chana Wilkerson from the Office of Communications Business Opportunities.