



## Michigan Communication Directors Association



March 30, 2021

Federal Communications Commission  
Notice of Proposed Rule-Making Docket 20-291  
911 Fee Diversion

Dear Honorable Members of the Michigan Congressional Delegation,

By way of the Don't Break Up the T-Band Act of 2020, the FCC recently accepted comments on its plan to eliminate the diversion of 911 fees to public safety items that they deem not be directly related to the 911 process.

The Michigan 911 statute, PA 32 of 1986, as amended, provides for each local 911 district to utilize 911 fees within certain limitations. Each 911 district determines how those funds will be spent within those parameters; some use the funds strictly for the operational costs within their 911 center, while other districts utilize the funds for the complete 911 communication process, from the receipt of the call in the 911 center to the dispatching of first responders. Under the Michigan allowable uses, radio systems (infrastructure, mobiles and portable) paging systems and pagers, are acceptable uses for the funds, as they are necessary to complete the dispatching process. Whether or not a county elects to utilize 911 fees to fund those items is strictly a local decision.

The FCC proposed rules could impinge upon Michigan's ability to determine the definition of allowable costs for 911 fees. The federal proposal eliminates radio system equipment beyond the consoles in the 911 center, i.e., radio infrastructure, mobiles, portables, pagers, AVL (Automatic Vehicle Location) and MDCs (Mobile Data/In-Car Computer) would no longer be allowable costs.

This national cookie-cutter approach encroaches on the ability of Michigan's 911 system to determine what uses of 911 fees best serves the needs of its citizens and public safety responders. Many Michigan counties, associations and national associations and stakeholders filed comments with the FCC opposing this action. While supporting the use of 911 fees for only direct costs of the service delivery, these concerned public safety communication officials believe that a broader interpretation of "direct" must include the entire dispatch process, and that local decision making, and local control is paramount.

It is imperative our Michigan congressional delegation be aware of these proposed changes and how they could affect our counties and local 911 centers.

In addition to the NPRM, the FCC also sought nominees for 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).

(From the FCC) The 911 Strike Force will 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.



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Michigan 911 and public safety entities nominated Ms. Patricia Coates, Oakland County 911 Coordinator to serve on the 911 Strike Force. Ms. Coates has had an expansive career in Michigan 911 and carries extensive knowledge that will not only support Michigan 911 at the federal level but will also assist the FCC in determining the best courses of action to address 911 fee diversion nationwide.

As a member of our esteemed MI Congressional delegation, we ask for any support you are able to provide us both in our above concern about the FCC NPRM and for the support of Ms. Patricia Coates to represent Michigan 911 on the 911 Strike Force.

Please do not hesitate to contact us if you have any questions or concerns.

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