

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Eighth Annual Report to Congress on	)	PS Docket No. 09-14
State Collection and Distribution of	)	
911 and Enhanced 911 Fees and Charges	)	

**COMMENTS OF APCO**

The Association of Public-Safety Communications Officials-International, Inc. (APCO) hereby submits the following comments in response to the Commission’s *Public Notice* in the above-captioned proceeding.<sup>1</sup>

Founded in 1935, APCO is the nation’s oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 27,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems—including 9-1-1 Public Safety Answering Points (PSAPs), emergency operations centers, radio networks, and information technology—for law enforcement, fire, emergency medical, and other public safety agencies.

APCO supports the Commission’s efforts “[t]o 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” with the Eighth Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges.<sup>2</sup> PSAPs and their dedicated Public Safety Telecommunicators face substantial challenges, often including

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<sup>1</sup> FCC Seeks Comment on Eighth Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges, PS Docket No. 09-14, *Public Notice*, DA 17-61 (rel. Jan. 13, 2017) available at <https://ecfsapi.fcc.gov/file/0113073561060/DA-17-61A1.pdf>.

<sup>2</sup> New Emerging Technologies 911 Improvement Act of 2008, Pub. L. No. 110-283, § 101 (2008).

funding shortages, even without fee diversion. Diverting 9-1-1 fees exacerbates these challenges and makes obtaining much-needed federal funding for Next Generation 9-1-1 (NG9-1-1) more difficult.

The Commission's fee diversion reports provide valuable insight into the 9-1-1 funding environment, as well as areas such as technology deployment and cybersecurity. The reports will be even more useful advocacy and planning tools if the Commission collects more detailed information. Here, APCO reiterates recommendations for revising the information collection related to NG9-1-1, cybersecurity, text-to-911, and governance.<sup>3</sup>

#### I. NG9-1-1 Expenditures and Standards

The Commission should clearly define NG9-1-1 as part of the information collection on NG9-1-1 expenditures. APCO agrees that “deployment of ESInets, while a significant step in the transition to NG911, does not in and of itself constitute full implementation of NG911 functionality.”<sup>4</sup> Full implementation of NG9-1-1 should be defined as end-to-end (from the caller to the telecommunicator) IP connectivity enabling current voice communications, future multimedia, and other data capabilities to flow from the 9-1-1 caller to the PSAP and be properly reported, archived, and further transmitted between the PSAP and first responders. With a comprehensive and clear definition, the reports will more accurately represent deployments, plans, and expenditures, and thereby become more useful planning and advocacy tools.

The Commission should also request information about how states and their vendors are ensuring NG9-1-1 components are fully interoperable. A fully functional NG9-1-1 system

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<sup>3</sup> Comments of APCO, PS Docket No. 09-14 (filed Feb. 8, 2016). APCO recommends that the Commission revise the annual collection forms in accordance with these recommendations as soon as possible.

<sup>4</sup> Eighth Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges, FCC, n. 85 (Dec. 30, 2016) available at [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2017/db0113/DA-17-61A2.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2017/db0113/DA-17-61A2.pdf) (“Report”).

requires completion of consensus-based, accredited standards and must include fully interoperable IP-based connectivity as well as other data capabilities and equipment within the PSAP to seamlessly report, archive, and further transmit data between the PSAP and first responders. The Commission’s information collection presents an opportunity to identify gaps and determine whether standards are incomplete or require modification.

## II. Cybersecurity Expenditures

The Commission should provide guidance about what constitutes a “cybersecurity program” and seek additional information about the types of cybersecurity programs states and PSAPs are participating in and implementing. “Cybersecurity programs” may be interpreted to encompass a vast array of practices and initiatives: cyber hygiene, workforce training, employing cybersecurity consultants, etc.<sup>5</sup> Having a clear understanding of the efforts underway will assist with the development of much-needed cybersecurity plans to achieve effective security, economies of scale, real-time capabilities, operational efficiencies, and increased awareness among public safety stakeholders.

## III. Texts-to-911

APCO suggests that the Commission ask for the number of texts received, broken down by emergency and non-emergency, as well as the methods PSAPs use to receive texts. Data on how text-to-911 is being used and implemented nationwide – particularly in IP-capable PSAPs – will inform educational efforts and implementation considerations.

## IV. Governance

Finally, the *Report* indicates that in some states the “funding mechanism does not allow for the use of 911 funds for NG911 implementation.”<sup>6</sup> To the extent practical, the Commission

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<sup>5</sup> *Id.* at Table 22.

<sup>6</sup> *Id.* at para. 46.

should seek additional information to better understand how laws and regulations impede the deployment of NG9-1-1. This data could help states identify optimal governance structures, enact laws that protect 9-1-1 fees, expand permissible expenditures for NG9-1-1, and ensure sustainable and sufficient funding going forward.

Respectfully submitted,

APCO INTERNATIONAL

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