



April 17, 2019

Senator David R. Parks
Chair, Senate Government Affairs Committee
P.O. Box 71887
Las Vegas, NV 89170-1887

Re: SB 25, Provisioning for personnel and training related to public safety recording devices through 911 fees

Dear Chairman Parks:

On behalf of CTIA, the trade association for the wireless communications industry, we are writing to oppose SB 25. The wireless industry has tremendous respect for our uniformed officers; however, the funding source in the bill would require wireless consumers to pay fees on their bills to support programs that are unrelated to wireless service.

The industry is not commenting on the use of portable or vehicular event recording devices by certain peace officers or the need to manage the data collected from these devices. However, expenditures for general purpose public safety programs that have no connection to wireless services should not be funded by fees on wireless bills. We believe the use of 911 fees for purposes unrelated to 911 programs is misleading to wireless consumers and could crowd out funding for 911 enhancements that may be necessary in the future. This is not good public policy and the industry stated this in our opposition in 2017 prior to enactment of SB 176, which authorized the use of 911 fees to fund digital recording devices for peace officers.

Wireless carriers annually collect over \$2.8 billion dollars of dedicated taxes, fees, and surcharges from wireless consumers nationwide. The intent of 911 fees is specifically to support the costs to establish and maintain the emergency communications systems so that PSAPs have the ability to call back wireless 911 callers and pinpoint their location within FCC prescribed guidelines.



We believe that 911 funding must be limited to “allowable costs” and should not be a funding source for shifting additional expenses to the 911 fund. “Allowable costs” could include the nonrecurring costs of establishing a 911 system, the cost of emergency telephone and dispatch equipment, and costs for training for maintenance and operation of the 911 system. Conversely, “allowable costs” should not include the cost for leasing real estate, cosmetic remodeling of facilities, salaries or benefits, emergency vehicles or hiring outside auditors. The State, Counties and the PSAPs should not be using the 911 fund to pay for such unrelated expenses.

Additionally, in the Federal Communication Commission’s (FCC) *Tenth Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges for the Period January 1, 2017 to December 31, 2017*, the FCC identified that Nevada diverted \$1,311,432.00 (57.24% of the fund) in 911 funds to support non-911 related public safety programs.¹ This diversion is the result of Nevada using 911 funds for the unrelated purpose of paying for the cost of portable recording devices for peace officers. Passage of SB 25 would take Nevada further down this path of 911 fee diversion. FCC Commissioner O’Reilly recently stated in a letter to the Governors of New York, New Jersey and Rhode Island, states which have become habitual diverters of 911 funds, that:

Diversion of 9-1-1 fees is a serious public safety matter. The mere act undermines the willingness of consumers, feeling duped by their local and state representatives, to support current levels and future raises in program spending, even when there is a compelling need to modernize individual systems. Without assurances that the funding is being spent on 9-1-1 functions, the validity of the fee imposition and the confidence in emergency call systems is damaged. In addition, the diversions in your states call into question and reduce overall support for the entire fee structure, even in areas outside your states. In other words, your fee collections’ untrustworthiness is contagious.²

¹ <https://www.fcc.gov/files/10thannual911feereporttocongresspdf>

² <https://docs.fcc.gov/public/attachments/DOC-356926A1.pdf>



We believe the use of 911 fees for purposes not specifically related to 911 programs is misleading to wireless consumers and could crowd out funding for 911 enhancements that may be necessary in the future. Therefore, we urge you not to pass SB 25.

Sincerely,

A handwritten signature in black ink that reads "Lisa V. McCabe". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Lisa V. McCabe
Director, State Legislative Affairs