**Approved by OMB**

**3060-1122**

**Expires: March 31, 2021**

**Estimated time per response: 10-55 hours**

Annual Collection of Information

Related to the Collection and Use of 911 and E911 Fees by States and Other Jurisdictions

Pursuant to OMB authorization 3060-1122, the FCC’s Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission’s obligations under Section 6(f)(2) of the NET 911 Act:

1. **Filing Information**
2. **Name of State or Jurisdiction**

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| --- |
| **State or Jurisdiction** |
| State of New York |

1. **Name, Title and Organization of Individual Filing Report**

|  |  |  |
| --- | --- | --- |
| **Name** | **Title** | **Organization** |
| Brett Chellis | State 911 CoordinatorDeputy Director | NYS DHSES, Office of Interoperable and Emergency Communications |

1. **Overview of State or Jurisdiction 911 System**
2. **Please provide the total number of active Public Safety Answering Points (PSAPs) in your state or jurisdiction that receive funding derived from the collection of 911/E911 fees during the annual period ending December 31, 2017:**

|  |  |
| --- | --- |
| **PSAP Type[[1]](#footnote-1)** | **Total** |
| Primary | 133 |
| Secondary | 47 |
| **Total** | 180 |

1. **Please provide the total number of active telecommunicators[[2]](#footnote-2) in your state or jurisdiction that were funded through the collection of 911 and E911 fees during the annual period ending December 31, 2017:**

|  |  |
| --- | --- |
| **Number of Active Telecommunicators** | **Total** |
| Full-Time | 6,389 |
| Part-time | 363 |

\* Note: The numbers above are the total numbers reported. As a Home Rule State, there is no process for determining the number of Telecommunicators paid by the collections of 911 and E911 fees.

1. **For the annual period ending December 31, 2017, please provide an estimate of the total cost to provide 911/E911 service in your state or jurisdiction.**

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| **Amount****($)** | 1,231,436,410 |

**3a. If an amount cannot be provided, please explain why.**

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1. **Please provide the total number of 911 calls your state or jurisdiction received during the period January 1, 2017 to December 31, 2017.**

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| **Type of Service** | **Total 911 Calls** |
| Wireline |  7,651,491 |
| Wireless  | 11,198,366 |
| VoIP |  650,983 |
| Other |  7,090,563 |
| **Total** | 26,591,403 |

1. **Description of Authority Enabling Establishment of 911/E911 Funding Mechanisms**
2. **Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)?** *Check one.*
* Yes ………………….. [x]
* No ………………..….. [ ]

**1a. If YES, provide a citation to the legal authority for such a mechanism.**

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| * Public Safety Communications Surcharge: Tax Law §186-f. The public safety communications surcharge is not a 911 or E911 surcharge; it is not exclusively designated for 911/E911 purposes.
* Wireless Surcharge: County Law §§308-a to 308-y (effective until Dec. 1, 2017) and Tax Law §186-f (effective Dec. 1, 2017)
* Wireline Surcharge: County Law §§303 and 307
 |

**1b. If YES, during the annual period January 1, 2017 to December 31, 2017, did your state or jurisdiction amend, enlarge, or in any way alter the funding mechanism.**

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| Part EEE of Chapter 59 of the Laws of 2017 repealed §§308-a to 308-y effective December 1, 2017 and added Tax Law §186-g. |

1. **Which of the following best describes the type of authority arrangement for the collection of 911/E911 fees?** *Check one*.
* The State collects the fees ………………………………….. [ ]
* A Local Authority collects the fees ……………………….. [ ]
* A hybrid approach where two or more governing bodies

 (*e.g.*, state and local authority) collect the fees …………….. [x]

1. **Describe how the funds collected are made available to localities.**

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| *Public Safety Communications Surcharge*The public safety communications surcharge is not a 911 or E911 surcharge. While public safety communications surcharge supports 911/E911, it is not exclusively designated for such purposes. Tax Law §186-f mandates that 58.3% of the revenue collected is distributed to the statewide Public Safety Communications Account, which provides funding through the provision of grants or reimbursements for the development, consolidation, or operation of public safety communications systems or networks designed to support statewide interoperable communications for first responders; New York State Police, the New York State Emergency Services Revolving Loan Fund, and operations of the Division of Homeland Security and Emergency Services. The statute appropriates $75 million for distribution through the grant program; funding is awarded to counties based on a formula that factors in the PSAP(s)’s workload and other quantifiable elements and relative metrics. The formula also includes criteria reflective of a county’s operational scope, demographic elements, emergency services call metrics, progress made in deploying new technology and adherence with State and national guidelines for emergency communications. After award, counties must enter into contracts with the State specifying project purposes and allowable costs that must be approved by DHSES OIEC before the funds are made available.*Wireless Surcharges*As of December 1, 2017, Tax Law §186-g authorizes the City of New York and counties to impose a $0.30 surcharge on wireless communications services surcharges. Per statute, the surcharge is collected by NYS Tax and Finance on a quarterly basis. NYS Tax and Finance, working through the Office of the State Comptroller, will redistribute the collected monies to localities on a monthly basis.Until December 1, 2017, County Law §§308-a to 308-y authorized 47 localities the ability to collect their own $.30 wireless surcharges to pay for costs associated with the design, construction, operation, maintenance, and administration of public safety communications network serving the locality. *Wireline Surcharges*All counties are authorized by County Law §303 to collect a $.35 wireline surcharge. County Law §§303, 335, and 334 authorize the City of New York, Onondaga County, and Tompkins County, respectively, to impose a monthly charge of $1.00. The local surcharges are managed entirely within the local unit of government.County Law §305 mandates that the service supplier or suppliers serving a 911 service area act as collection agent of wirelines surcharges for the municipality and remit the funds to the chief fiscal officer of the county every month. |

**Description of State or Jurisdictional Authority That Determines How 911/E911 Fees are Spent**

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| 1. **Indicate which entities in your state have the authority to approve the expenditure of funds collected for 911 or E911 purposes.**
 |
| **Jurisdiction** | **Authority to Approve** **Expenditure of Funds*****(Check one)*** |
| **Yes** | **No** |
| State | **[x]**  | **[ ]**  |
| Local (*e.g.*, county, city, municipality) | **[x]**  | **[ ]**  |
| **1b. Please briefly describe any limitations on the approval authority per jurisdiction (*e.g.*, limited to fees collected by the entity, limited to wireline or wireless service, etc.)** |
| *Public Safety Communications Surcharge*Tax Law §186-f requires that 58.3% of the revenue collected is distributed to the statewide Public Safety Communications Account, with the following mandated allocations:* $25,500,000 to New York State Police;
* $1,500,000 into the New York State Emergency Services Revolving Loan Fund; and
* up to $75,000,000 for the provision of grants or reimbursements to counties for the development, consolidation, or operation of public safety communications systems or networks designed to support statewide interoperable communications for first responders.

*Wireless Surcharges*Under Tax Law §186-g (effective December 1, 2017) counties and the City of New York are authorized to approve spending of wireless communications surcharges “only for payment of system costs, eligibly wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving such city or county, including, but not limited to, hardware, software, consultants, financing and other acquisition costs.”Under County Law §§308-a to 303-y (repeal effective December 1, 2017) counties and the City of New York were authorized to approve spending of wireless communications surcharges “only for payment of system costs or other costs associated with the design, construction, operation, maintenance, and administration of public safety communications networks serving such city.”*Wireline Surcharges*County Law §§303 and 307 authorize counties and the City of New York to approve spending of wireline surcharges “to pay for the costs associated with obtaining, operating and maintaining the telecommunication equipment and telephone services needed to provide an enhanced 911 emergency telephone system to serve such municipality.” |

1. **Has your state established a funding mechanism that mandates *how* collected funds can be used? *Check one*.**
* Yes ………………….. [x]
* No ………………..….. **[ ]**

**2a.** **If you checked YES, provide a legal citation to the funding mechanism of any such criteria.**

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| * Public Safety Communications Surcharge: Tax Law §186-f
* Wireless Surcharge: County Law §§308-a to 308-y (effective until Dec. 1, 2017) and Tax Law §186-f (effective Dec. 1, 2017)
* Wireline Surcharge: County Law §§303 and 307
 |

**2b.** **If you checked NO, describe how your state or jurisdiction decides how collected funds can be used.**

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1. **Description of Uses of Collected 911/E911 Fees**
2. **Provide a statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.**

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| *Public Safety Communications Surcharge*New York’s Public Safety Communications Surcharge mandates a grants program, which includes an annual Public Safety Answering Points Grant (PSAP) and an annual Statewide Interoperable Communications Grant (SICG). The PSAP Grant allows the State to assist counties with eligible public safety call-taking and dispatching expenses. State support is in the form of reimbursement to counties for operating expenses in a PSAP, including personnel costs. The grant not only supports eligible applicants’ existing operations, but also encourages the development of Next Generation 911 (NG911) technologies. The PSAP Grant also assures development of operational and procedural efficiencies and overall collaboration between different jurisdictions, such as other counties and State agencies. The SICG Program supports infrastructure and interoperability development, including land mobile radio systems development and PSAP improvements. This includes improvements of PSAPs towards NG911. Under the SICG Program, the Capital and Targeted Grant program provide for statewide interoperability. These grants directly support connectivity with and between PSAPs.*Wireless and Wireline Surcharges*The local wireless and wirelines surcharges are managed entirely within the local unit of government. As a home rule state, New York State cannot identify with specificity all activities, programs, and organizations supported by the county wireless and wirelines surcharges. |

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| 1. **Please identify the allowed uses of the collected funds. *Check all that apply*.**
 |
| **Type of Cost** | **Yes** | **No** |
| **Operating Costs** | Lease, purchase, maintenance of customer premises equipment (CPE) (hardware and software) | **[x]**  | **[ ]**  |
| Lease, purchase, maintenance of computer aided dispatch (CAD) equipment (hardware and software) | **[x]**  | **[ ]**  |
| Lease, purchase, maintenance of building/facility | **[x]**  | **[ ]**  |
| **Personnel Costs** | Telecommunicators’ Salaries | **[x]**  | **[ ]**  |
| Training of Telecommunicators | **[x]**  | **[ ]**  |
| **Administrative Costs** | Program Administration | **[x]**  | **[ ]**  |
| Travel Expenses | **[x]**  | **[ ]**  |
| **Dispatch Costs** | Reimbursement to other law enforcement entities providing dispatch | **[x]**  | **[ ]**  |
| Lease, purchase, maintenance of Radio Dispatch Networks | **[x]**  | **[ ]**  |
| **Grant Programs** |  | **[x]** **If YES, see 2a.** | **[ ]**  |
| **2a. During the annual period ending December 31, 2017, describe the grants that your state paid for through the use of collected 911/E911 fees and the purpose of the grant.** |
| State Interoperable Communications Grant 2016 - $45 millionPublic Safety Answering Point Grant 2016 - $10 millionCapital and Targeted Communications Grant 2016 - $20 million(Refer to Section D.1 for a description of the grants) |

1. **Description of 911/E911 Fees Collected**

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| 1. **Please describe the amount of the fees or charges imposed for the implementation and support of 911 and E911 services. Please distinguish between state and local fees for each service type.**
 |
| **Service Type** | **Fee/Charge Imposed** | **Jurisdiction Receiving Remittance****(*e.g.*, state, county, local authority, or a combination)** |
| Wireline | $ 0.35 | All counties, except Tompkins, Onondaga, and the counties comprising the City of New York |
| $ 1.00 | Tompkins, Onondaga & NYC |
| Wireless | $ 1.20 | State |
| $ 0.30 | Counties |
| Prepaid Wireless | $0.90 (effective Dec. 1, 2017) | State |
| $0.30 (effective Dec. 1, 2017) | Counties |
| Voice Over Internet Protocol (VoIP) | $ 0.35 | All counties, except Tompkins, Onondaga, and the counties comprising the City of New York |
| $1.00 | Tompkins, Onondaga & NYC |
| Other | NA |  |

1. **For the annual period ending December 31, 2017, please report the total amount collected pursuant to the assessed fees or charges described in Question F 1.**

|  |  |
| --- | --- |
| **Service Type** | **Total Amount Collected ($)** |
| Wireline | NA |
| Wireless | 189,094,916.24 (State collections Only) |
| Prepaid Wireless | NA |
| Voice Over Internet Protocol (VoIP) | NA |
| Other | NA |
| **Total** | 189,094,916.24 |

**2a. If an amount cannot be provided, please explain why.**

|  |
| --- |
| *Wireline*Counties are authorized by statute to collect wireline surcharges but are not required to report the amounts collected to the state. However, the statute does require that municipality separately account for and keep adequate books and records of the amount and source of all such revenues and of the amount and object or purpose of all expenditures thereof. *Prepaid Wireless*Until December 1, 2017 the counties were authorized by statute to collect surcharges but were not required to report the amounts collected to the state. As of December 1, 2017, the prepaid wireless surcharge is collected by NYS Tax and Finance on a quarterly basis, therefore the data for December 2017 is unavailable.*VOIP*Counties are authorized by statute to collect VOIP surcharges but are not required to report the amounts collected to the state. However, the statute does require that municipality separately account for and keep adequate books and records of the amount and source of all such revenues and of the amount and object or purpose of all expenditures thereof.  |

1. **Please identify any other sources of 911/E911 funding.**

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| Depending on the agency and jurisdiction that 911/E911 may also be supported though other sources.  |

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| --- | --- | --- |
| **Question** | **Yes** | **No** |
| 1. **For the annual period ending December 31, 2017, were any 911/E911 fees that were collected by your state or jurisdiction combined with any federal, state or local funds, grants, special collections, or general budget appropriations that were designated to support 911/E911/NG911 services?** *Check one.*
 | **[x]**  | **[ ]**  |
| **4a.** **If YES, please describe the federal, state or local funds and amounts that were combined with 911/E911 fees.** |
| Within the provisions of NYS Tax Law establishing the Public Safety Communications surcharge, the State distributes $75 million to the counties through the PSAP and SICG grants programs. The counties combine their collected local surcharge funds, along with their State-awarded grant funds and their budgeted funds to support 911. |

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| 1. **Please provide an estimate of the proportional contribution from each funding source towards the total cost to support 911 in your state or jurisdiction.**
 | **Percent** |
| State 911 Fees | NA |
| Local 911 Fees | NA |
| General Fund - State | NA |
| General Fund - County | NA |
| Federal Grants | NA |
| State Grants | NA |

**Description of Diversion or Transfer of 911/E911 Fees for Other Uses**

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| 1. **In the annual period ending December 31, 2017, were funds collected for 911 or E911 purposes in your state or jurisdiction made available or used solely for the purposes designated by the funding mechanism?** *Check one*.
 | **[x]**  | **[ ]**  |
| **1a.** **If NO, please identify what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support, including any funds transferred, loaned, or otherwise used for the state's general fund. Along with identifying the amount, please include a statement identifying the non-related purposes for which the collected 911 or E911 funds were made available or used.** |
| **Amount of Funds ($)** | **Identify the non-related purpose(s) for which the 911/E911 funds were used. (*Add lines as necessary*)** |
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1. **Oversight and Auditing of Collection and Use of 911/E911 Fees**

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| --- | --- | --- |
| **Question** | **Yes** | **No** |
| 1. **Has your state established any oversight or auditing mechanisms or procedures to determine whether collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911?** *Check one.*
 | **[x]**  | **[ ]**  |
| **1a.** **If YES, provide a description of the mechanisms or procedures and any enforcement or other corrective actions undertaken in connection with such auditing authority, for the annual period ending December 31, 2017.** *(Enter “None” if no actions were taken.)* |
| The Office of State Comptroller provides oversight and auditing of all grant programs and is authorized to audit counties’ and cities’ expenditures of local 911 surcharge monies to ensure compliance with the enabling statute; 7 Counties were audited in 2017.The Division of Homeland Security and Emergency Services provides oversight of counties’ utilization and spending of the State-established grant programs. After award, counties must enter into contracts with the State specifying project purposes and allowable costs that must be approved by DHSES OIEC before the funds are made available.Additionally, DHSES’s Fiscal Monitoring Unit (FMU) is responsible for assisting in the fiscal monitoring of grantees to ensure compliance with audit requirements, applicable laws, rules and regulations. Monitoring is an ongoing process, but the FMU considers monitoring needs at various milestones including the initial award, periodic monitoring, and at completion of the contract. |
| **Question** | **Yes** | **No** |
| 1. **Does your state have the authority to audit service providers to ensure that the amount of 911/E911 fees collected from subscribers matches the service provider’s number of subscribers?** *Check one.*
 | **[x]**  | **[ ]**  |
| **2a. If YES, provide a description of any auditing or enforcement or other corrective actions undertaken in connection with such auditing authority, for the annual period ending December 31, 2017.** *(Enter “None” if no actions were taken.)* |
| None |

1. **Description of Next Generation 911 Services and Expenditures**

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| 1. **Does your state or jurisdiction classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes?** *Check one.*
 | **[x]**  | **[ ]**  |
| **1a. If YES, in the space below, please cite any specific legal authority:** |
| Expenditures on Next Generation 911 are an allowable expense under both the SICG & PSAP grant programs, as well as allowable expenditures within the local surcharge monies collected. *See* County Law §§308-a through 308-y (repeal effective December 1, 2017); Tax Law §186-f; Tax Law §186-g; County Law §303; and County Law §307. |

|  |  |  |
| --- | --- | --- |
| **Question** | **Yes** | **No** |
| 1. **In the annual period ending December 31, 2017, has your state or jurisdiction expended funds on Next Generation 911 programs?** *Check one.*
 | **[ ]**  | **[x]**  |
| **2a. If YES, in the space below, please enter the dollar amount that has been expended.** |
| **Amount****($)** |  |
|  |  |
| 1. **For the annual period ending December 31, 2017, please describe the type and number of NG911 Emergency Service IP Network(s) (ESInets) that operated within your state.**
 |
| **Type of ESInet** | **Yes** | **No** | **If Yes, Enter Total PSAPs Operating on the ESInet** | **If Yes, does the type of ESInet interconnect with other state, regional or local ESInets?** |
| **Yes** | **No** |
| 1. A single, state-wide ESInet
 | **[ ]**  | **[x]**  |  | **[ ]**  | **[ ]**  |
| 1. Local (*e.g.*, county) ESInet
 | **[ ]**  | **[x]**  |  | **[ ]**  | **[ ]**  |
| 1. Regional ESInets
 | **[ ]**  | **[x]**  | [If more than one Regional ESInet is in operation, in the space below, provide the total PSAPs operating on each ESInet] | **[ ]**  | **[ ]**  |
| Name of Regional ESInet: |  | **[ ]**  | **[ ]**  |
| Name of Regional ESInet: |  | **[ ]**  | **[ ]**  |

1. **Please provide a description of any NG911 projects completed or underway during the annual period ending December 31, 2017.**

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| NYC has been engaged in an active NG911 Project to include the scope of services for an ESInet Core Services. The project is expected to be a five-year project.DHSES has developed a working group within the State Interoperable & Emergency Communication (SIEC) Board to develop a NG911 Plan for New York State. This working group meets bi-monthly. DHSES has also secured Department of Homeland Security Office of Emergency Communications technical assistance support which will continue to supply personnel to assist with the development of the NYS NG911 State Plan. |

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| **Question** | **Total PSAPs****Accepting Texts** |
| 1. **During the annual period ending December 31, 2017, how many PSAPs within your state implemented text-to-911 and are accepting texts?**
 | 23 |
| **Question** | **Estimated Number of PSAPs****that will Become Text Capable** |
| 1. **In the next annual period ending December 31, 2018, how many PSAPs do you anticipate will become text capable?**
 | 26 |

1. **Description of Cybersecurity Expenditures**

|  |  |  |
| --- | --- | --- |
| **Question** | **Check the appropriate box** | **If Yes,****Amount Expended ($)** |
| 1. **During the annual period ending December 31, 2017, did your state expend funds on cybersecurity programs for PSAPs?**
 | Yes[ ]  | No**[x]**  |  |

|  |  |
| --- | --- |
| **Question** | **Total PSAPs** |
| 1. **During the annual period ending December 31, 2017, how many PSAPs in your state either implemented a cybersecurity program or participated in a regional or state-run cybersecurity program?**
 | NA |

|  |  |  |  |
| --- | --- | --- | --- |
| **Question** | **Yes** | **No** | **Unknown** |
| 1. **Does your state or jurisdiction adhere to the National Institute of Standards and Technology *Framework for Improving Critical Infrastructure Cybersecurity* (February 2014) for networks supporting one or more PSAPs in your state or jurisdiction?**
 | **[ ]**  | **[x]**  | **[ ]**  |

1. **Measuring Effective Utilization of 911/E911 Fees**
2. **Please provide an assessment of the effects achieved from the expenditure of state 911/E911 or NG911 funds, including any criteria your state or jurisdiction uses to measure the effectiveness of the use of 911/E911 fees and charges.**  **If your state conducts annual or other periodic assessments, please provide an electronic copy (*e.g.*, Word, PDF) of the latest such report upon submission of this questionnaire to the FCC or provide links to online versions of such reports in the space below.**

|  |
| --- |
| New York State has been monitoring the implementation and delivery of 911/E911 services through the metrics provided by our annual grant application process. This method has given us the ability to monitor the number and types of calls being processed by each PSAP and has also allowed NYS the ability to monitor the transition of Text-to-911 across the State. DHSES monitors past grant implementation and evaluation through the annual PSAP and SCIG grant applications. The latest report on our grants program is included below: |





1. A Primary PSAP is one to which 911 calls are routed directly from the 911 Control office. A secondary PSAP is one to which 911 calls are transferred from a Primary PSAP. *See* National Emergency Number Association, Master Glossary of 9-1-1 Terminology (*Master Glossary*), Aug. 8, 2017, at 167, available at <https://c.ymcdn.com/sites/www.nena.org/resource/resmgr/standards/NENA-ADM-000.21-2017_FINAL_2.pdf>. [↑](#footnote-ref-1)
2. A telecommunicator, also known as a call taker or a dispatcher, is a person employed by a PSAP who is qualified to answer incoming emergency telephone calls and/or who provides for the appropriate emergency response either directly or through communication with the appropriate PSAP. *See* *Master Glossary* at 196. [↑](#footnote-ref-2)