**Charter**

**of the**

**Ending 9-1-1 Fee Diversion Now Strike Force**

# 1. The Committee’s Official Designation

The official designation of this federal advisory committee is the “Ending 9-1-1 Fee Diversion Now Strike Force” (911 Strike Force).

**2. Authority**

The 911 Strike Force is hereby established at the direction of the Chairperson of the Federal Communications Commission (Commission) and in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2, and pursuant to the Don’t Break Up the T-Band Act of 2020, which is Division FF, Title IX, Section 902 of the Consolidated Appropriations Act, 2021 (Section 902).

**3. Objective and Scope of Activities**

The 911 Strike Force will carry out the duties required by Section 902(d)(3), as more specifically described in section 4 of this charter. The 911 Strike Force will conduct no business except as required by Section 902(d)(3).

**4. Description of Duties**

As required by Section 902(d)(3), the 911 Strike Force shall study how the Federal Government can most expeditiously end diversion by a State or taxing jurisdiction of 911 fees or charges. In carrying out the study, the 911 Strike Force shall

1. 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 diversion by a State or taxing jurisdiction of 911 fees or charges;
2. consider whether criminal penalties would further prevent diversion by a State or taxing jurisdiction of 911 fees or charges; and
3. determine the impacts of diversion by a State or taxing jurisdiction of 911 fees or charges.

In addition, it is anticipated that not later than 270 days after the date of the enactment of Section 902 (i.e., September 23, 2021), the 911 Strike Force shall publish on the website of the Commission and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study required by Section 902(d)(3), including

1. any recommendations regarding how to most expeditiously end the diversion by a State or taxing jurisdiction of 911 fees or charges, including actions that can be taken by Federal departments and agencies and appropriate changes to law or regulations; and
2. a description of what progress, if any, relevant Federal departments and agencies have made in implementing the recommendations under clause (i).

The study shall be reported to the Chairperson of the Commission. Conducting this study and issuing this report constitute the entirety of the 911 Strike Force’s duties.

**5. Official to Whom the 911 Strike Force Reports**

Chairperson, Federal Communications Commission.

**6. Support**

As required by Section 902(d)(3), if the Commission obtains evidence that suggests the diversion by a State or taxing jurisdiction of 911 fees or charges, the Commission shall submit such information, including any information regarding the impact of any underfunding of 911 services in the State or taxing jurisdiction, to the interagency strike force established under this charter.

The Commission will provide the facilities and support staff necessary to conduct meetings of the 911 Strike Force. The 911 Strike Force members will not be compensated for travel expenses or receive per diem reimbursement for their services. To ensure meeting accessibility for persons with disabilities, including members of the public in addition to committee members, the Commission will, however, pay costs associated with the provision of reasonable accommodations when such costs are directly associated with the conduct of the 911 Strike Force’s meetings, or are directly associated with the conduct of informal subcommittee meetings. Some examples of reasonable accommodations include sign language interpreters, meeting agendas produced in Braille, and communication access real-time translation services (CART).

# 7. Estimated Annual Operating Costs in Dollars and Staff Years

Annual operating costs associated with supporting the 911 Strike Force’s functions are estimated to be $250,000, which includes Commission staff time equivalent to 2.25 FTEs.

# 8. Designated Federal Officer and Deputy Designated Federal Officer

Full-time or permanent part-time employees, appointed by the Chairperson of the Commission, will serve as the Designated Federal Officer (DFO) and Deputy Designated Federal Officer (DDFO). The DFO or DDFO will approve or call all 911 Strike Force meetings, as well as any meetings of informal subcommittees, prepare and approve all meeting agendas, attend all committee or subcommittee meetings, adjourn any meeting when the DFO or DDFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Chairperson.

# 9. Estimated Number and Frequency of 911 Strike Force Meetings

The 911 Strike Force shall meet at least twice to effectuate its duties, as described in section 4 above. The 911 Strike Force is also authorized to facilitate its work through informal subcommittees, as provided in section 13.

**10. Duration**

The 911 Strike Force will conclude its business approximately 270 days from enactment of Section 902, or at such time as it has completed its statutory duties.

**11. Termination**

The 911 Strike Force shall terminate upon issuance of the study under section 4 of this Charter, which is anticipated to be no later than 270 days after enactment of Section 902 (i.e., September 23, 2021), but in no case will it terminate more than two years from its establishment.

# 12. Membership

Members of the 911 Strike Force shall be appointed by the Chairperson of the Commission in consultation with appropriate Commission staff. It is anticipated that there will be ten to fifteen 911 Strike Force members, consisting of representatives and regular government employees. As required by Section 902(d)(3), the 911 Strike Force shall be composed of such representatives of Federal departments and agencies as the Commission considers appropriate, in addition to

* 1. State attorneys general;
	2. States or taxing jurisdictions found not to be engaging in diversion of 911 fees or charges;
	3. States or taxing jurisdictions trying to stop the diversion of 911 fees or charges;
	4. State 911 administrators;
	5. public safety organizations;
	6. groups representing the public and consumers; and
	7. groups representing public safety answering point professionals.

Members of the 911 Strike Force will have an initial and continuing obligation to disclose any interests in or connections to persons or entities who are or will be regulated by the Commission, or who have interests before the Commission.

**13. Subcommittees**

The 911 Strike Force may, with agency approval, work through informal subcommittees, or other subgroups of the 911 Strike Force, which will report their activities and recommendations to the 911 Strike Force as a whole. It is anticipated that the work of any subcommittees will be conducted primarily through telephone calls, e‑mail correspondence, and e-mail discussion lists. Recommendations of any subcommittee must be reported to the 911 Strike Force as a whole and may not be treated as recommendations of the 911 Strike Force unless and until ratified by the full 911 Strike Force (either as proposed or with modifications). Any subcommittees must report back to the parent committee and must not provide advice or work products directly to the agency. Subcommittees or subgroups may have members other than those who are members of the 911 Strike Force, subject to appointment by the Chairperson of the Commission in consultation with appropriate Commission staff. Subcommittee members will have voting privileges within the subcommittees or subgroups to which they are assigned, but will not have voting privileges at plenary meetings of the 911 Strike Force unless they are also members of the 911 Strike Force. Subcommittee members will be chosen to serve in a representative capacity for entities with interest in these issues or as Special Government Employees chosen for their expertise on specific issues. Subcommittee members will have an initial and continuing obligation to disclose any interests in or connections to persons or entities who are or will be regulated by the Commission, or who have interests before the Commission.

**14. Recordkeeping**

Records of the proceedings will be kept, as required by applicable laws and regulations. All records of the 911 Strike Force, its subcommittees, and any other subgroups of the 911 Strike Force, shall be handled in accordance with General Records Schedule 6.2, or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

# 15. Filing Date

April 23, 2021