

Testimony of New York State Assemblyman David Koon
Subcommittee on Communications
Senate Committee on Commerce, Science, and Transportation
Wednesday, March 5, 2003

Good morning. My name is David Koon and I represent the eastern portion of Monroe County in Western New York in the New York State Assembly. I truly appreciate the opportunity to testify here this morning before the Subcommittee on Communications. I would like to begin by thanking the FCC and Congress for taking the initiative to encourage development and deployment of wireless Enhanced 911. Both the FCC and Congress recognized early that this was an important public safety issue and I am grateful for the hard work and leadership shown during this evolving process of improving and implementing wireless E911.

The issue of wireless E911 service has deep personal meaning for me. In 1993, our daughter was abducted and murdered in Rochester, New York. We had installed a wireless telephone in her car in the event of an emergency so that Jennifer could call 911 for help. Somehow Jennie managed to dial 911 for help from her car phone, however, the 911 dispatcher was unable to locate her. The dispatcher listened helplessly to the last twenty minutes of Jennie's life. It is this personal family tragedy that prompted my involvement in public service – to help make New York a safer place. I am deeply grateful to have the opportunity to share my story with this committee in the hope that the implementation of E911 technology in EVERY state will make it possible to determine the location of a person making a wireless 911 call.

It has been recognized in New York State that there is a problem with the funding of our Public Safety Answering Points (PSAPs). The state collects a monthly wireless 911 surcharge that could be used for the upgrading of the locator technology. However, New York State and many other states are not using this surcharge to provide funding for the PSAPs. This country faces a difficult public safety problem because the reality of wireless E911 is that each state is different in the advancement of the cellular technology to locate a 911 caller.

With the guidance and leadership of Speaker Sheldon Silver, Assemblymembers Robert Sweeney, Roann Destito, and Thomas DiNapoli and many other of my colleagues in the New York State Assembly, I have recently introduced a new

piece of legislation that will change how New York State funds the deployment of wireless E911 technology. A copy of this bill (A.3911), which passed the Assembly on February 24, 2003, is attached to my written testimony for your reference.

After many attempts to fund a successful E911 program in the state of New York, I think that we have finally found a solution modeled after Virginia's successful program. This legislation creates the Wireless 911 Local Incentive Funding Enhancement (LIFE) Program in order to provide localities with funding to expedite the development of enhanced wireless 911 service. Wireless 911 LIFE will encourage the development of enhanced wireless 911 services by providing funding to local wireless emergency dispatch centers or PSAPs. In order to be eligible, local PSAPs would have to submit a written plan, including a financial plan and implementation timetables, to the State 911 Board for approval. Upon approval, local PSAPs would be eligible for funding related to equipment, software, and hardware necessary to provide enhanced wireless 911 service. Bonds will be issued by the Dormitory Authority to fund the costs associated with the program. The debt service on these bonds would be paid from the existing New York State wireless 911 surcharge. This program will give vital technology dollars to municipalities NOW – and avoid the postponement of this important safety issue any further.

My current legislation is an extension of legislation passed in 2002 that enacted the Local Enhanced Wireless 911 program. This program provided \$20 million from the existing cellular surcharge to help localities fund costs associated with the provision of enhanced wireless 911 service. Ten million dollars in funding was made available to reimburse “eligible wireless 911 service costs”, which include installation and maintenance of equipment, hardware, and software designed to meet the FCC enhanced wireless guidelines. Further, ten million dollars in funding was made available to purchase additional equipment. The program is administered by a 13-member board organized within the Department of State. The 2002 legislation reimburses localities for incurred expenses. The current legislation will allow localities to receive funds prospectively - ensuring quicker access to costly technology. As I mentioned before, this legislation was modeled after a program in Virginia that provides funding to PSAPs in a similar manner and has found that it greatly expedited the availability of wireless E911 service. At present, Virginia has well over fifty percent of the state in compliance with the Phase I requirements and expects to fully comply with the Phase II requirements in the immediate future. Every state should demand the same technology.

It is important to remember that successful implementation of wireless E911 nationwide requires the cooperation of all parties involved – local, state, and federal governments, law enforcement agencies, carriers, and manufacturers. It is also important for the public to be better informed and educated about the process. These hearings are an important step towards both increasing participation of the public in this process and getting input from different organizations. Again, thank you for the opportunity to speak before this committee and I look forward to answering any questions that you may have.