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INTEROPERABLE COMMUNICATIONS: ASSESSING PROGRESS SINCE 9/11

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Committee on
HOMELAND SECURITY
Chairman Michael McCaul

Opening Statement

November 18, 2014

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**Statement of Subcommittee Chairman Susan W. Brooks (R-IN)
Subcommittee on Emergency Preparedness, Response, and Communications
Committee on Homeland Security**

“Interoperable Communications: Assessing Progress Since 9/11”

Remarks as Prepared

I first want to thank our witnesses for their flexibility in the scheduling of this hearing. We had originally planned to hold it in September, but had to postpone it due to a joint session of Congress with the President of Ukraine. I appreciate you working with me and my staff to reschedule this important hearing today.

As you well know, the 9/11 Commission report examined the communications failures first responders experienced at the World Trade Center, Pentagon, and in Shanksville, Pennsylvania and recommended the allocation of radio spectrum to public safety for the creation of an interoperable public safety communications network. Unfortunately, communications challenges persisted during Hurricane Katrina.

Much has changed since 9/11 and Hurricane Katrina exposed significant gaps in communications capabilities.

Congress established the Office of Emergency Communications (OEC) in the Post Katrina Emergency Management Reform Act to coordinate Federal interoperable communications programs and conduct outreach to support emergency response providers.

OEC has worked with States on the development of Statewide Communication Interoperability Plans and in 2008 issued the first National Emergency Communications Plan, which included goals for achieving communications capabilities at the state and local levels.

The Federal Emergency Management Agency’s Grant Programs Directorate reports that states and localities have invested more than \$5 billion in preparedness grant funding to enhance their

communications capabilities. These grants have been used for planning, training, exercises, equipment, and to fund Statewide Interoperability Coordinator positions.

Congress finally addressed the 9/11 Commission's recommendation to allocate the D Block to public safety with the passage of the Middle Class Tax Relief and Job Creation Act of 2012, establishing the First Responder Network Authority (FirstNet). This was long overdue, as I discussed with former 9/11 Commission Chairman Tom Kean (pronounced Kane) at a hearing the Committee on Homeland Security held earlier this year on the 10-year anniversary of the release of their report.

These are all important steps. But we know that challenges remain and more work must be done.

Despite all these programs and investments, interoperable communications continues to be a challenge during disaster response, as evidenced during the response to Hurricane Sandy and the Navy Yard shooting. We must continue to work to ensure first responders have the tools they need to communicate.

I am pleased that, at the urging of myself and Ranking Member Payne, last week OEC released an updated National Emergency Communications Plan that takes into account the changes in technology since the first plan. I am looking forward to hearing from Admiral Hewitt about this new plan, the outreach he conducted with stakeholders during the plan's development, and upcoming efforts to implement the plan's five goals.

I am also looking forward to hearing more about FirstNet's efforts to engage with states on the development of the nationwide public safety broadband network. This is a huge undertaking and I am interested in learning about the progress to date and the plans for the future.

I want to thank our witnesses for being here today as we collaboratively work together to ensure our nation's first responders have the tools they need to communicate both in their daily service and when disaster strikes.

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Statement for the Record

**Rear Admiral Ronald Hewitt, USCG (Ret.)
Director
Office of Emergency Communications
Office of Cybersecurity and Communications
National Protection and Programs Directorate
U.S. Department Of Homeland Security**

**Before the
United States House of Representatives
Committee on Homeland Security
Subcommittee on Emergency Preparedness, Response, and Communications
Washington, DC**

“Interoperable Communications: Assessing Progress Since 9/11”

November 18, 2014

Thank you, Chairman Brooks, Ranking Member Payne, and distinguished members of the Subcommittee. It is a pleasure to discuss the Department of Homeland Security’s (DHS) collaborative efforts to improve interoperable communications for emergency response providers and Government officials. Thirteen years after the attacks of September 11, 2001, there still is no shortage of reminders of the need for an effective and efficient emergency response framework to manage incidents and restore essential services in the aftermath of a disaster.

A top priority for DHS continues to be improving the communications capabilities of those who are the first to arrive at the scene of a disaster site—the Nation’s emergency responders. Public safety personnel must have access to reliable and instantaneous communications at all times to effectively coordinate response and recovery operations. The Department recognizes that establishing emergency communications is not solely a technology problem that can be solved by equipment alone. All of the critical factors for a successful interoperability solution—governance, standard operating procedures, training and exercises, the integration of systems into daily operations, in addition to technology—must continue to be addressed through the collective work of our programs.

Further, DHS believes that effective emergency communications require continued partnering with the millions of emergency responders who are the first to arrive on the scene of an incident, as well as the communications industry, non-governmental organizations, the general public, and citizens of affected communities. In addition, we continue to work closely and collaboratively with FirstNet as they pursue their mission of establishing a nationwide interoperable broadband network dedicated to public safety which will be an integral part of the continued evolution of effective public safety communications. We look forward to discussing our respective efforts and key accomplishments to make the nation more secure and resilient to the threats and hazards which pose the greatest risk.

Office of Emergency Communications

The Office of Emergency Communications (OEC) was established within the National Protection and Programs Directorate's (NPPD) Office of Cybersecurity and Communications (CS&C) as part of the congressional response to the communications challenges faced during the September 11, 2001 terrorist attacks and Hurricane Katrina in 2005. Since its inception, OEC has been focused on improving the communication capabilities of the nation's emergency responders. To that end, OEC coordinates policy and assists in the development and implementation of operable and interoperable emergency communications capabilities for emergency responders at all levels of government, including Federal, state, local, tribal, and territorial.

Since 2007, OEC has made progress in several key areas that enable emergency responders to interoperate in an all-hazards environment. In 2008, OEC led the development of the first National Emergency Communications Plan (NECP). The Secretary recently signed an updated NECP that outlines wholesale updates to the initial plan and accounts for the significant changes that have taken place within the emergency communications landscape in the past six years.

As an integral part of the development of the second NECP, earlier this year, OEC completed a comprehensive nationwide planning effort with more than 350 stakeholders from the emergency response community, which included significant feedback and coordination with the SAFECOM Executive Committee, the SAFECOM Emergency Response Council, and the National Public Safety Telecommunications Council. These stakeholder groups are comprised of national public safety association members, state and local emergency responders, and representatives within Federal agencies, and collectively represent the interests of millions of emergency responders, as well as the state and local governments served by public safety communications. Owing to this collaborative effort between OEC and our partners from the very beginning, the updated NECP encapsulates broad stakeholder input and is slated to gain wide acceptance within the public safety community.

OEC Accomplishments

OEC has addressed national gaps in the emergency communications mission areas of planning, coordination, and training. OEC pursued a number of strategies to bring the Nation up to a baseline level of communications capability, characterized as a state where emergency response providers and Government officials can effectively communicate as needed and when authorized. OEC leveraged the Interoperable Emergency Communications Grant Program to help states and territories establish critical Statewide Interoperability Coordinators and governance structures such as the Statewide Interoperability Governance Board. These personnel and associated governance structures form the focal point and foundation for emergency communications efforts at the state and local level. Their ongoing efforts remain vital even as their original grant funding mechanisms have been reduced.

Once established, Statewide Interoperability Coordinators and governing bodies were integral to building out the first Statewide Communications Interoperability Plans, which defined a roadmap for each jurisdiction to improve interoperability and emergency communications. In support of

these efforts, OEC also provided technical assistance to every state and territory to assist in the implementation of their respective statewide plan. The creation of Statewide Interoperability Coordinators and governing bodies represent an investment by Congress to create a state and local infrastructure to address these issues. To make the most of this investment, these positions and these governing bodies should lead the way in ensuring that planning, coordination, training, and exercise at the state and local level, continue to drive efforts to incorporate new technologies into response-level emergency communications.

At the Federal level, OEC led the effort to establish the Congressionally-mandated Emergency Communications Preparedness Center to coordinate guidance for all agencies funding interoperability and emergency communications. By leveraging the SAFECOM Executive Committee and Emergency Response Council, OEC worked to ensure the adoption of new policies, plans, and standard operating procedures across our Nation. Moreover, OEC ensured that priority access services such as the Government Emergency Telecommunications Service and the Wireless Priority Services program were available for emergency response providers and Government officials from all levels of government when those personnel relied on commercial telecommunications services.

As a result of these efforts and OEC's continued focus on the fundamentals of planning, coordination, and training: interoperable emergency communications has improved Nationwide over the last seven years. To catalogue key successes:

- OEC has conducted more than 1,000 technical assistance workshops since 2007.
- OEC has trained over 5,000 emergency response providers and Government officials in communications positions that support the National Incident Management System.
- There are now more than 430,000 Government Emergency Telecommunications Service and Wireless Priority Services users.
- As part of implementing the first NECP, OEC evaluated the response-level communications capabilities of 60 urban areas and more than 2,800 county level jurisdictions¹. OEC found:
 - Most jurisdictions demonstrated consistent communications capabilities during events, with 74% of reporting counties indicating “established” or “advanced” level communications during routine incidents and events.
 - Nationwide, the percentage of jurisdictions reporting formal interoperability standard operating procedures—those that are published and actively used by jurisdictions during incident responses—increased from 51 percent of respondents in 2006 to 86 percent in 2011.

We are proud of these accomplishments and the progress that they represent for our Nation's preparedness in emergency communications. No list of accomplishments, however, can ever compare to seeing such work put to use during an actual event like the Boston Marathon bombings.

¹ The NECP defines response-level communications as the capacity of individuals with primary operational leadership responsibility to manage resources and make timely decisions during an incident.

Emergency Communications During the Response to the Boston Marathon Bombings

The tragic events of the 2013 Boston Marathon killed three people and injured nearly 300 more. However, nearly all of the after action reports agree that a greater number of lives could have been lost if not for the successfully coordinated and executed emergency response, enabled by functional and interoperable communications. In the immediate aftermath of the bombings, brave emergency responders and Government officials relied on their training to quickly organize a chaotic situation, medical personnel triaged on the scene and later in hospitals, while ordinary citizens performed heroic feats for their fellow citizens. Emergency communications worked during the Marathon bombings, due to the diligent efforts of Federal, state, and local emergency response providers and Government officials. OEC's role was to assist our partners in planning, coordinating, training, and exercising emergency response protocols before the Boston Marathon occurred.

In 2010, as a part of the NECP implementation, which focused on assessing emergency communications capabilities at the Nation's major urban areas, OEC assessed the Boston area's communications capabilities during that year's Boston Marathon. OEC's assessment recommended further integrating communications into the event's overall command and control functions. OEC provided technical assistance to the region to train additional communications unit leaders and provided DHS grant funding to train more communications unit technicians. The region also participated in several OEC-facilitated statewide planning workshops, helping to ensure that public safety entities understood how to leverage existing resources and capabilities.

Prior to the 2013 Boston Marathon and based on a recommendation from the 2010 OEC assessment, the region also created a comprehensive event communications plan. The new communications unit itself added a medical command and control radio network.

This focus on the fundamentals of successful emergency communications—planning, coordination, training, and exercise—ultimately paid dividends as responders from all levels of government and across responder jurisdictions communicated seamlessly during the bombing incident response.

The Future of Emergency Communications

Importantly, the response to the Boston Marathon bombings illustrated a rapidly changing landscape for emergency communications, one that involves not just traditional land mobile radio use by first responders, but also citizen communications and increased use of broadband or internet technologies. For example:

- The Boston Police Department was able to use alerts and warnings in conjunction with social media like Twitter to communicate with the public.
- Tools, like Google's People Finder, allowed the exchange of information from citizen to citizen.
- The FBI received information through video streams, pictures, and general tips.

- Public Safety Answering Points were able to utilize “Reverse 911” with the general public.

First Responder Network Authority

One of the most exciting of these new entrants into our Nation’s emergency communications landscape is the nationwide public safety broadband network being developed by the First Responder Network Authority (FirstNet), and I am honored today to sit next to my fellow panelist, TJ Kennedy, Acting General Manager of FirstNet. OEC supports the DHS role as a board member of FirstNet, an independent authority within the Department of Commerce’s National Telecommunications and Information Administration responsible for the development, deployment, and maintenance of a nationwide broadband network for public safety use. Since the establishment of FirstNet in February 2012, OEC has supported FirstNet planning, analysis, and outreach activities including:

- The Public Safety Advisory Committee, originally composed from a subgroup of the SAFECOM program, in its advisory capacity for public safety, state, local, tribal and territorial needs;
- The Cyber Infrastructure Risk Assessment, which will guide cybersecurity and resiliency planning for the nationwide public safety broadband network;
- Nationwide technical assistance and planning support for states, territories, and localities to assist them with preparing for FirstNet consultation in their jurisdictions; and
- The Emergency Communications Preparedness Center, which established a FirstNet Consultation Group to coordinate Federal activities, such as the collection of data related to the needs of Federal users and Federal assets that may be leveraged to deploy the network

The success of FirstNet’s mission is critical for the advancement of emergency communications for first responders, and promises to elevate public safety entities’ ability to execute their duties with cutting edge broadband applications, services, and devices. We are pleased with FirstNet’s progress, and look forward to our ongoing collaboration in the advancement of wireless broadband communications capabilities.

Updated National Emergency Communications Plan

Within the ever-changing emergency communications landscape, including FirstNet and some of the technologies seen during the Boston Marathon bombings, the recently released 2014 National Emergency Communications Plan updates the previous national strategy for successful emergency communications. While designing the updated NECP, OEC conducted more than 30 stakeholder meetings including representatives from the Federal, state, local, tribal, and territorial levels; industry; and representatives from other parts of DHS. To reflect changes in technology and our changing definition of emergency communications, OEC expanded the scope of its outreach by eliciting feedback from public safety answering point personnel, emergency management agencies, and other public safety organizations that had not been included in the initial outreach to inform the 2008 NECP. The updated plan addresses new players who

contribute to emergency communications while continuing to drive the Nation toward the essential planning, coordination, training, and exercise elements.

OEC's outreach plan for updating the NECP was ambitious. OEC's implementation plan for the updated NECP will mirror that ambition. The implementation roadmap for the revised NECP includes updating statewide planning workshops; providing technical assistance; revising Federal Government emergency communications grants guidance; updating the existing state governance structures to bring in necessary players; and transitioning priority services such as Government Emergency Telecommunications Service and Wireless Priority Services to work within a digital or Internet Protocol infrastructure.

Finally, OEC is also focused on ensuring the core, existing communications infrastructure retains its capabilities. Land mobile radio continues to be the most prevalent method for emergency communications throughout much of our Nation. For example, even when FirstNet initially becomes operational for data, land mobile radio will still be needed to provide mission-critical voice until FirstNet can provide this capability.

Conclusion

Thank you, Chairman Brooks, Ranking Member Payne, and the Members of this Committee. At OEC, we will continue to stress the fundamentals of planning, coordination, training, and exercise, through our revised National Emergency Communications Plan and associated activities. This Committee has been an excellent partner in this effort and I look forward to continuing that dialogue. I am pleased to answer any questions that you may have about OEC and our leadership in emergency communications.

Written Testimony of

TJ Kennedy

Acting General Manager

First Responder Network Authority

Before the

Committee on Homeland Security

Subcommittee on Emergency Preparedness, Response and Communications

United States House of Representatives

Hearing on

“Interoperable Communications: Assessing Progress Since 9/11”

November 18, 2014

I. Introduction

Chairwoman Brooks, Ranking Member Payne, and Members of the Subcommittee, thank you for inviting me to testify on behalf of the First Responder Network Authority (FirstNet). I am honored by the opportunity to brief you on FirstNet’s progress in the development of an interoperable nationwide public safety broadband network (NPSBN).

It is also a pleasure to appear here today with the Director of the Office of Emergency Communications (OEC) at the Department of Homeland Security (DHS), Mr. Ron Hewitt. He and his office have been tremendously helpful and supportive to FirstNet in sharing their expertise and experience.

Also with us today is Mr. Mark Grubb, representing the National Council of Statewide Interoperability Coordinators (NCSWIC). Mr. Grubb appears in his capacity as the state of Delaware’s governor-appointed FirstNet Single Point of Contact (SPOC). In this role, he is responsible for the coordination of outreach and education efforts within the state. Mr. Grubb has led a vigorous outreach effort within Delaware, and we are excited by his and his state’s efforts.

II. Background.

The Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96) (Act) established FirstNet as an independent authority within the Department of Commerce's National Telecommunications and Information Administration (NTIA). Under the Act, FirstNet is tasked with building and operating a self-funding, sustainable, interoperable broadband network for public safety entities across the country and within U.S. Territories. The NPSBN will fulfill a fundamental need of the public safety community as reflected in the recommendations of the 9/11 Commission: FirstNet will finally bring 21st century priority wireless broadband communications to millions of first responders at the local, state, tribal, and federal levels. Using a dedicated nationwide wireless network, FirstNet will help provide a ubiquitous solution to decades-long interoperability and communications challenges and help keep our communities and first responders safer with advanced broadband services, devices, and applications.

FirstNet's goal of building the nationwide public safety broadband network to meet the needs of first responders is a matter of critical importance for public safety. While the task ahead will not be easy, FirstNet is developing the leadership, staff, and support from states, public safety, and other key stakeholders required to make this network a reality for first responders and the public who call on them for help in their time of need.

In August 2012 the Secretary of Commerce fulfilled the statutory requirement of naming the FirstNet Board. As required by law, the members have specialized knowledge, experience, and expertise needed to develop the network. Our first Board Chair Mr. Sam Ginn led the organization until last summer when our new Chair, Ms. Sue Swenson, was appointed to the position. We are grateful for Mr. Ginn's leadership and are excited by the continued energy and focus Ms. Swenson brings.

Over the past twelve months, we have seen dramatic progress at FirstNet. We have grown from four to 83 full time employees, and we have established our headquarters in Reston, VA. The leadership team includes myself as Acting General Manager, a Chief Financial Officer, Chief Technology Officer, Chief Information Officer, Chief Administrative Officer, Chief Counsel, and other executives focused on the technical, business, and legal requirements essential to making the nationwide public safety broadband network a reality.

We have also opened a technical office in Boulder, Colorado, where much of our technical work is currently underway. At this facility, and through a coordinated relationship with the National Institute of Standards and Technology (NIST) and NTIA, we, among other things, are preparing to test various technologies to better understand how to ensure that the network is built efficiently and meets all of the goals of the Act.

III. FirstNet's Roadmap to a Sustainable NPSBN

With these foundational efforts underway, we have narrowed our focus on what it will take from outreach, technical, and financial perspectives to build and maintain a public safety broadband network long-term. Much of our planning is embodied in our "FirstNet Strategic Program Roadmap," which was adopted by the FirstNet Board in March 2014. In that roadmap, FirstNet outlined the milestones it planned to accomplish over the next year, which include:

- beginning formal in-person state consultations;
- releasing a draft request for comprehensive network proposals for comment;
- releasing draft requests for certain network and equipment services proposals for comment; and
- initiating a public notice and comment process on certain program procedures, policies, and statutory interpretations.

FirstNet has made significant progress on these milestones:

- We distributed 56 state consultation packages on April 30, 2014. As of November 6, 2014, we have received 29 completed state checklists;
- we have launched formal state consultations, meeting with 7 states since July, with an eighth state scheduled in December;
- We released and received approximately 122 responses to a Request for Information (RFI) with a draft Statement of Objectives (SOO) for our comprehensive Request for Proposals (RFP); and
- We released and received approximately 64 responses to a public notice for publication seeking comment on several key program policies and statutory interpretations.

I would like to briefly describe the progress we have made to date and highlight where these efforts are heading.

A. State Consultations

Our efforts to interact with the states, tribes, local jurisdictions, and federal departments and agencies are a centerpiece of the FirstNet mission and are an essential requirement of the Act. Our state and local planning consultation process, coordinated through the governor-designated state single points of contact, ensures that FirstNet obtains key information from the public safety community of all 56 states and territories and understands their unique public safety operations. Our goal from this process is to develop a detailed state plan for each state's review. This plan will inform a state's opt-in or opt-out decision, as provided for in the Act, how the state radio access network (RAN) portion of the nationwide network will be developed.

In order to execute on this statutory requirement, FirstNet has built a consultation strategy that focuses on several key objectives, ensuring that the consultation process is:

- iterative, giving states and other stakeholders opportunities to provide feedback and input throughout the process;
- collaborative, so that we are working together with the states to collect information and data that will be useful for the deployment of the network;
- focused on critical elements, ensuring that we maximize the states and taxpayers' investments in FirstNet; and
- informing inputs to RFPs, the delivery of the state plans, and the design, construction, and operation of the network.

Through the state consultation process, FirstNet anticipates holding numerous in-person meetings with each of the 56 states and territories over the next year and beyond. We formally launched our state and local planning consultation process on April 30, 2014, when we sent each state an Initial Consultation Package (ICP). The ICP provided key information to state leaders on the consultation process and topics that would be discussed during the initial consultation meetings.

FirstNet also included a readiness checklist to help each state provide FirstNet information about its governance structure, ongoing outreach to key public safety stakeholders, and other details the state believes are important as FirstNet and the state collaboratively plan the NPSBN.

In conjunction with the delivery of the ICP, FirstNet extended invitations to conduct pre-consultation teleconferences with each state and territory to provide clarity on the initial consultation topics, answer any questions the state may have about the process, and to begin the dialog between the states and FirstNet on the critical issues associated with the NPSBN. As of today 44 states and territories have held teleconferences with FirstNet for this purpose.

With this preparation effort underway, FirstNet held the first formal consultation pilot meeting in July 2014 with leaders from the State of Maryland, including members from the Governor's office and executive agencies, the Maryland State Police, staff from the Maryland legislature, and other public safety leaders throughout the state. We learned valuable lessons about the state's emergency broadband communications needs, the state's perspective on the planning and deployment of the NPSBN, and how we can build a strong partnership with Maryland going forward. As of today's hearing, we have completed an additional eight initial consultation meetings in Minnesota, Oregon, Washington, Montana, Utah, Puerto Rico and Iowa. We have one additional meeting scheduled for this year in Florida. We have planned an aggressive state consultation meeting schedule in 2015 and look forward to updating this committee on our progress.

Additionally, over the past year, FirstNet has conducted focused outreach with individual tribes, tribal organizations, and federal tribal government liaisons and is working with the Public Safety Advisory Committee to establish a Tribal Working Group. The intent and tone of these discussions has uniformly been positive. FirstNet will formulate a tribal outreach campaign in late 2014 that involves Indian Country through combined state and federal level engagement.

While we are pleased with our progress, we know much more needs to be done to continue to cultivate our relationships with each state, territory, and tribal nation, and we are working feverishly to meet our statutory obligation and roadmap goals. To that end, FirstNet is hiring 10 regional teams to ensure sufficient resources in support of our outreach and state consultation efforts. These FirstNet regions cover the same states, territories, and tribal nations as the 10 Federal Emergency Management Agency (FEMA) regions. Our teams will span the nation to participate in consultation meetings, join various regional and state governing body meetings and association conferences, and meet one-on-one with the state single points of contact and public safety agencies representing potential FirstNet network users. FirstNet expects to hire these 10 regional leads in late 2014 and early 2015, and bring on additional regional staff throughout 2015 as appropriate to meet our goals.

Complementing this effort is FirstNet's robust outreach and education strategy, committed to reaching the public safety community across all levels of government and through national and state associations. In the past year we have addressed over 24,000 stakeholders at various conferences, meetings, and speaking events, and we plan to dramatically exceed that number in 2015.

We are also working closely with federal agencies to drive collaboration and potential use of the NPSBN. Recently, FirstNet formalized a relationship with the Emergency Communications Preparedness Center (ECPC) to increase outreach with federal stakeholders. The ECPC is the federal interagency group focused on interoperable and operable emergency communications, and is administered by the DHS OEC. FirstNet has participated in many ECPC meetings over the past year to keep members informed of FirstNet activities and to discuss how best to collaborate to ensure federal input is incorporated into the state plans. A federal outreach team will be staffed in late 2014 to continue working with the ECPC and to expand efforts to engage one-on-one with the departments and agencies on a regular basis to better understand the unique needs of agencies and expand awareness of FirstNet.

Additionally, FirstNet's Public Safety Advisory Committee (PSAC), chaired by Mr. Harlin McEwen, and composed of key public safety stakeholders, will continue to be a key resource as we pursue our mission. Public safety's input via the PSAC is vital at all stages of the network's development so that it will be tailored to the needs of the end users—America's first responders and other public safety entities. Although there is plenty of work to do, we are excited about our mission, and confident that we are on the right path.

B. Request for Information/Statement of Objectives

As we engage states and public safety, FirstNet also is actively conducting extensive market research to gain as much insight as possible into the capabilities, opportunities, risks, and innovative business partnerships in the market today to support the construction of a nationwide public safety broadband network for public safety entities. FirstNet is seeking further input from the public this fall that will help shape the direction of our future

procurements, including the planned comprehensive network RFP and the equipment and network services RFP.

On September 17, the FirstNet Board released an RFI that included a full draft Statement of Objectives (SOO). The RFI sought input from industry on some of the key approaches FirstNet is considering before finalizing the draft comprehensive network RFP. The RFI included questions on network build out, deployment, operations, and maintenance; cost considerations and financial sustainability; speed to market; system hardening and resiliency; user priority and preemption; customer care and marketing; and general compliance with the Act. The draft SOO will help industry better understand FirstNet's key program objectives in the creation, operation, and maintenance of the NPSBN. FirstNet is taking an objectives-based approach to our procurement, rather than a requirements-driven approach, in order to promote flexibility in achieving FirstNet's goals while helping FirstNet reduce the complexity we face in managing and integrating the diverse set of components needed to meet our mission. FirstNet will benefit from the creativity and expertise of respondents in identifying multiple ways to achieve a stated objective. FirstNet will use the comments it receives on the RFI and draft SOO to refine the acquisition approach and draft the comprehensive network RFP.

We have received more than 120 responses to the RFI and are very encouraged with the interest it has generated. All responses are being kept confidential, to provide the necessary assurances to the RFI responders to allow them to provide comprehensive and forthright solutions, facilitating FirstNet's ability to thoroughly develop the next step in the procurement phase, the draft RFP.

As this Committee knows well, FirstNet is statutorily required to engage in an open, transparent, and competitive RFP process, and the release of this latest RFI is an important step in meeting this obligation. This RFI/draft SOO continues FirstNet's market research efforts and acts as a precursor to the issuance of a draft RFP estimated in early 2015.

C. Public Notice and Comment

FirstNet's Board coupled its September 2014 release of the RFI and draft SOO with a public notice. As a newly created entity under a unique statutory construction, FirstNet is confronted with many complex legal issues and terms that will have a material impact on our RFPs and our operations going forward. This public notice sought comment on certain key interpretations of the Act to help inform our approach to our various RFPs and ongoing operations. Specifically, the public notice sought comments on issues that include the definition of core and RAN; the definition of public safety entities – the ultimate primary users of the network; secondary users; rural area; user and other fees; and minimum technical requirements.

We were pleased to have received and are currently in the process of reviewing the more than 60 responses to the public notice. We received responses from a broad group of stakeholders including, commercial carriers and vendors, state, local, and tribal governments, and various associations that represent public safety interests. The feedback on these topics

will provide important inputs into the draft comprehensive network RFP and on FirstNet operations. Many of these issues could have significant impact on the economics of the NPSBN and the various solutions proposed by vendors. FirstNet needs to clearly define these terms prior to releasing the draft comprehensive network RFP so potential offerors have a common framework to submit responsive and competitive proposals. These responses are all public and can be viewed at www.regulations.gov.

D. Technical Development

Other than looking at the development of our RFI and the technical components of a future RFP, the FirstNet technical team has been focusing on a number of core areas:

- standards development;
- testing and evaluation;
- modeling and simulation

As mentioned before we have been working very closely with the team at PSCR to ensure the sharing of ideas and open data and to eliminate information silos.

FirstNet utilizing PSCR for standards development

Working directly with PSCR has allowed FirstNet to make significant progress on the world wide standards body for LTE. The standards body through which we are working is 3GPP. According to the 3GPP website, “The 3rd Generation Partnership Project (3GPP) unites [Six] telecommunications standard development organizations (ARIB, ATIS, CCSA, ETSI, TTA, TTC), known as ‘organizational partner’ and provides their members with a stable environment to produce the Reports and Specifications that define 3GPP technologies.¹” As a result of this collaboration, FirstNet has helped to develop broad coalitions who have pushed for the prioritization of public safety standards development in LTE.

Testing, evaluation, modeling, and simulation

Through this effort we have validated certain key elements and features for priority and preemption within the LTE environment. Further refinement is required to fine tune these elements and this is underway. In addition the Technical team has assisted in validating certain of the key assumptions within the FirstNet program roadmap released back in March, including relating to the modelling of cell site location nationwide and the amount of excess capacity of our spectrum that might be available for secondary use.

¹ 3GPP website, “About 3GPP”, <http://www.3gpp.org/about-3gpp/about-3gpp>

Next steps

FirstNet will continue to work with PSCR throughout the development of the network. We have already seen tremendous benefit of our cooperative relationship and we are excited to achieve additional success. We will also be working very closely with the PSAC in order to help define the framework for priority and preemption on the network. Leveraging our public safety experts for this important task is crucial if we are to successfully reach a solution to this challenging topic.

IV. Conclusion

I am grateful to the Committee for the opportunity to update you on FirstNet's progress. As you can see, FirstNet has dramatically advanced its efforts in the past twelve months to meet our statutory obligations, reach those who will use and benefit from our network, and develop a business plan that will provide a self-funding, innovative broadband service to first responders long-term.

We still have much to do to achieve our mission, and are moving forward with a continued focus on our primary long-term objectives:

- Deliver advanced, resilient public safety wireless broadband services;
- Minimize public safety user fees;
- Minimize the amount of capital and operating expenses incurred by FirstNet;
- Leverage synergies with existing infrastructure where economically desirable to FirstNet; and
- Maximize the value of our excess network capacity to keep costs low for public safety.

FirstNet has a difficult task ahead, but with the support of Congress, public safety, state and local jurisdictions, and the private sector, we will succeed in accomplishing our mission. This is a network that is urgently needed to increase the safety and capabilities of all public safety personnel and protect the American people, and we are committed to delivering it.

Thank you for your time. I would be pleased to answer any questions that you may have.

**The Critical Role Of
Statewide Interoperability Coordinators
“Interoperable Communications: Assessing Progress
since 9/11”**

Statement of

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**Chairman, National Council of Statewide
Interoperability Coordinators**

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**COMMITTEE ON HOMELAND SECURITY’S
SUBCOMMITTEE ON EMERGENCY
PREPAREDNESS**

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“Interoperable Communications: Assessing Progress since 9/11”

Chairman Brooks, Ranking Member Payne and distinguished members of the Committee, I would like to thank you for allowing me the opportunity to provide testimony on this important topic. My name is Mark Grubb, I serve as the Director of the Delaware Division of Communications in the Department of Safety and Homeland Security, and I am also the Statewide Interoperability Coordinator or SWIC for Delaware. In addition, I am honored to serve as the Chairman of the National Council of Statewide Interoperability Coordinators. I am also Delaware’s First Net State Point of Contact and I am an appointed member of Delaware’s Enhanced 911 Services Board.

As the emergency response community and State executives prepare to work with the First Responder Network Authority (FirstNet) on the build-out of the National Public Safety Broadband Network (NPSBN), we are also simultaneously coordinating the transition from 911 to Next Generation 911, as well as maintaining existing Land Mobile Radio systems that provide mission critical voice. These efforts will all enhance emergency communications for public safety, government officials, and the public, but they have also created a fast-evolving and more complex emergency communications landscape. With this evolution taking place, States and Territories have a great opportunity to leverage their Statewide Interoperability Coordinator (SWIC) to ensure these capabilities are built out in the most efficient and effective manner. Since 9/11 and the implementation of the SWIC Program, there are numerous examples of increased coordination intra and inter-state. There have been significant improvements in statewide communication systems, training and education of first responders and communications staff and most importantly on-going coordination by the SWICS at every level, but our work is certainly not finished. I think this point is certainly driven home by a recent quote from the Massachusetts SWIC Steve Staffier:

“As I witnessed during the Boston Marathon Bombings, even though we have all made significant investments in equipment and systems around the country, we still need help in education/training/outreach to the end users and key decision makers...and this requires a SWIC and funding.

These radios and systems don’t talk on their own and the coordination doesn’t happen without the SWIC and a COMU (Communications Unit) Team of COML’s (Certified Communication Leaders) and COMT’s (Certified Communication Technicians).

Or the statement from Oklahoma SWIC Nikki Cassingham after the tragedy of the Oklahoma Tornadoes:

“In conjunction with the Statewide Interoperability Governing Body (SIGB), the SWIC built the Statewide COML & COMT Credentialing program from the ground up and has made significant efforts to expand and improve the program since its inception. The success of Oklahoma’s COML/COMT program was demonstrated most notably in the aftermath of the EF5 tornado that tore through the city of Moore, Oklahoma on May 20th, 2013. 2 state-certified COMT’s were among the first to arrive on the scene to assess infrastructure damage, while the lead COML issued cache radios, requested additional resources, and drafted the ICS-205 Communications Plan. The knowledge and experience of Oklahoma’s certified COML’s and COMT’s played an enormous role in the success of the communications response to this event.”

These are real life examples of improvements since 9/11 and are direct results of the investments made by this committee. However, Interoperability requires much more than just equipment--it's really about people in disparate agencies and jurisdictions including each other in their planning processes. In other words, it's about relationships, lines of communications. As administrations change and people switch jobs, those relationships must be re-built, which requires education and training. It's an ongoing process, a very human process that must be maintained, year in and year out. It requires attention and dedication and, yes, funding. If we don't have all those things, we will not be able to maintain, much less improve upon, the interoperability progress we have made since 9/11. With the current absence of SWIC funding, we are losing ground.

SWICs play a central role in a State’s emergency communications and interoperability efforts by working with first responders across all levels of government, acting as a central coordination and outreach point, and guiding efforts around the creation and implementation of Statewide Communications Interoperability Plans (SCIP). Because of their wide-angle view of communications across a State, SWICs can bring a vital perspective and strategic vision to a State’s efforts, as well as guide thoughtful spending decisions, plan needed training and workshops, and improve preparedness statewide. The Department of Homeland Security’s Office of Emergency Communications has supported the development of SWICs, assisted with the creation and updates of statewide plans, and helped States and Territories form Statewide Interoperability Governance Body or Statewide Interoperability Executive Council to coordinate emergency communications. These existing structures and plans can and should be leveraged as States prepare for broadband and Next Generation 911.

Recently, States have been asked by FirstNet to appoint a State Point of Contact (SPOC) to assist with the planning and implementation phases of the NPSBN. In 18 States and the District of Columbia, the SWIC is also acting as the SPOC. In 12 States, the SWIC and SPOC both work within the same department, but in another 25 States the two roles are housed within separate departments. In addition, most States have a separate person responsible for 911 activities and the transition from 911 to Next Generation 911. With this structure, it is easy to see how the LMR, broadband, and 911 communication efforts can become separate programs with little

coordination.

We have a tremendous opportunity for States to increase coordination across these various efforts to improve communications for public safety. The SWICs who are not the primary point of contact for broadband should include the SPOC and 911 Coordinators in the statewide planning process while also expanding the existing statewide governance structures to include the SPOCs, Chief Information Officers, and State 911 Coordinators. This would allow collaboration across all these various communication projects and ensure the SCIP is truly a comprehensive statewide plan that addresses all elements of emergency communications.

For example, in Delaware, I have been asked to fill both the SWIC and SPOC roles and have also been asked by the Secretary and Governor to serve on the E911 board. This will enable me to look at the three elements in the most comprehensive, strategic, and public-safety focused way. It also allows Delaware to use the governance structure of its existing Statewide Interoperability Executive Council to address the design and use of a broadband system in the State.

In addition to keeping the SWIC involved in a State's work with FirstNet, States should consider the following to make the best use of this valuable position.

Continue to Provide Full Funding and Support to Your SWIC

The SWIC position was created with support from the Department of Homeland Security's Office of Emergency Communications (OEC) and many States used funding from the Interoperable Emergency Communications Grant Program (IECGP) to keep a SWIC on staff. With IECGP funding now expired, many States are struggling to continue to fund the SWIC position and even keep the interoperability body operating. OEC has been working to ensure applicable grant programs recognize SWIC support as an allowable cost to help States keep this vital position funded.

I would also urge States to find the funds to continue to support this position that both creates value and ensures efficiency. Among their vital roles, SWICs can be cost savers by ensuring a State spends its emergency communications grant funding and budgets effectively. Because the SWIC is able to take a comprehensive view of a State's communications systems, it's easier to ensure an agency doesn't go out and spend money on a system that is redundant with a solution available in the State or invest in something that is incompatible with other current or emerging technologies.

In addition, SWICs are able to help jurisdictions respond better to natural disasters, emergency incidents, and large-scale planned events by focusing on statewide planning and supporting broader training and coordination. A strong SWIC knows where each Communications Unit Leader is in the State, has them trained and ready, and can quickly deploy them to an incident commander for any type of response.

Mrs. Chairman, as you know, nothing in government gets done unless there is a champion, especially with communications interoperability, a problem that often seems to have no owner. The SWIC is the communications interoperability champion for the state and the nation.

Elevate the SWIC in a State's Structure

For the SWIC to be most effective, the position must be placed high enough within the State structure. We have some SWICs who are really strong and knowledgeable, but they are not placed in a position to effectively coordinate efforts, prepare for emerging technologies, and help ensure wise purchasing policy.

As Delaware's SWIC, I report directly the Secretary of the Department of Safety and Homeland Security who chairs the Statewide Interoperability Executive Council and reports directly to the Governor. The Secretary chairs the council's monthly meetings and votes as one of the 15 council members. The other members represent State and county governments and first responder groups.

I'm an active part of the council, but, by design, I am not a voting member. That neutrality gives me the opportunity to study and present facts, and then step back from any politics and allows the board to make its decision.

Access the NCSWIC Network and OEC's Support

SWICs play an important role, but we could not do it without the support of OEC. The office really helps us do our jobs--especially in environments where funding has been cut – by setting priorities, bringing together the National Council of Statewide Interoperability Coordinators (NCSWIC), and providing guidance and training.

Before NCSWIC was created in 2010, SWICs didn't have nearly the bandwidth we have now because we couldn't reach across the country for ideas and support. We now have that deep bench and can get in direct contact with other SWICs who have faced similar challenges and scenarios. We can reach out and get really good answers and samples from other States' experiences and best practices. For example, Oregon worked with FirstNet to put together an incredible website on broadband for public safety. We got permission to utilize a lot of the framework from that website, and now Delaware has launched its State FirstNet site. The benefits of the NCSWIC came about because OEC helped set up the program and continues to support us in our joint efforts. In addition, by allowing each SWIC to request up to five technical assistance offerings each year, OEC empowers SWICs to bring additional training, education, and governance support to a State. South Dakota's SWIC, Jeff Pierce said it best:

"I've been involved in providing communications for the State of South Dakota for almost 35 years, in that time the SWIC program and those initiatives implemented by OEC to promote interoperability have advanced public safety communications far beyond what technical developments have."

Conclusion

Robust communications are a must for first responders in every State. A strong SWIC and appropriate levels of funding can help make that a reality by bringing people together, developing a strategic vision for interoperability, and working toward the best solutions for a State's citizens. Let us not forget the painful lessons learned from a lack of interoperable communications during 9/11. It is in every State's best interest to make effective use of this crucial position.