

**Opening Statement of the Honorable Greg Walden
Subcommittee on Communications and Technology
Hearing on “Oversight of FirstNet and the Advancement of
Public Safety Wireless Communications”
November 21, 2013**

(As Prepared for Delivery)

Last March the subcommittee met to conduct our first oversight hearing of the newly-formed First Responder Network Authority – or FirstNet. FirstNet’s charge of building a nationwide interoperable public safety broadband network from Washington, DC, under the statute was crafted by our friends in the Senate. As I noted then, the structure of FirstNet was not my preferred approach to solving our nation’s public safety communications challenges. I favored construction from the bottom up, not the top down, with certain minimum interoperability requirements set by the federal government and commercial providers running the network in partnership with the states. I cautioned then that this approach is not guaranteed by the legislation as passed, but that FirstNet could choose to adopt such an approach. While there is significant work to be done to ensure that the states are partners, not customers, of FirstNet, it appears that FirstNet has made progress in reaching out to state, tribal, and local jurisdictions along these lines.

This is a significant undertaking, rivaling the network deployments of our largest national wireless carriers. Today’s hearing reflects the subcommittee’s commitment to continued and thorough oversight of this effort and a dedication to ensure that our nation’s public safety users realize the benefits and know the costs of the state-of-the-art communications tools the law envisions.

When we met last March, the FirstNet board had only recently been assembled. Perhaps because of its infancy, there was considerable uncertainty among critical stakeholders with regard to how FirstNet was being administered and how the public safety broadband network would be realized. Unfortunately, rather than seeing those concerns wane as FirstNet has gained its footing, FirstNet finds itself embroiled in allegations from within that it lacks transparency and suffers from potential ethical conflicts. As a result, FirstNet is currently under investigation by the Inspector General of the Department of Commerce. Suffice it to say, this is not a confidence inspiring development.

But for all the efforts by FirstNet, much work remains to gain the support of the states and the tribes, the commercial wireless community, and most importantly the first responders who will rely on FirstNet in life or death situations. Ultimately FirstNet needs the confidence and cooperation of all of these groups to realize the standards, economies of scale, and potential that FirstNet holds. In order to do so, FirstNet must be an informative and cooperative national coordinator of the myriad moving parts that comprise the public safety community, and do so in short order. Unfortunately, this is precisely where FirstNet seems to be struggling.

This challenge is best exemplified by the fact that no one seems to be able to answer the simple question: “What is FirstNet?” Is FirstNet going to partner with our national wireless providers or will it be just another commercial provider in government clothing? Has FirstNet modeled the costs for these options? Are states expected to give FirstNet their existing assets as an up front payment for participation? What is FirstNet going to charge local first responders for use of the network? These are all questions that we in Congress have been asked as FirstNet struggles to find its way. And while a few jurisdictions have managed to negotiate lease agreements with FirstNet, the fundamental issues regarding cost, coverage and timing remain unexplained, as do the processes contemplated for the exercise of a state’s options to participate in the network. Left unresolved, the promise that we made to first responders to overcome once and for all the lack of interoperable communications is undermined, and the prospect of FirstNet’s success diminished. We cannot afford to have this effort fail to produce a network, or worse, have this network deployed and then have no one show up to use it.

Today, we are asking our witnesses “what is working, what isn’t working, and how can we help?” We will hear from the chairman of the FirstNet Board, who can provide an update on progress in the deployment of the public safety broadband network, address these fundamental issues, and hopefully allay our concerns about the openness and transparency of FirstNet’s processes. We will also hear from states, the chief of the FCC’s Public Safety and Homeland Security Bureau, NIST – whose good work with NTIA on the Public Safety Communications Research program is helping answer some fundamental technology questions for FirstNet, and a private sector representative who can provide their perspectives on FirstNet’s progress, insights into their respective roles, and share ideas about what FirstNet can do better to get the job done. And because FirstNet will not initially provide mission critical voice capability and public safety will continue to rely on traditional land mobile radio systems for voice communications, we will take this opportunity to better understand how the development of new emergency communications technologies will be used together with traditional public safety communications until FirstNet is capable of addressing public safety’s mission-critical voice needs.

I am looking forward to hearing from our witnesses today and hope to leave with a higher level of comfort with regard to FirstNet’s progress and confidence in the manner in which it is conducting its business.

###