

## FirstNet Talking Points by Topic Area – August 2016

### FirstNet Progress

- FirstNet is moving forward in the evaluation phase of the procurement for the Nationwide Public Safety Broadband Network.
  - The deadline for proposals closed on May 31.
  - FirstNet is unable to comment on any specifics of the procurement because it is considered source selection sensitive information.
  - FirstNet has said it remains on track for a November contract award.
- While the evaluation process is ongoing, FirstNet is focused on building the foundation for a successful public-private partnership and continuing to consult with public safety and other stakeholders to ensure the efficient deployment of a network that meets the needs of public safety.
- The new Chief Customer Office (CCO), led by Rich Reed, will include many of its current User Advocacy initiatives – such as outreach, consultation, state plans, and communications – in addition to future customer service programs that FirstNet plans to develop, such as product management, marketing, training, and more. The CCO will be the central resource for all things customer-facing.
- The Network Program Office (NPO), led by Steve Fletcher, will coordinate with FirstNet's partner on Radio Access Network (RAN) deployment activities in the states and territories.
- **RFP:** Please direct all questions about the RFP or status of proposals to Gregory Ruderman, Supervisory Contracting Officer, at [greg\\_ruderman@ibc.doi.gov](mailto:greg_ruderman@ibc.doi.gov) or Stephanie Leikach, Contract Specialist, at [stephanie\\_leikach@ibc.doi.gov](mailto:stephanie_leikach@ibc.doi.gov).

### Network Partner's Country of Operation

- There is no explicit requirement under the law that created FirstNet (Middle Class Tax Relief and Job Creation Act of 2012 (Act)) that FirstNet's network partner must be based in the United States.
- However, any person or entity that is barred from bidding on a federal government contract due to national security reasons (e.g., a North Korea company) *cannot* be FirstNet's network partner.
- FirstNet is committed to network security consistent with its responsibilities under the Act:
  - FirstNet *must* ensure the safety, security, and resiliency of the network, including the implementation of measures to protect against cyberattack.
  - FirstNet *must* address special considerations for areas with unique homeland or national security needs.
- Practically speaking, the expectation is that the network partner's operating company, at minimum, would have to be located in the United States (with U.S. based employees) in order to successfully operate and maintain a network nationwide.
- Information related to FirstNet's selected partner (including place of incorporation and operations) will be publically available upon contract award.

### State Plans

- The State Plan will outline FirstNet's proposal to deliver the best FirstNet service possible to each state and territory.
- FirstNet will accept any additional data inputs through September 30, 2016. Providing additional data is optional; this data can be made available to FirstNet's partner, once selected, to further inform the State Plan.

- FirstNet is still focusing on the following four key topics 1) coverage; 2) users and operational areas; 3) capacity; and 4) current services and procurement.
- As envisioned currently, State Plans will be delivered through an online portal with open access and controlled access portions. The open access side will be geared toward the general public and potential public safety users and will highlight network services and features. The protected portion of the portal will provide as much data as possible to allow a Governor to make an informed decision on RAN deployment. The focus will be on the RAN capabilities and the standards and requirements a State would need to meet if considering being a RAN Partner.
- At this time, FirstNet estimates delivery of draft State Plans to be in the first half of 2017, with final State Plans delivered to state and territory governors by late 2017.

### **NTIA Public Notice**

- Each State that chooses to deploy its own RAN will assume the responsibility for the ongoing deployment, operation, maintenance, and improvement of the RAN in such State.
- The National Telecommunications and Information Administration (NTIA), in accordance with their statutory responsibilities, recently published a public notice outlining and seeking public comment on their proposed process for reviewing any Opt Out States' applications to lease spectrum capacity from FirstNet and obtain grant funds to assist with the construction of the RAN in such State or Territory upon FCC approval of an alternative RAN plan. The notice is available via the Federal Register and public comments are due to NTIA by August 18.
- FirstNet supports NTIA's effort to establish the grant programs required by the Act and, as appropriate, will continue to coordinate with NTIA to assist them in this effort.
- Any questions about the proposed process outlined in the public notice should be directed to NTIA.

### **Consultation in 2016**

- Consultation activities for the remainder of 2016 will focus on completing Governance Body Consultation meetings, continuing Consultation Task Teams, and continuing Executive Consultation.
- To date, FirstNet has completed more than 30 Governance Body Consultation meetings. These meetings have allowed FirstNet to connect with the States on important issues like the State Plan and the Governor's decision and discuss the key issues that the State and FirstNet need to consider over the next year.
- FirstNet has conducted 21 Executive Consultation meetings thus far with plans to continue these meetings throughout the fall and winter of 2016.
- FirstNet is also working with the SPOCs to engage with metropolitan areas nationwide to further its knowledge of public safety's wireless usage and needs, and answer questions about the FirstNet network.

### **Consultation Task Teams (CTTs)**

- The CTTs are state and territory-based groups that will provide a formal opportunity for stakeholders in each state and territory across all levels of government to provide meaningful input to inform FirstNet network policies and operations.
- The first CTT is on Quality of Service, Priority, and Preemption (QPP) and builds on the earlier work of FirstNet's Public Safety Advisory Committee (PSAC).
- Several regions have already hosted QPP CTT meetings, which are expected to wrap by the end of August. CTT meeting attendees have provided valuable feedback regarding the need for



standardized policies and procedures, including the importance of documenting requirements for local network control. FirstNet plans to compile and report out on the feedback received from the CTTs in the fall of 2016.

### **Tribal Engagement**

- Nation-to-nation consultation between the federal government and tribal governments is being undertaken in full compliance with Section 106 of the National Historic Preservation Act (NHPA). The act that established FirstNet, however, requires that planning for its nationwide network deployment occur in consultation with SPOCs appointed by the governors. SPOCs are responsible for coordinating with all public safety stakeholders within the boundaries of those jurisdictions, including tribes.
- To support SPOCs, FirstNet has two regional tribal government liaisons who assist with information sharing and relationship building. FirstNet's tribal outreach team, in close coordination with the SPOCs, has engaged in outreach and education efforts with tribal nations and will continue these efforts throughout 2016.
- The PSAC Tribal Working Group (TWG), comprised of representatives from a broad cross section of multi-tribal associations, was established in 2015 to advise FirstNet in the development of culturally aligned education, marketing, outreach, multimedia, and inclusive engagement materials and strategies and participate in SPOC outreach, consultation, and State planning activities. TWG members are also available to support SPOC outreach and engagement efforts.

### **Federal Consultation**

- FirstNet has a formal consultation process with federal agencies and continues to encourage representatives from federal agencies to participate in the development of the nationwide network. FirstNet aims to acquire agency buy-in and subscribership to the FirstNet network by working closely with federal partners to ensure that the agencies' public safety communications objectives are understood while promoting agency understanding of the purpose and benefit of the FirstNet network to future federal subscribers.
- FirstNet has already met with several federal agencies with public safety and first responder programs.
- Federal CTTs are being formed to mirror each regional/state CTT. Agency Points of Contact (A-POCs) are currently being asked to identify subject matter experts for the QPP CTT, and FirstNet is working with A-POCs to disseminate read-ahead materials and prepare participants for a productive meeting in mid-August.
- FirstNet is actively working to establish a PSAC Federal Working Group to provide input for the PSAC to consider and include in its recommendations to FirstNet. DHS and DOJ were recently added to the PSAC membership, and FirstNet is working with the PSAC to identify federal stakeholders to participate in the Federal Working Group.
- In 2016, Federal Consultation will expand engagement with agencies at the regional, bureau, and executive levels. This engagement coupled with regionally focused forums will ensure FirstNet works closely with its federal stakeholder community. The first Federal Border Forum will be held in Phoenix, Arizona, on August 30-31 to discuss current federal operations and needs, and what is possible with public safety LTE in the future.

### **Environmental Compliance**

- As a federal entity, FirstNet is required to comply with the National Environmental Policy Act

(NEPA) of 1969, which requires that the government examine project environmental, social, historic, and cultural impacts.

- FirstNet is preparing five regional Programmatic Environmental Impact Statements (PEISs) that will evaluate the potential impacts of network deployment in all 50 states, the District of Columbia, and five territories.
- FirstNet is currently consulting with numerous federal agencies in the planning and development of the draft PEISs and has initiated consultation with all federally recognized Indian tribes.
- The public, including all interested stakeholders, is invited to participate in public meetings during the public comment period held after each draft PEIS is published.
- The draft PEIS for the non-contiguous region (Alaska, Hawaii, Northern Mariana Islands, Guam, American Samoa, Puerto Rico, and Virgin Islands) was released on March 4. Comments on the Draft PEIS for the non-contiguous regions were accepted until May 4, 2016. The East region (Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia) PEIS was released on May 6. Comments on the Draft PEIS for the East Region were accepted until July 6, 2016. For more information and to view the draft documents, see Docket No. FIRSTNET-2016-0002 on [www.regulations.gov](http://www.regulations.gov).
- FirstNet anticipates publication of the Central Region (Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Montana, Wyoming, Colorado, and Utah) PEIS in mid-August.

#### **Definition of Public Safety Entity**

- Following the release of FirstNet public notices seeking feedback on the definition of public safety entity, the FirstNet Board determined that additional guidance on the matter was not necessary prior to release of the RFP and decided to rely on the definition of “public safety entity” as stated in the Act.
- Definition of Public Safety Entity under the Act; Title VI, Definitions
  - Section (26) PUBLIC SAFETY ENTITY. The term “public safety entity” means an entity that provides public safety services.
  - Section (27) PUBLIC SAFETY SERVICES. The term “public safety services” (A) [has the meaning given the term in section 337\(f\) of the Communications Act of 1934 \(47 U.S.C. § 337\(f\)\)](#), and (B) includes services provided by emergency response providers, as that term is defined [in section 2 of the Homeland Security Act of 2002 \(6 U.S.C. § 101\(6\)\)](#).
- FirstNet continues to analyze the scope of the definition, the needs of the public safety community, and the likely changing nature of those needs over time to determine whether, after receipt of proposals, it is necessary to provide additional guidance on the scope of the definition.