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Remarks

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INTRODUCTION

Thank you for inviting me to be here today. It's an honor to be with all of you, who dedicate your careers to keeping people safe.

It has been less than 3 weeks since I began my job as the FCC's Chief of the Public Safety and Homeland Security Bureau.

This is the first speaking engagement I've traveled to outside of the Washington DC area since I joined the Commission. Being here with you today is a priority for me. I think it's vital to get out of Washington DC and take opportunities not only to speak, but also, importantly, to listen and learn.

In that same spirit, and reflecting my respect for what the 911 community does, I got out and toured a nearby PSAP on my sixth day on the job.

Steve Souder showed me the Fairfax County, Virginia PSAP. While I know that PSAP isn't typical of all of those around the country, I was very impressed

with what I saw and heard, and I learned a lot. I look forward to touring PSAPs in other areas.

Here's what I'd like to do this morning:

First, I want to tell you a little bit more about me since I'm the new guy in the job;

Second, I'll update you on the Next Generation 911 agenda at the Bureau and the Commission;

And then, third, I'll briefly tell you about a couple of other 911-related developments.

Regarding me...I bring experience to the job from a thirty-year career in business, government, and private law practice.

In government, I served at the United States Department of Justice as Deputy Assistant Attorney General for Antitrust. Because the Antitrust Division had already broken up the Bell System, I was deeply involved with telecommunications issues and networks, and with the development, passage and implementation of the Telecommunications Act of 1996.

In business, I worked for a competitive telecommunications service provider. I oversaw law, policy and regulatory compliance issues, including E911 and CALEA.

Finally, while in private law practice, I had the honor of being appointed twice by federal courts and by the FCC to serve as a Management Trustee. Each time, for about 6 months, I was responsible for the management of mobile wireless businesses-- the networks, customers, employees, and functions like outage response-- in a total of 20 wireless markets in rural America, until those businesses were sold-off to satisfy merger conditions. I learned a lot, especially what the phrase, “the buck stops here,” means.

The other thing you may want to know is that I have a deep appreciation for what first responders do, not only in my head, but also in my heart.

I lived for more than a decade in Hackensack, NJ. For firefighters who were around in the late 1980s, that has meaning. Several firefighters,

including my friend Bill Krejsa, perished in a fire in a Ford dealership, doing their job.¹ Bill's wife Clara was a friend too.

A classmate of mine at Paramus High School in New Jersey, Joey Navas, became a Port Authority police officer and joined their emergency services unit. On September 11, Joey went into the Towers to save lives and lost his own.²

I respect what first responders do.

For the sake of first responders and their families, and for the sake of the people in every corner of America who benefit from their help in dire and dangerous circumstances, first responders need and deserve the best information and communications tools that we can get them.

And as this audience knows, some of that will come through E911. With technology advancing and many Americans carrying cell phones that are

¹ <http://www.nytimes.com/1988/07/02/nyregion/5-firefighters-killed-in-jersey-as-a-roof-collapses.html?pagewanted=all&src=pm>.

² <http://www.legacy.com/sept11/story.aspx?personid=118300>.

effectively computers which can transmit photographs, film clips and texts, as well as make voice calls, we've all got our work cut out for us to move forward.

For all of these reasons I am honored and humbled to hold this position. I am also determined to help make progress.

Before I go any further, I want to acknowledge and say thank you for the terrific work that NENA does on behalf of the 911 community. At the Bureau and the FCC, we value our partnership with NENA, and the leadership that NENA provides on many of these important issues. I'd like to particularly acknowledge your president, Rick Galway, the other members of the NENA Board, and, of course, NENA's CEO, Brian Fontes, who is well known and well regarded in Washington DC and at the FCC.

I also want to say that although I've only been in this job a short time, I already appreciate the work done by the excellent and dedicated staff of the Public

Safety and Homeland Security Bureau of the FCC, to whom I want to say thank you publicly as well.

NEXT GENERATION 911

Now, I'd like to move on and update you on where we are with Next Generation 911.

Last August, FCC Chairman Genachowski announced a five-step action plan to further the development and deployment of NG911. The plan includes actions for the FCC to take, and also a roadmap for FCC partnerships with state, local, and tribal 911 authorities, other federal agencies, and the private sector.

There are five elements of the plan and I'll go through each of them.

Element 1 of the NG911 Plan

The first element focuses on providing location accuracy automatically in NG911.

So where are we?

Last July, the Commission asked for the public's comments on how to implement automatic location accuracy for interconnected VoIP and other broadband-based voice services. In response, the Commission received valuable information, including about possible ways to extend location accuracy to indoor environments, in order to pinpoint the floor number of 911 callers in multi-story buildings (the so-called "z axis").

In addition, a hard-working group that advises the Commission, called the Communications Security, Reliability and Interoperability Council (or CSRIC), is engaged in ongoing work on technical solutions to the indoor location issue.

We expect to be able to take further action later this year.

Element 2 of the NG911 Plan

The second element of the Chairman’s 5-step plan is to allow the public to send text, photos, video, and other data to PSAPs.

Here’s where we are on that.

We initiated a rulemaking in September. In response we received a variety of ideas on how to support text to 911 and other applications.

We also received recommendations on text-to-911 from another FCC advisory committee, called the Emergency Access Advisory Committee (EAAC), which has been examining how to make next-generation emergency communications accessible to people with disabilities.

On text-to-911, we are pleased to see that there has been enormous progress in developing actual solutions, many of which can be implemented very quickly and cost-effectively without waiting for full NG-911 capability to develop.

For example, in Durham, North Carolina, Verizon Wireless and Intrado are conducting a trial that enables Verizon customers to send SMS text messages to the Durham PSAP.

A similar trial has just started in Vermont.

In Iowa, a text-to-911 trial that began in Black Hawk County has been expanded to cover the entire state.

In March, the EAAC held a text-to-911 exhibition at FCC headquarters where ten companies demonstrated innovative text-to-911 solutions. As someone who believes in competition because it spurs innovation and better and more affordable solutions, that a number of companies are working in this area is good news.

Just over a month ago, we were very happy to hear Verizon Wireless' announcement that it is contracting with TCS to develop SMS-to-911 capability throughout Verizon's nationwide network by early 2013. This will give Verizon customers the

option to send text messages to 911 as an alternative or in addition to voice. This will be of enormous value to customers with hearing or speech disabilities. It will also provide an alternative in situations where placing a voice call could be dangerous, such as the Virginia Tech scenario.

Verizon's text-to-911 deployment also will give PSAPs flexibility about how to handle text messages, and a way to avoid spending scarce resources on upgrading their systems. We hope other carriers will follow Verizon's example, and we expect that many will.

All of the progress that I've just described strongly and happily suggests that expanding the 911 system beyond voice is feasible in the near term.

The Chairman has said that further action on text-to-911 is one of his highest priorities. We expect the Commission to take further action on text-to-911 later this summer.

I also want to assure you that we recognize that implementing text-to-911 nationwide poses challenges for managing public expectations. While texting has become increasingly popular for communicating with friends, family, and co-workers, voice communications have many advantages when it comes to reporting emergencies.

On a voice 911 call, a trained 911 call taker can quickly assess an emergency, ask the caller questions to elicit the most essential information about the emergency promptly, and help the caller to deal with the stress of the situation. By comparison, communicating by text may take more time and provide more limited information to the call taker.

Therefore, as text-to-911 is deployed, it will be important to educate the public that it is an alternative to voice, not a substitute, and that it may be preferable to use it only in circumstances where voice communication is not possible or could endanger the

caller. We look forward to working with NENA members on this.

Element 3 of the NG911 Plan

The third element of the plan is to facilitate development and implementation of NG911 technical standards.

The good news is that through years of hard work by many people in the 911 community, a lot has been done. The FCC has been encouraging all stakeholders to complete the standards process as soon as possible.

Toward that end, last fall we tasked a CSRIC working group (led by Brian Fontes and Laurie Flaherty) to identify remaining gaps and recommend ways to fill them. At the March and June CSRIC meetings, the working group delivered recommendations, which were unanimously approved by CSRIC, and which will be immensely helpful in moving the process forward.

So substantial progress is being made.

Element 4 of the NG911 Plan

The fourth element of the plan is to develop a funding framework for NG911.

Now, I know that funding is the elephant in the room for most public safety communications issues, including NG911.

And while the FCC can't provide funding, it can provide information.

For example, last September we issued a white paper examining how much the network connectivity of a nationwide NG911 deployment would cost.

In February, Congress passed the payroll tax bill, which included two provisions that affect NG911 funding.

One provision in that legislation re-establishes the 911 Implementation Coordination Office, or ICO. That is a joint office of NTIA and NHTSA. The law

directs ICO to conduct a comprehensive study of NG911 costs and report the cost study results to Congress. This was a recommendation in the FCC's National Broadband Plan.

The second relevant provision in the new law is Congress' authorization for \$115 million in grant funding for 911, E911, and NG911 from FCC incentive auction revenues.

Element 5 of the NG911 Plan

Finally, the fifth element of the Chairman's plan is to develop a NG911 governance framework. No single governmental entity or level of government has jurisdiction today over the entirety of NG911. Fulfilling this element of the plan requires coordination at the federal, state, and local levels.

We have asked for public comments about this governance issue, including whether regulatory barriers exist at the state or local level that could hinder NG911 deployment. Those barriers might be

unintentional, like old laws or regulations which are not flexible enough to accommodate a next-generation network that bypasses the PSTN. Some states are already looking at how to update their laws and we have asked how we can encourage other states to do so.

Congress has directed the FCC to make recommendations by next February regarding a statutory framework for NG911, including any federal legislation that may be needed. We will be issuing a public notice soon seeking comment on what we should recommend to Congress. We encourage you to provide us with your input and ideas.

We know that NG911 is about much more than new technology.

We know that transitioning to NG911 will present operational challenges for PSAPs, and that the transition period will be lengthier for some than for others.

We know that we need to tackle how to make sure that PSAPs are properly equipped to handle incoming texts, photos, videos, and other data from new NG911 applications.

And we recognize that for NG911 to work, PSAPs must be able to decide what information they need and then be able to manage and quickly process it. We welcome your input so that our decisions can help PSAPs meet these transitional challenges.

Now, I'll leave the Chairman's 5 element plan and turn briefly to a few other 911 issues.

E911 LOCATION ACCURACY

While we are focused on the transition to NG911, we are also working on issues that affect legacy 911 systems.

First, E911 location accuracy. Two years ago, based on a framework that was developed through negotiations among NENA, APCO, and the wireless carriers, the Commission required wireless carriers to meet location accuracy standards at the county or PSAP level. Among other things, the Commission also required wireless carriers to test their location accuracy results periodically, and to share the test results with PSAPs, state 911 offices, and the Commission.

I know that pinpointing the location of wireless 911 callers remains an issue. This challenge was reinforced by my Fairfax County PSAP tour and a test we did that morning, which demonstrated that we aren't quite there yet.

The Chairman has asked the CSRIC to look at updating the requirements for outdoor accuracy testing and to develop a framework for indoor accuracy testing as well. CSRIC has a working group that has just reported on both. They are also in the

process of establishing a test bed to evaluate the performance of different location technologies in indoor environments. We look forward to receiving the results from the first stage of this test bed in March 2013.

NON-SERVICE INITIALIZED (NSI) PHONES

We are also addressing concerns about harassing calls to 911 from non-service initialized (NSI) phones.

Our rules that require NSI-phones to be 911-capable provide significant public safety benefits. Sometimes, however, callers use an NSI phone to place harassing non-emergency calls to PSAPs, and the PSAP cannot identify the caller.

In 2008, the Commission issued a Notice of Inquiry on this topic. In response, PSAPs and carriers suggested mechanisms that might identify and block harassing 911 calls from NSI phones.

We expect to take the next step and initiate a rulemaking later this summer to consider the alternatives.

911 FEES

Finally, a word about the collection and expenditure of state and local 911 fees. We know this issue is critical to NENA and the 911 community. You don't want to see 911 fee revenues diverted for non-911 purposes, and you believe that shining a bright spotlight on any diversion that occurs helps to discourage it from occurring.

Here's what we know and what we are doing.

The Commission must report annually to Congress on how states and other jurisdictions collect and spend 911 fee revenues, including instances of revenue diversion.

The Commission has issued three such annual reports, the most recent in November, 2011. These reports cover the prior year.

The good news from our 2011 report is that the number of states that are diverting funds appears to have declined significantly, down to 7 states in 2010, from 12 and 13 states in the two prior years.

I am pleased to announce that we issued a Public Notice last week that initiated information collection for our next annual report. The Public Notice is on the Commission's website.

I followed up on Friday by signing the letters seeking information so they will arrive shortly. The information we are collecting this year is a little more detailed than before, including whether the states are using fees to support Next Generation 911 initiatives. The answers will enable the public to have more specific information than ever before.

CONCLUSION

You've been very patient.

By emphasizing that we appreciate all that NENA and you, it's members do, and we look forward to working with NENA and our other public safety

partners in the years to come on these and other critical 911 and public safety communications issues. We look forward to continuing to work with NENA and its members on these and other critical 911 and public safety communications issues.

Thank you.