

FEDERAL COMMUNICATIONS COMMISSION

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MEETING OF THE FEDERAL COMMUNICATIONS COMMISSION'S
INDEPENDENT PANEL REVIEWING THE IMPACT OF HURRICANE
KATRINA ON COMMUNICATIONS NETWORKS

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Tuesday,
April 18, 2006

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445 12th Street, S.W.
Commission Meeting Room
Washington, D.C.

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The Meeting convened at 9:00 a.m., pursuant
to notice, Nancy J. Victory, Chair, presiding.

COMMITTEE MEMBERS PRESENT:

NANCY J. VICTORY	Chair
LISA FOWLKES	FCC, Designated Federal Official
JEAN ANN COLLINS	FCC, Alternate Designated Federal Official
MICHAEL J. COPPS	FCC Commissioner
JONATHAN ADELSTEIN	FCC Commissioner
CARSON AGNEW	Executive Vice President, Mobile Satellite Ventures, LP
MICHAEL ANDERSON	Chairman, PART-15.ORG
CAPTAIN THOMAS CANNON	Sheriff's Office, Orange County, Florida
SANDY WILSON	Cox
LT. COL. J. BOOTH	Deputy Superintendent, Louisiana State Police
STEVE DAVIS	Senior Vice President, Engineering, Clear Channel Radio
ROBERT G. DAWSON	President & CEO, SouthernLINC

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STEPHEN A. DEAN	Wireless Fire Chief, City of Mobile, Alabama
STEVE DELAHOUSEY	Vice President, Operations, American Medical Response
JOHN THOMAS	Sprint Nextel
MARTIN D. HADFIELD	Vice President of Engineering, Entercom
JIM O. JACOT	Vice President, Cingular Network Group
TONY KENT	Vice President, Engineering & Network Operations, Cellular South
KELLY KIRWAN	Vice President, State and Local Government and Commercial Markets Division, The Americas Group, Government, Enterprise, and Mobility Solutions, Motorola Communications and Electronics
JONATHAN D. LINKOUS	Executive Director, American Telemedicine Association
ADORA OBI NWEZE	Director, Hurricane Relief Efforts, NAACP, President, Florida State Conference, NAACP, Member, National Board of Directors, NAACP
BILLY PITTS	Chief Business Affairs Officer and Washington Representative, Notification Technologies, Inc.
MARION SCOTT	Vice President of Operations, CenturyTel
KAY SEARS	Senior Vice President of Sales and Marketing, G2 Satellite Solutions, PanAmSat Corporation
EDWIN D. SMITH	Chief, Baton Rouge Fire Department
WILLIAM L. SMITH	Chief Technology Officer, BellSouth Corporation
PATRICK YOES	President Louisiana Fraternal Order of Police, National Secretary, Fraternal Order of Police

ALSO PRESENT:

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CAPT. THOMAS WETHERALD Deputy Operations Director,
National Communications System
DR. DAVID G. BOYD Director of the Office for
Inter-operability and
Compatibility and Director of
SAFECOM, Department of Homeland
Security
HAROLD JOYNER Senior Policy Manager, Florida
Department of Emergency
Management
TERESA OWENS Director, Department of
Emergency Services, Worcester
County, Maryland
JOHN STOGOSKI Director, Homeland Security,
Sprint Nextel, Corporate
Security
DAVID BARRON Assistant Vice-President,
Federal Relations/National
Security, BellSouth
JOHN LAWSON Association of Public
Television Stations

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CHAIRPERSON VICTORY: If I could ask everyone to take their seats and then we're going to get started in just a moment. Well, I'd like to welcome everyone to our third meeting of the independent panel reviewing the impact of Hurricane Katrina on communications networks or as we like to call it, the Katrina Panel for short. We have sort of a three-part meeting today. We're going to be hearing from two distinguished panels of speakers in the morning and our Katrina panel members will have an opportunity to ask questions and to try to elicit more information and guidance from our experts that are going to be on our panels.

We are then going to be, after lunch, having a demonstration of a new emergency alerting system that the public broadcasters have been working on and then finally, I think the meat of our meeting this afternoon, the working groups that have been working so hard on recommendations and zeroing in on areas for recommendations are going to be presenting where they are in their work so far, presenting some draft recommendations for the panel members to provide some feedback on so that we can be ready to submit our final report to the Chairman and the other Commissioners by June 15th,

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1 which is our deadline. So we still have a lot of
2 work to do and I'm not going to hold things up
3 today with me talking at all. You've heard me say
4 how important this task is and I'm very, very happy
5 to be surrounded by so many panel members who have
6 been so eager and energetic about pursuing some
7 very, very good recommendations here.

8 But we do have two distinguished guests
9 with us this morning that I wanted to yield the
10 floor to, to make some opening remarks. Both FCC
11 Commissioner Copps and FCC Commissioner Adelstein
12 have been very, very supportive of our effort and
13 I'm very, very pleased that they could both be
14 here today. So I thought I'd turn the microphone
15 over to both of you this morning. Commissioner
16 Copps?

17 COMMISSIONER COPPS: Thank you very
18 much, Nancy. And I don't want to hold up your
19 deliberations either but I haven't had a chance
20 personally to come down and thank you and welcome
21 you and I did a little tape welcome, I think, when
22 I had to be out of the country when you had your
23 first meeting but we are enormously grateful for
24 your agreeing to serve on this panel and to devote
25 your talents and your energy and your resources to
26 helping us in this important priority.

27 And it is a priority. The FCC does a
28 lot of things great and small, but I don't think

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1 anything trumps public safety. I don't think
2 anything trumps our homeland security obligations.
3 So we're grateful to you. The magic number today,
4 I guess is 43. Forty-three days until another
5 hurricane season, 43 days to learn the lessons of
6 what went wrong last time, 43 days to devise and
7 hopefully begin to implement some changes.

8 So this whole area is about as
9 challenging and the job facing your task force is
10 about as challenging an assignment as we've ever
11 had here, I think, at the FCC and we're grateful to
12 you. We know we're not ready yet for next time.
13 We know we haven't made the strides we should have
14 made since 9/11. We know it's not always easy to
15 face up to shortfalls and shortcomings and to make
16 hard calls when you go in and look at something
17 like this, but what I've tried to convey in the
18 tape message to you is just something I want to
19 repeat briefly today.

20 I hope you will go where the facts lead
21 and make the hard calls and make the hard judgment,
22 even if it does gore somebody's ox. You know, it's
23 sort of like POGO, "We've met the enemy and it's
24 us". Everybody is responsible, I think, for the
25 fact that this country is not as ready as it
26 probably should be after what happened on 9/11, the
27 lessons of the power brown-outs after that and then
28 the hurricanes last summer. Certainly, I don't

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1 think the Commission was, until recently, as
2 responsive to the things that went wrong. I think
3 under our current leadership, under Chairman
4 Martin, we've got something approaching the
5 priority we should have around here on homeland
6 security and public safety.

7 Title I of our statute says you guys
8 are responsible at the FCC for the safety and
9 security of the nation's telecommunications systems
10 and the safety of the people through that. So I
11 don't think we should have sat around waiting for
12 other folks to get their acts together. I think
13 it's our job to do and we're grateful that you are
14 helping us to do our job here.

15 As I say, I think we're all
16 responsible. The FCC has its share of blame. I
17 think as time goes on, after 9/11 maybe we've
18 become a little complacent that we're not going to
19 have another terrorist attack. I think that's
20 really foolish. I think a lot of the experts don't
21 say it's a question of if we're going to have it,
22 it's when we're going to have it. And we know that
23 the ravages of Mother Nature are going to strike
24 again. So this really is something of tremendous
25 urgency.

26 So here we are and the ball is in your
27 court now and we've got a lot of good folks on this
28 panel. I'm impressed with the cross-section of

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1 public safety folks and other stakeholders and
2 industry and this is -- I see this is kind of a
3 core. Not everybody that ideally should be here
4 maybe but I think you are aware, at least I hope
5 you are and I'm confident you are, I know Nancy is,
6 to the necessity to reach out to other stakeholders
7 who don't have a permanent place at the table and
8 make sure that they're included in your
9 deliberations, because a lot of those folks, have
10 good and necessary things to contribute. Whether
11 it's the disabilities community, or many, many
12 others, these are all folks that you need to be
13 listening to and soliciting opinion.

14 So don't be afraid to be a thorn in our
15 side. That's what we're really looking for you to
16 do that. We want you to push where you think you
17 need to push to make the recommendations you think
18 need to be made and with that, we'll have really
19 made a signal contribution, I think, not only to
20 the Commission but to the country and to the
21 American people and you'll have helped
22 tremendously, not just the Commission but Congress
23 as it looks at these problems; state and local
24 government, first responders, law enforcement,
25 public safety and everybody. So we're grateful to
26 you and look forward to participating or listening
27 to some of the panels today and following your work
28 as you continue. So thank you a lot.

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1 CHAIRPERSON VICTORY: Thank you very
2 much, Commissioner. Commissioner Adelstein?

3 COMMISSIONER ADELSTEIN: Thank you,
4 Nancy, and thank you and Lisa for putting time on
5 the schedule for me this morning. Just briefly, I
6 don't want to take much time either but I'd like to
7 echo what Commissioner Capps had to say about the
8 importance of this issue. He, of course, has spent
9 a lot of time reminding us of how important these
10 issues are and it has been fitting leadership for
11 all of us because it's so important that you give
12 us your strongest recommendations, your best
13 information. And I haven't yet had the opportunity
14 either to thank you for your service. I know
15 you're all an impressive bunch of individuals and
16 you have a lot of important work that you're doing
17 but yet, you've taken time out on your own to
18 volunteer and lend us the benefit of your expertise
19 on these issues.

20 I know that's because of your profound
21 commitment to the safety and security of this
22 country. I just wanted to thank you personally,
23 since I haven't had the opportunity to do that yet.
24 And I think we have some fantastic panelists today.
25 I, unfortunately, have got to run in a minute, but
26 I wanted to thank you and I'm going to look at the
27 transcript and take a look at your testimony today.

28 I really also want to look at that

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1 digital EAS demonstration. I do have some time to
2 come back and take a peak at that this afternoon.
3 I managed to get the on the schedule. I'm only in
4 town one day this week. Lot of traveling in this
5 job as you can imagine and it reminds us of the
6 diversity and the complexity of the issues that we
7 face. I mean, this country has been through so
8 much over the last several years from 9/11 to the
9 blackouts to the hurricanes, not just Katrina, but,
10 of course, Wilma and Rita and of course, we've had
11 the threat of attacks on the Capitol. And I, in
12 fact, was a victim of one of them, having been in
13 the office when anthrax was opened in Senator
14 Daschle's office back in 2001.

15 And you never know when it's going to
16 strike. You're sitting there having a normal day
17 at the office. The next thing you know, they seal
18 down the place and say, "You know, don't leave the
19 office". Of course, anthrax is floating around in
20 there. They're telling us to stay inside because
21 nobody knew how to deal with that situation. There
22 was really no preparation or understanding of it.
23 And I remember the Sergeant-At-Arms came into the
24 office to join us, which was very brave of him, and
25 he said, "Don't worry, if it wasn't safe, I
26 wouldn't be here". Of course, he ended up on 60
27 days of Cipro like the rest of us.

28 But you know, so his bravery was

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1 unparalleled. But, of course, the better way of
2 going about things is to know what it is that we're
3 dealing with and to have preparation for the
4 unexpected and to expect what it is that you might
5 not otherwise think is coming and be prepared. And
6 that's why you're here today. It's about the 100th
7 anniversary, of course, of that great San Francisco
8 Earthquake, where one of our greatest cities and
9 the most leading capital of the West, really the
10 Queen of the West as they called it, was ultimately
11 devastated and to this day, the changes in the
12 whole country have been affected.

13 We still have a different way of
14 looking at the whole West Coast. I mean, San
15 Francisco was it back in 1906 and now it's
16 superseded by Los Angeles in some ways.
17 Development of the Northwest resulted. Things can
18 profoundly change as they are now in New Orleans,
19 and we have to figure out how we're going to
20 respond in a way that doesn't allow that kind of
21 devastation to have such profound and long lasting
22 effects, because we're prepared, because we have
23 emergency communications, because people can
24 quickly coordinate and respond and limit the damage
25 to both life and property to the extent possible.
26 And the best way to do that, of course, is through
27 instantaneous interconnected communication systems,
28 something that you all know a lot about and

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1 something that we are learning more about each day
2 and that we are doing our best to try to prepare.

3 And, of course, that digital EAS
4 demonstration this afternoon is going to be very
5 interesting as well. I'm looking forward to coming
6 down there and really seeing what we can do through
7 voluntary participation, wireless providers to the
8 public television systems networks, looking at how
9 we can provide alerts and emergency warnings in so
10 many different ways, and multiple platforms using
11 digital technology.

12 We are looking at how digital
13 technology are helping us on many different levels
14 here and this is one area where I think we have the
15 ability to really take leaps and bounds in terms of
16 our ability to communicate with the public about
17 crises that might effect them. And so we're going
18 to learn about that. We're looking forward to
19 recommendations on the broad array of issues and
20 I'd also like to echo Commissioner Copps on that,
21 how important it is that you do ask the hard
22 questions and give us the difficult answers, and if
23 you need to be critical, be critical. If you need
24 to be complimentary, do so.

25 We've gotten a lot of kudos, I think,
26 rightly so, for the FCC's response to the hurricane
27 season last year and it is upon us again. A few
28 agencies got, I think, as uniformly positive

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1 reviews as us and it's a real tribute to the
2 Chairman's efforts. He headed up a fantastic
3 response effort, our staff worked around the clock
4 and we did everything we could. And I think we did
5 so well under the circumstances to respond, but we
6 can do better and we have to do better and so does
7 everybody else involved in the industry, public
8 safety.

9 We need to rise to these challenges and
10 so I appreciate the fact that the Chairman has
11 brought this panel together and has shown such
12 leadership on this issue in so many ways along with
13 my colleagues to make sure that we address these,
14 that we take seriously the lessons that we learned
15 from them and that we improve. So thank you for
16 your willingness to participate in that effort, to
17 give us the benefit of your insight and to not be
18 afraid to ask the hard questions and to give us the
19 tough recommendations that we so desperately need
20 to be able to be better prepared next time. Thank
21 you.

22 CHAIRPERSON VICTORY: Thank you,
23 Commissioner, and thank you to you both for being
24 here and also for your encouragement. This is a
25 very difficult task that we face, very complex, a
26 lot of issues that we've identified moving forward
27 and so your support and your encouragement and also
28 your ideas are very, very much appreciated as we

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1 move forward.

2 As everyone knows, we have had no
3 shortage of public input for this panel which has
4 been great because we've been able to really
5 maximize the intellectual power behind us through
6 all the public comments and through all of the
7 folks who have come forward and testified both at
8 our Jackson meeting and also today. You'll note
9 that the panelists today, especially on our first
10 panel, are providing more of a government viewpoint
11 because I think as some of the recommendations are
12 coalescing, we're definitely seeing that industry
13 needs to be able to work with government. There
14 needs to be an exchange of views, communication of
15 information and the fact -- and to the extent that
16 we can coordinate better, I think that's going to
17 be the crux of a number of our recommendations. So
18 we thought it was appropriate to have some
19 government panelists, particularly government folks
20 working in the public safety sector on improving
21 emergency communications but also those who
22 coordinate with industry, particularly in an
23 emergency and so I think that this will be very,
24 very helpful testimony as we're putting forward
25 some of our recommendations.

26 Let me go ahead and introduce the first
27 panel and we're going to follow the same format as
28 we did in Jackson, Mississippi, ask each of our

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1 speakers to take no more than 10 minutes to tell us
2 a little bit about what they've been doing and some
3 issues of interest to our panel for recommendation
4 purposes. And then we'll open it up to the rest of
5 the Katrina panel members to ask questions. And I
6 know this is not a shy group, so I would expect
7 that we'll have a very good exchange of questions
8 and answers and commentary that will really help us
9 with our work.

10 So let me introduce our first panel of
11 speakers. Starting from my left, we have Captain
12 Thomas Wetherald, the Deputy Operations Director of
13 the National Communications System. To his right
14 is Dr. David G. Boyd, the Director of the Office
15 for Inter-operability and Compatibility and the
16 Director of SAFECOM at the Department of Homeland
17 Security. To his right is Harold Joyner, the
18 Senior Policy Manager of the Florida Department of
19 Emergency Management. And finally, on my right
20 Theresa Owens, the Director, Department of
21 Emergency Services, Worcester County, Maryland and
22 she's going to give a presentation regarding the
23 Maryland Eastern Shore Inter-operability Network.
24 If we could start with Captain Wetherald.

25 CAPT. WETHERALD: Good morning, ladies
26 and gentlemen. I was asked first to say a little
27 bit about the NCS, a little NCS 101, if you will,
28 for those of you that aren't familiar. For those

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1 of you in the room who I know well, I beg your
2 forbearance. The NCS is a consortium of 23 federal
3 departments and agencies that have assets,
4 resources, requirements and/or regulatory authority
5 regarding national security emergency preparedness
6 communications.

7 The FCC is one of these agencies. The
8 NCS assists the Office of the President in insuring
9 NSEP communications for the Federal Government
10 under all circumstances. A key tenant of insuring
11 communications is reliance on the resiliency and
12 the rapid restoration of capabilities of the
13 commercial communications infrastructure
14 necessitating strong relationships with industry.

15 The NCS' operational arm, the National
16 Coordinating Center for Telecommunications, or the
17 NCC is a joint industry government body within the
18 NCS and includes 35 member companies. This is a
19 true industry government partnership and the only
20 one that I'm personally familiar with in the
21 government. The operational mission of the NCC is
22 the coordination of communications restoration
23 efforts in an emergency. The NCS has a major
24 communications role in the current National
25 Response Plan or the NRP. The NCS is the lead
26 agency for emergency support function number 2 or
27 communications, otherwise known as ESF2.

28 The purpose of ESF2 is to insure the

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1 provision of federal communications support to
2 federal, state, local and tribal authorities and to
3 assist private sector response efforts during an
4 incident of national significance. As delineated
5 in the NRP, the NCS is strongly supported by a
6 number of other agencies, one of which is the FCC.
7 To facilitate coordination and industry/government
8 operations during an emergency, the NCS has
9 established and continuously operates several
10 priority service programs which are held to insure
11 critical calls are completed in the event of
12 congestion, or damage to the national commercial
13 communications infrastructure.

14 The nation heavily relied on these
15 programs during Hurricane Katrina and they include
16 the Government Emergency Telecommunications Service
17 or GETS, the Wireless Priority Service or WPS, and
18 the Telecommunications Service Priority Program.
19 The NCS also manages another program, the Shared
20 Resources High Frequency Radio Program or SHARES
21 which provides voice and low speed data
22 communications independent of the commercial
23 communications infrastructure.

24 I was also asked to say a little bit
25 about what we did in Hurricane Katrina and I can
26 certainly answer questions on this and I will only
27 hit a few things just to give you an idea. In
28 response to Katrina and through the whole hurricane

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1 season, the largest ESF 2 operations ever mounted
2 in terms of the numbers of personnel deployed and
3 the length of their deployments was undertaken
4 starting well before landfall for Katrina and then
5 going pretty much continuously until we were done
6 with Hurricane Wilma. And in fact, we didn't
7 finish until about January, I think, we finally
8 stood down our last member continuously in Baton
9 Rouge.

10 But we identified and dispatched
11 satellite vans to various locations, including the
12 New Orleans City Hall, State Police in Baton Rouge,
13 quite a number of others, dispatched mobile
14 communications capabilities like satellite light
15 truck capabilities to the JFO and to the Louisiana
16 State Emergency Operations Center, provide cellular
17 communications in that area, developed or delivered
18 mobile communications trucks to the state EOCs in
19 staging areas for federal and industry responders,
20 delivered satellite handsets to emergency
21 responders, provided security for critical
22 infrastructure in downtown New Orleans, and as of
23 the 29th of September, we'd issued 125 new GETS
24 cards, equipped 3900 plus new telephones with -- or
25 new cell phones with WPS and made over 1500 TSP
26 circuit assignments.

27 The 2005 hurricane season presented
28 major challenges to the NCS and the ESF 2

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1 organization. The damage to the communications
2 infrastructure was unprecedented and our
3 organization was heavily stressed. I won't go into
4 the lessons learned, per se, but will instead
5 quickly try to address what we're doing. And in
6 those things I go through, you can assume that
7 they're based on answering specific lessons. I'm
8 sure you can figure out what they were.

9 Everything we're doing is being done in
10 coordination with the support agencies and in
11 coordination with our industry partners at the NCS.
12 Back in about January, long before all of the
13 lessons learned investigations and reports and
14 everything else were even close to being done, we
15 decided that we needed to begin taking action at
16 that point with five months left to go till
17 hurricane season started again. We began to
18 address the lessons that we had learned from our
19 filed personnel and we began to address all the
20 draft lessons learned that we're worked up with
21 industry, that the NSTAC was working on and that we
22 had worked with the White House and a lot of other
23 groups, but we needed to get started.

24 We formed 10 different task forces and
25 I'll run quickly through what they were. And we
26 looked at this from a very operational point of
27 view, and this is toward enhancing the
28 effectiveness of the ESF 2 and the effectiveness of

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1 the NCC. All of these were done with -- in
2 coordination with -- many of them done in
3 coordination with industry from the very beginning.
4 The first and perhaps the most important was
5 preparedness and planning. We drafted -- in fact,
6 we got all the supporting agencies together along
7 with industry. For a week, we sat down and drafted
8 an operational plan to operationalize the ESF 2
9 annex of the National Response Plan. Additionally,
10 we decided that we could no longer rely on trying
11 to run ESF 2 from a national perspective alone,
12 that we had to have professional NCS personnel in
13 the regions, co-located with FEMA to do a
14 preparedness mission so that that was their day job
15 and then those personnel would become our lead in
16 the regions when we deployed.

17 And we are pursuing that. We have
18 permanent personnel in Regions 4 and 6 now and we
19 are pursuing getting the resources and the billets
20 to support NCS personnel in all 10 regions and a
21 liaison officer to Northern Command. The next one
22 was operational analysis. We have developed -- we
23 are in the process of continuing to develop more
24 operational and analytical tools as well as
25 training a specific team to do operational
26 analysis, to stand up when we need and be available
27 to do quick operational analysis. We've developed,
28 among other things, a time line for analyzing an

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1 approaching hurricane and what it's going to do.
2 And along with standing that team up, we will be
3 training that team. I'll get to that.

4 The next one, the task force to deal
5 with staffing, training and exercising the ESF 2
6 teams. We realized that we had to change our
7 staffing, change where they came from, change their
8 professional qualifications, change the number of
9 people that were available to deploy and the
10 numbers that deploy initially even when we're not
11 sure what's needed.

12 Training, we realized had not been our
13 strong suit in recent years. As a result, we have
14 put -- we're putting a major effort into a week-
15 long training event down at Homestead Air Force
16 Base. We're doing it there because the FCC has
17 relationships down there. They suggested that.
18 We're working very closely with our FCC partners to
19 develop that training curriculum. That will be
20 essentially four and a half days of classroom
21 training and practical training, field trips, if
22 you will, hands on for our deployers so they're
23 seeing the communications equipment capabilities
24 that they're supposed to be coordinating,
25 culminating with a day-long table-top exercise.
26 The exercise actually will begin -- will be played
27 out during the evenings of the entire week and then
28 will play an entire day as if we were on the fifth

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1 day of -- in a post landfall where the JFO would
2 be completely stood up and we would expect to have
3 the first full day of operations at about that
4 point and that's what we will exercise.

5 In the coming years we intend to do two
6 series like these, one before and one after the
7 hurricane seasons, but not to focus solely on
8 hurricanes. We have been looking at earthquakes.
9 In fact, I participated recently in Operation -- or
10 in Exercise Blue Cascades 3 in the Pacific
11 Northwest, which is a major magnitude 9 level
12 earthquake.

13 The next one is operations. We
14 realized that we had a need to take more equipment
15 with us to build better tools for our operators,
16 better data bases, those sorts of things and those
17 are well underway. Frequency management, that is
18 the task force largely led by the FCC but NTIA is
19 heavily in that. They have written those sections
20 of our operations plan and are working with DHS and
21 NorthCom and other groups that need to be involved
22 in frequency management.

23 Contracting and finance, another area
24 that we looked at and are continuing to look at,
25 and it's an area we had some difficulties with and
26 most of it's a matter of internal procedures within
27 FEMA and ourselves and we're making a lot of
28 progress on that.

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1 Another one was military coordination. That one's
2 been mine. We have come a long way in working
3 directly with not only the Office of Secretary of
4 Defense for Homeland Defense and NII, but have been
5 working directly with Northern Command to insure at
6 an operational level that we have coordination of
7 the deployment of military equipment if that is
8 needed in the future to provide direct
9 communication support to civil authority. That was
10 something that had never been done in the past and
11 something that we faced difficulties with during
12 the Katrina response.

13 The next task force was security.
14 Security for our commercial partners was a problem
15 during Katrina, particularly Katrina, not really in
16 the other two. Along with that is the question of
17 access and that is access for commercial crews into
18 areas so that they can continue on, they can get on
19 with repair. We're working an access program pilot
20 with the State of Georgia right now and hope to
21 have that procedure approved by the State of
22 Georgia and get it out, hopefully get approval from
23 the other states and get -- to insure that access
24 is a little more readily granted.

25 It's just an absolute truism in this
26 one that access is a local issue, all the way down
27 at the sheriff level and we're doing our best to
28 deal with that. It's sometimes difficult from a

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1 national level. Another one was we needed to look
2 at legal issues. We needed to look at the
3 application of the Stafford Act in terms,
4 particularly of operations in support of for profit
5 companies. And the interpretation of the Stafford
6 Act is still not agreed upon across the operational
7 realm.

8 And the last one was international. We
9 needed a better way to try to coordinate offers of
10 international assistance and keep track of them,
11 collate them and figure out how to use them. It
12 was something that we were not particularly adept
13 at. That summarizes the 10 areas that we've been
14 working on. It, of course, does not cover the
15 entire realm of everything that you'll read about
16 in Katrina reports from all the various groups that
17 have looked at that but those were the things that
18 we believe that we could bite off and make progress
19 on prior to 1 June. And with our training week
20 scheduled near the end of May, with all the
21 supporting agencies there, with industry present
22 both as players and as instructors, that will be
23 our primary event in preparation for the hurricane
24 season. And with that, I'll end my comments.

25 CHAIRPERSON VICTORY: Thank you very
26 much. Dr. Boyd?

27 DR. BOYD: Thank you, Madam Chair. The
28 SAFECOM program came out of what was called the

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1 Quick Silver Initiative, which began in early 2001.
2 In 9/11 there was some 106 candidates for e-gov
3 initiatives, that is initiatives where we could use
4 electronic means to improve government. The
5 Director of the Office of Management and Budget on
6 that day immediately circled three of those as the
7 top priority, two of those were SAFECOM which
8 addresses inter-operability among wireless
9 communication systems nationally and disaster
10 management which is concerned with data,
11 information sharing inter-operability.

12 About six months after the creation of
13 the Department of Homeland Security, the Secretary
14 directed the creation of the Office of Inter-
15 operability and Compatibility and so under the
16 communications portfolio in that office, we rolled
17 SAFECOM and Disaster Management. It also has the
18 responsibility for equipment other than
19 communications and for aligning training activities
20 and others. It's important to understand when we
21 talk about inter-operability, we're primarily
22 focused on SAFECOM and wireless operability that we
23 begin with operability as a pre-requisite
24 obviously. If you don't have operability, inter-
25 operability is neither possible nor terribly
26 relevant. So operability is first and that's a
27 first critical piece of the assumption, but inter-
28 operability can help to beef that up because as you

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1 begin to lose elements of a system, if you have
2 interoperable systems, it makes it far easier for
3 adjacent jurisdictions or supporting activities
4 coming from outside to help bring up systems that
5 may have been damaged or destroyed.

6 The strategy that we're following in
7 the SAFECOM program and in front of you, you have
8 what we call -- one sheet from what we call the
9 coloring book. It's a cartoon and it's easier
10 sometimes to look at that cartoon and understand
11 the strategy. The first principle is that it's a
12 bottom up strategy. You start with the locality
13 and work up. It is crucial that you start with the
14 needs and requirements at the local level because
15 not only is that where the resources are, they own,
16 operate and maintain more than 90 percent of the
17 communications, public safety communications
18 infrastructure in the United States. There's some
19 80,000 such jurisdictions. They, of course, are
20 the folks who are going to be the first responders.
21 If you look very quickly at what happens across the
22 country, it's pretty obvious, first off, that the
23 federal guys for the most part, provide initially
24 only law enforcement support because they have law
25 enforcement activities, they don't have fire
26 services and they don't have emergency medical
27 services unless you activate the military and
28 normally that will be through the guard which will

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1 still be under state control. So they still won't
2 be federal activities.

3 States also don't have emergency
4 medical service or fire services for the most part.
5 Virtually all of these are at the local level. So
6 you have about two and a half million emergency
7 responders at the local level and much smaller
8 numbers at the state and the federal level. It's
9 important to keep that in mind because that's the
10 community, that's that circle that you see at the
11 bottom of the coloring book. That's where
12 everything happens and if you look at the way they
13 operate, they do their own training, they do their
14 own equipping. They assess what their own
15 requirements are. They do their own planning.

16 The federal role in doing that, as you
17 see the little circles off to the side is to help
18 provide the tools because they're going to be doing
19 their own planning. We help to provide them tools
20 that may be too expensive or too complicated for
21 them to build so that they can strengthen their
22 planning. We similarly help on the implementation
23 side by helping to provide through a variety of
24 resources, not just SAFECOM but also the Office of
25 Grants and Training and the COPS office and the
26 Justice Department, to provide technical assistance
27 to help them with implementation. And then if you
28 see that arrow that starts at the bottom of the

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1 assessment, part of what we are also doing is to
2 try to aggregate that into a baseline assessment.
3 That, then feeds the top level so that Congress,
4 the Executive and the Department of Homeland
5 Security can decide how best to allocate limited
6 resources to help improve inter-operability at all
7 the levels of government.

8 And SAFECOM's mission is to address
9 inter-operability at all levels; local, state and
10 federal. In order to do that, we've produced a
11 number of tools that you'll see indicated
12 throughout that structure. I'm only going to talk
13 about a few of those tools. The first one, of
14 course, is standards. When SAFECOM was first stood
15 up, there was really only one volume or one element
16 of a 33-element set of standards required to
17 achieve inter-operability. It's the P-25 program
18 and it was about a 15-year period that passed from
19 the time that started until the second standard
20 came about and I'll talk about that in a second.

21 That piece doesn't provide enough to
22 insure inter-operability as an element of the
23 standard by itself. It's simply not complete. It
24 doesn't cover all the bases and it's possible to be
25 P-25 compliant and still not be able to communicate
26 with someone else's P-25 compliant radio. Since
27 2003, we have been able to accelerate that so that
28 we have since added one new standard that passed in

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1 of requirements. There was no national picture of
2 what it was we needed, what kind of communications,
3 when we needed inter-operability for what purposes,
4 whether it was emergency medical or fire or law
5 enforcement or all together. And so, again,
6 working with first responders, we developed the
7 statement of requirements which includes a series
8 of scenarios that range from an ordinary traffic
9 stop, all the way to a catastrophic chemical plant
10 explosion. Version 1.0 came out in April of 2004,
11 Version 1.1 was approved in the last couple of
12 weeks and is up on our website now.

13 We also ran a program in late 2003,
14 which was called RAPIDCOM. We now call it RAPIDCOM
15 1, because we're in the midst of executing a
16 RAPIDCOM 2 that Congress appropriated funds for
17 this year. RAPIDCOM 1 was intended to establish,
18 to demonstrate that you could establish an
19 emergency command level inter-operability within
20 one hour for an incident. We used the Twin Towers
21 as an example of that. Now, contrary to some
22 understanding, the Twin Towers involved 16 acres of
23 destruction, but the footprint, the communications
24 footprint is dramatically larger than 16 acres, so
25 don't -- when we say for an incident that size,
26 we're talking about that scale, not that geographic
27 coverage, because the geographic coverage is much
28 larger than that.

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1 We were able to do that at about five
2 or six months during which we discovered that much
3 of the difficulty in inter-operability is a lack of
4 understanding of what it takes to put inter-
5 operability together. And the one thing that we
6 think has been most important and what we've been
7 able to accomplish in the last three years is a
8 shift from the notion that technology alone will
9 fix this, that if I just have the right box, if I
10 just have the right system, that I can fix the
11 problem and do a recognition, and these are back on
12 the table, but I would commend these to you. This
13 is the Inter-operability Continuum, and put this
14 together primarily for policymakers to understand
15 all of the critical elements. The most important
16 thing to take away from this is that only one lane
17 is technology, only one of them is technology. All
18 of the others have to do with the human activities
19 and jurisdictions in the organizations, the
20 difficulty in developing SOPs that make sense and
21 agreeing on how you're going to run things. By the
22 way, you'll find that reflected in the RAPIDCOM
23 handbook as well, with an explanation of what all
24 of those elements are.

25 Whether it's used, it's integrating
26 your system, so use it all the time. We would
27 argue based on our experience that no inter-
28 operability system is going to be useful unless

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1 it's something that's used for regular operations
2 not just for the emergency. On 9/11, the day after
3 9/11, I got a phone call, I was still in Justice at
4 the time, from a three-letter federal agency I
5 won't name, not the FCC, saying, "We have a pat
6 system here that will allow us to listen to all of
7 the things that are going on and we desperately
8 need to make sure we know what's going on. Do you
9 have anybody up there who knows how to set it up"?
10 That's the wrong time to figure out how to put it
11 into operation. It has to be part of your
12 operation. Not only would your folks not know how
13 to use it, they may not even know where it's
14 stored.

15 We've also put together the RAPIDCOM
16 lessons learned that came out of that and you'll
17 notice that everything now, and you'll see the
18 color pattern on that cover, is built around the
19 continuum. So the continuum is the core of all of
20 this. We've also done a series of state-wide
21 efforts called regional communications, inter-
22 operability planning efforts. Those started with
23 Virginia as a model. That produced the statewide
24 communications inter-operability planning guide
25 that's been provided to every state. We since have
26 completed one in Nevada to help them put together
27 their statewide plan and the same thing in
28 Kentucky.

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1 In each of these cases, we teach folks
2 that you start at the bottom because in at least 17
3 of the states, the states will tell you they are
4 interoperable statewide systems and that is true
5 that there are statewide systems that could be
6 interoperable if anyone besides the state police
7 were on them. But because they didn't start with
8 all of the localities, most of the time, the State
9 Police are all that are on those systems and I
10 won't name those states because most of them are
11 not working.

12 I'm trying to go back to the local
13 level and figure out how to make this meet
14 everybody's requirements. We have just released
15 the public safety architecture framework. We've
16 talked about how these things fit together and it's
17 intended to be used as a tool in designing systems.
18 You'll also find that on the website and we've
19 updated the statement of requirements.

20 What's coming and probably the most
21 important thing we're working on right now is a
22 baseline survey. There is no place you can go in
23 the United States, no single place, and say, "How
24 interoperable is the country, do we have any idea
25 how interoperable we are"? So we just got out
26 yesterday, yesterday it just escaped from the
27 Paperwork Reduction Act process. And so the survey
28 will be going out to the field within the next

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1 couple of weeks. It will go out to several
2 thousand first responder agencies of all kinds and
3 is intended using the continuum kind of structure
4 to look at all of the elements of inter-
5 operability, to draw for us a snapshot of how
6 interoperable the country is so that we can then
7 use that to begin to figure out where the gaps are,
8 where the shortages are and how best we can
9 allocate our resources.

10 What I think is most important to think
11 of and what we think we've been most successful in
12 accomplishing is moving things from a day when
13 everybody thought if you just had the right box, it
14 would fix it, to an understanding that inter-
15 operability and for that matter, emergency
16 communications, involves a great deal more than
17 just the technology and just a box. It also
18 involves how you train for it, how you plan for it,
19 what kind of agreements you put together with
20 partners and with adjacent agencies to work because
21 we can't operate any more in self-contained
22 islands, the way we used to years ago.

23 And so that's been the most critical
24 part of what we've done and what I would commend to
25 you is that while it's always tempting to think
26 that we can solve it if we just had the right box,
27 it just isn't that simple. Thank you.

28 CHAIRPERSON VICTORY: Thank you very

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1 much. Mr. Joyner.

2 MR. JOYNER: Good morning, Madam Chair
3 and members of the Commission. Thank you for
4 allowing me to share with you today my perspectives
5 of the Florida system, how it works and its
6 communication system. Since Hurricane Andrew hit
7 South Florida in 1992, and later the storm of the
8 century in March of '93, Florida has made vast
9 strides in fixing the Emergency Management System.
10 So we've spent quite an amount of time developing
11 what we have today. Before I explain our unique
12 relationship with the broadcasters, I'd like to
13 tell you that Florida's program is not the result
14 of one or two people in government. It is a vast
15 network of players that make up the state emergency
16 response team.

17 And one of the critical components of
18 that and if you're familiar with the ESFs, and I
19 have a brochure there for you that explains our
20 state plan, the brochure says we have 17 Emergency
21 Support Functions, but today we have 18. No ESF is
22 any less important than the other and so whether
23 it's transportation, mass care, communications,
24 public information and so forth. We, throughout
25 the year, bring in our members of the State
26 Emergency Response Team and their members, not only
27 government agencies but private non-profits and
28 that includes the American Red Cross or the State

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1 Association of Broadcasters.

2 I remember following 9/11 and the 2004
3 hurricane season, 2005, our State Emergency
4 Operations Center in Tallahassee will easily have
5 350, 400 people in there from all different
6 branches of government and the private sector. So
7 and also in there I want to mention to the federal
8 partners are also in there as well, and locals.

9 We have one rule with the State
10 Emergency Response Team. When you walk through our
11 doors, you drop your egos and your logos and your
12 political affiliations at the door. We have no
13 time for that, no room for that. So to manage this
14 organized chaos, if you will, we have an electronic
15 messaging system that was developed in about 1996
16 for our State Emergency Response Team, both in the
17 state agency and out in the field. This is a
18 system where you're assigned a password and the
19 user can log on and see in real time every
20 transaction that is occurring in our State EOC and
21 this tool is used at the local level to make
22 resource requests. It's used by us for information
23 in managing that resource request and then later
24 on, if the event is big enough, it becomes our
25 documentation for federal reimbursement.

26 So from the Governor's office to every
27 department secretary, every county, they have
28 access to this system and it's quite simple, too.

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1 Now we did hire a private company to develop it
2 initially but now we have a full time staff person
3 that supports the system and it is called EM
4 Tracker. Well, in 2004, having been hit by four
5 hurricanes within six weeks or so, you can imagine
6 the amount of information became quite
7 overwhelming. We looked then to going to a virtual
8 office program and this is going to be used to
9 conduct conference calls and communicate with our
10 partners and also you will have access to tracker
11 through this system and we're going to be calling
12 that Constellation. The Constellation system
13 allows me at any time to look at our current
14 situation reports, the resource requests the status
15 of them and any other model information.

16 Well, Florida's team works throughout
17 the year to insure that new people are trained and
18 the lessons learned are implemented. Governor Bush
19 and our Emergency Management Director, Craig Viget
20 (phonetic), provide the leadership and vision to
21 insure our mission is met. And for that, we have
22 two major exercises a year. One is held in
23 February and it's a Governor's Executive Tabletop,
24 where he brings in every department secretary and
25 support person and their designated emergency
26 coordinating officer, to play out a scenario. We
27 do the deliberately because it's at the highest
28 level that we have to reach those people so that

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1 they know what their employees are doing when
2 they're over there in that state or city for weeks
3 at a time.

4 In May we have an annual statewide
5 hurricane exercise that we allow the counties to
6 play in that we encourage them to play in that, and
7 we get quite a bit of play. That is a week-long
8 event. This year we're actually going to base our
9 scenario to where we cannot operate out of
10 Tallahassee. We have to relocated to an alternate
11 location and that's going to be quite significant.
12 A critical component of our training is involving
13 the broadcasters and we do that through the Florida
14 Association of Broadcasters. They are members of
15 several ESFs, including ESF-2 Communications, ESF-5
16 which is Information and Planning, and ESF-14 which
17 is Public Information, and External Affairs.

18 The Florida Association of Broadcasters
19 work with us closely to insure our emergency alert
20 system remains viable. We have 12 plus operational
21 areas because we've subdivided some into Spanish
22 speaking only, so we support them and through that
23 we have a state-wide satellite system that allows
24 our Governor to speak to every operational aerial
25 station in the state and with that we also have an
26 alternate site at our Department of Law Enforcement
27 as well as every National Weather Service office
28 and the three nuclear power plants.

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1 We also -- the FAB's involvement with
2 us as a member of the SERT, they are included in
3 our state plan, is that they are the liaison with
4 the local industry so that when they need help
5 maybe in expediting getting them back on line, we
6 can intervene and help. And we had several cases
7 of that occurring in 2004 and 2005.

8 We have many of our county emergency
9 management offices work with the media outlets to
10 develop public education materials. I brought some
11 and I've placed them on the table in the back
12 there. And this concept, we think, should be
13 incorporated to where a national program of America
14 Prepares is developed. I could go on and on about
15 our intricate search system, but I'd like to invite
16 the Commission, if you have the chance to come to
17 Tallahassee and see our facilities and what our
18 capabilities are.

19 My recommendations to the committee
20 reflect those of the State Emergency Response Team
21 and that includes the Florida Association of
22 Broadcasters. We encourage the private media to
23 become compliant. Many of our stations in Florida
24 are ready and are sustained to remain on the air in
25 the event of a large hurricane, which is our most
26 frequent threat. We recommend that every station
27 have an emergency plan, work with the local and
28 state emergency management offices to develop a

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1 family preparedness plan that will take care of
2 their employees who are going to have to work
3 during this time. Understanding they are part of
4 the private sector, or I've been doing this for
5 several years. I know what it means when a
6 hurricane hits. You know, life as I know it, is
7 ended.

8 Number two, involve the communications
9 industry in the state or locally, involve them in
10 our local and state exercises. The meet and greet
11 before the event is going to have huge dividends in
12 the end. Number three, the FCC should clearly
13 continue to support the Emergency Alert System, the
14 Public Service Campaigns and running them through
15 the State Broadcast Associations. I cannot tell
16 you, I serve on the State's Amber Alert Committee,
17 on how much that has done to promote EAS because
18 now people make the connection of when EAS is
19 activated, what that means.

20 I invite the industry to become a part
21 of a unified command. As I said, the success of
22 responding and recovering from disasters, just
23 dropping your logos, your egos and your political
24 affiliations at the door. State associations need
25 to be identified in state emergency plans.

26 The Florida Emergency Response Team
27 appreciates the proactive efforts of the FCC in
28 working with the broadcasters. The key is to

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1 remain flexible during disasters. We've all had a
2 role in it and we've all had to take action to do
3 what it takes to get done and that's sometimes
4 bypassing some of our cumbersome rules and
5 regulations.

6 Our approach may be bullish at times
7 but when you have three options available, do you
8 want it cheap, do you want it accurate, or do you
9 want it on time, you have to pick one and sometimes
10 it has to be there on time, but it's very
11 expensive. Disaster response is expensive and we
12 are very grateful for the support of the FCC, the
13 Florida Association of Broadcasters and our local
14 broadcasters. Again, I thank the committee for the
15 work you're doing and I offer my help to you in
16 working with the industry to further our nation's
17 efforts to develop a culture of disaster
18 preparedness. Thank you.

19 CHAIRPERSON VICTORY: Thank you very
20 much. Ms. Owens.

21 MS. OWENS: I'd like to thank you for
22 the opportunity to come here today and talk to you
23 about something that the Maryland Eastern Shore has
24 accomplished in the last two and a half years. In
25 2003 Worcester County of which I'm the RC
26 Management Director for Worcester County, we
27 received notification that we were one of 60 local
28 jurisdictions invited to apply for a grant through

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1 the Emergency Preparedness Directorate. In
2 September, actually it was the day after Hurricane
3 Isabelle struck, September the 19th, I believe,
4 2003, I received notification that my grant
5 application had been approved and we received a
6 grant, an interoperability project grant for
7 \$5,623,013.00, and I said wow.

8 Our grant project was based around the
9 idea that most of us -- there are nine counties on
10 the Eastern Shore of Maryland and there's one local
11 municipality which most of you are familiar with,
12 the town of Ocean City, which happens to be in
13 Worcester County. We call them our tenth partner
14 because they had their own emergency communications
15 radio system. So we brought 10 local jurisdictions
16 into our project and we decided that most of us had
17 either upgraded our radio systems or purchased new
18 radio systems, 800 megahertz trunking or whatever
19 and we had achieved interoperability within our own
20 local jurisdiction and one of the ways that we did
21 that is we brought all the players onto our
22 systems. We brought all the fire and EMS players
23 onto the system. We reached out to the local
24 municipalities and asked them to join the county
25 system. So therefore, we had everything contained
26 into our radio system and it works quite well. We
27 have four municipalities, the counties, sheriff's
28 office, all of our fire and EMS responders, plus

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1 our county public works agencies on our system.

2 We actually also brought in, too, some
3 state agencies. We have the Maryland State Police
4 actually operate as with their primary channel on
5 Worcester County's 800 radio system. We have the
6 Park Service, the National and Federal Park Service
7 have joined our system and we have one local
8 utility that operates on our system for an
9 emergency notification system only. So with that
10 in mind, we decided, okay, we've achieved
11 operability within our own areas but what happens
12 when we have a mutual aid call, a fire or an
13 incident that involves more than one jurisdiction?

14 We wrote our grant application based on
15 that in that we needed a system to tie in the
16 Eastern Shore of Maryland with each other because
17 it's not uncommon for us to kind of meet in the
18 middle, if you will, and have to help each other
19 out. Several years ago, there was a large
20 warehouse fire in Dorchester County which is just
21 about the middle way of the Eastern Shores, where
22 the Choptank River is and they had a large
23 warehouse fire that they required resources that
24 actually came up from Worcester County, which is at
25 the bottom of the Eastern Shore and many other
26 areas, too, and communications was a major issue
27 during that warehouse fire.

28 They had the resources there. They

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1 could look at the resources right in front of them
2 but they could not get the word to each other that,
3 you know, they needed this person to do this
4 function at the scene. So we received the grant
5 and our mission was to provide effective and
6 immediate integrated public safety communications
7 connectivity to the first responders across the
8 nine counties of the Eastern Shore. Included
9 within these counties are 57 municipalities, 80
10 fire companies, 61 ambulance companies, several
11 state and federal agencies and a few utility
12 companies.

13 The Eastern Shore participants, before
14 we started, we got together and we agreed that we
15 would sign a Memorandum of Understanding to
16 implement a M/A Com network for a solution as our
17 demonstration project. The MOU provides for
18 everyone to participate, support and utilize the
19 system for improved interoperable communications
20 for the first responders. Our other partners were
21 the Maryland Institute for Emergency Medical
22 Services Systems. We used the State of Maryland
23 microwave system as our backbone. Maryland
24 Emergency Management Agency has provided the
25 Maryland Joint Operations Center as our monitoring
26 dispatch center for the system and the control
27 point for the Maryland Eastern Shore
28 Interoperability Network.

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1 We also partnered with the Maryland
2 State Police in their use of the JPS ACU-1000
3 device that is at all of the barracks in the State
4 of Maryland and we have three of our sites that
5 we're connected to the ACU-1000s. MESIN is more
6 than just a simple interoperability patch. By
7 establishing a standardized end-to-end IP network,
8 MESIN provides a flexible and cost effective set of
9 solutions to meet the future demands of public
10 safety organizations locally, regionally and
11 statewide.

12 The equipment supply, we've placed five
13 800 megahertz repeaters at 12 designated tower
14 sites throughout the Eastern Shore. These were the
15 National Public Safety Mutual Aid Frequencies
16 combined with an IP based network consisting of
17 gateways and routers. For redundancy, the network
18 switch was located in Worcester County and in Queen
19 Anne's County. M/A Com's network first technology
20 has been designated as qualified anti-terrorism
21 technology by the U.S. Department of Homeland
22 Security and M/A Com is the first land mobile radio
23 supplier to receive the Safety Act Qualification
24 from the Department of Homeland Security.

25 The Network First solution, it provides
26 the local dispatch centers in all of the 10
27 jurisdictions with the ability to connect users on
28 the national frequency to any other user on the

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1 system regardless of the frequency band or the
2 radio system type or the manufacturer. Now, what
3 this means to the user, to the first responder
4 user, is that they have an option when they respond
5 to the scene that they can either call the eight-
6 call, the National Calling Channel, and ask for
7 assistance and be assigned a tactical channel and
8 then have everyone meet them on the tactical
9 channel for them to mitigate the response, or they
10 can call their dispatch center and have them
11 connected into the MESIN system a different way and
12 be able to have whatever resources that were
13 available not just to their county or to the county
14 next to them, but whatever communications resources
15 that are available in the 10 jurisdictions and we
16 have a 112 digital voice units that are available
17 for 112 simultaneous connections at any one time.

18 The system is only limited by the
19 number of DVUs that we have so that we can expand
20 that and what that means to the user is that if
21 County A has a resource that County B does not
22 have, then because we are all together on this
23 system, County B has access to that resource. So
24 we've made -- we don't need to put seven different
25 types of radio in each of our back room, equipment
26 rooms. I can have -- I could have -- and I'll just
27 use an example. I can have the Natural Resource
28 Police, I can have an interface to that in my

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1 equipment room and the Town of Ocean City could
2 have the Coast Guard on theirs and then further up
3 the road, we could have a utility company that we
4 need emergency communications with.

5 They can throw that in the pot, if you
6 will, of 112 DVUs and make that resource available
7 to all of the users. Now, where we're at now, we
8 have actually accepted the system, we accepted the
9 system March the 20th and we're beginning to use the
10 system. I know that some of you are probably aware
11 that just before Christmas Purdue Poultry had an
12 explosion in their Salisbury Office where some
13 nasty materials were put into the wrong container
14 and by a delivery man and created an explosion and
15 the explosion was so large that it actually blew
16 the concrete -- blew the walls out and the roof
17 collapsed.

18 Naturally, a lot of responders went to
19 that, to make sure that you know, everything was
20 okay and to take care of the problem. But on their
21 way, and I was actually at home getting dressed
22 when I heard it on the radio, I could hear the
23 responders by scanning my radio saying, "Okay, what
24 talk group do we go to, what channel do we go to?
25 How do we talk to Wicomico", and I could hear them
26 all over the place and we actually, from my office
27 because we have a control point for the system, we
28 just went in there and made a connection and nobody

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1 had to move their radio channel and they were all -
2 - it was like they weren't talking or they were all
3 talking differently and then they were talking
4 together, so it worked very well.

5 And I had not accepted the system yet,
6 so that was a test of the system. Actually, today,
7 we began some training on the system in my shop and
8 we have found that that is going to be our biggest
9 challenge is to train the first responders, that
10 they have the tactical channels available to them
11 and that they have these resources that we now have
12 on our system and to get them to use them instead
13 of their older way of doing things, like, you know,
14 throwing a radio at somebody when you're trying to
15 get their attention because you can't talk to them
16 or something like that.

17 So that was -- that's going to be one
18 of our biggest challenges. One of the lessons
19 learned through this, this was to be a year-long
20 project and I had to ask for three extensions. It
21 turned out to be a two and a half year project and
22 it was mostly related to real estate, the tower
23 spaces, the antenna spaces, the shelter spaces and
24 we actually -- I think there was -- the last tower
25 was actually erected in January and then they had
26 to bring the shelter in. So that was the biggest
27 challenge, not that -- you know, we had this
28 wonderful opportunity that we had this money here

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1 and I could not move any faster because the towers
2 were full or we were waiting for shelter space or
3 whatever, because everybody had their own systems
4 on it, and in Maryland, we share with the State of
5 Maryland, their tower sites, so they had their
6 equipment there also. But that was our biggest
7 challenge but we're very pleased with the system.

8 CHAIRPERSON VICTORY: Thank you very
9 much. Thank you to all of our speakers this
10 morning. Let me turn this open to the Katrina
11 Panel members to ask some questions. I know Billy
12 Pitts had already told me he had a question, so let
13 me have you ask first and if I could also ask the
14 Katrina Panel Members to assist the person taking
15 the transcript by stating your name and your
16 affiliation.

17 MR. PITTS: Billy Pitts with
18 Notification Technologies. Thank you all for your
19 testimony. It was important and Mr. Joyner, I
20 particularly want to thank you for your admonition
21 about leaving the egos and logos and affiliations
22 at the door. We heard the same thing in Jackson,
23 Mississippi from Dr. Saussy, who said that people
24 weren't talking and this is a concern that we all
25 have and I guess our friends from DHS, Mr.
26 Wetherald.

27 Last week, Secretary Chertoff said that
28 emergency reforms are on track but Trina Sheets

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1 (phonetic) who is the Executive Director of the
2 National Emergency Management Association, said,
3 "State responders have seen little evidence that
4 reforms are being enacted. To be honest, we
5 haven't seen the hard proof of what actually is
6 taking place. We're hearing about these things but
7 we haven't seen any new policy or organizational
8 changes or new procedures being announced for
9 states to be prepared to implement."

10 And one of our panel members, a Mr.
11 Bailey, 30 years in the field was saying the same
12 thing, that when these tabletop exercises take
13 place, it doesn't get down to the local level. It
14 seems to be all grass tops and no grass roots. So
15 my question is, how can we change that?

16 CAPT. WETHERALD: The purpose of your
17 question is a very good one. From our perspective,
18 our interaction with the state -- with states in
19 the hurricane zone and I'll admit that at the
20 moment we're concentrating on that, began two
21 months ago when we succeeded in getting NCS
22 personnel stationed in FEMA Regions 4 and 6. The
23 reason I'm here this morning instead of Jeff Glick,
24 the Operations Director is that he's down in
25 Denton, Texas today for an ESF-2 conference with
26 state communications directors for Region 6 to
27 include the National Guard J-6s. I know the
28 Louisiana's National Guard J-6's Deputy is going to

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1 be there.

2 And next week I'll be doing one in
3 Region 4 in Atlanta, same thing. The -- you're
4 absolutely right that there has to be better
5 coordination between state and locals. The feds
6 have to understand how the states work and then
7 it's very important that the state organizations,
8 state, in my particular case, State ESF-2
9 organizations understand what the Federal
10 Government can provide and how to go about getting
11 it and I'll come back and just borrow from what Dr.
12 Boyd said, this is not largely a technology
13 problem. This is largely a people and procedure
14 and a training problem and I think to a large
15 extent, we've sort of heard that all the way down
16 the table.

17 And we realize that coming out of the
18 hurricane season and we're making a major practical
19 effort. I can't speak for the whole department. I
20 do communications. We are working on it.

21 CHAIRPERSON VICTORY: Commissioner
22 Copps, you had a question?

23 COMMISSIONER COPPS: Yeah, I had an
24 observation or two very quickly, then a question
25 for Dr. Boyd, but you know, it's so impressive to
26 hear about what you did in Worcester County and
27 luckily you had some sources of a grant to do that,
28 but there are so many other jurisdictions in this

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1 diverse country of ours that don't have the
2 resources to do that and don't have the foggiest
3 idea of how to begin and I would hope that this
4 panel would perhaps entertain the idea of
5 recommending that the Commission identify some
6 venue somewhere, I think a Commission would be a
7 good one, that could play a more active role or
8 being kind of a clearing house or whatever for
9 plans like this so every jurisdiction doesn't have
10 to go and look for a grant and start at Ground Zero
11 and "Good God, where do I start, who's got some
12 money, who's gone down this road before, is that a
13 productive road or is that not"? We ought to be
14 able to do some of that right here and particularly
15 with the reorganization that Chairman Martin has
16 talked about. We need to make sure that that
17 reorganization eventuates in good practices and
18 implementation and enhanced public safety and this
19 might be one thing that the Commission could play a
20 more active role in, acting as kind of a clearing
21 house for the jurisdictions to contact.

22 The observation on standards and the
23 question, and I think you're absolutely right about
24 the -- you so aptly explained the priority and the
25 importance of having standards and all of us agree,
26 I think, that standards voluntarily embraced and
27 standards voluntarily implemented are the best way
28 to go if that's possible, but sometimes, if you

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1 look back throughout history, that doesn't always
2 happen and I understand what you're saying about
3 the adverse effects you can have on innovation and
4 all that, too, but when you have an important
5 priority like public safety, I think we have to at
6 least entertain the proposition that at times it
7 might be necessary if that voluntary implementation
8 is lacking, let somebody consider going beyond that
9 and making sure that these things do happen.

10 And I guess my question would be and
11 maybe it's too early to ask this with regard to the
12 standards that you've discussed but is there any
13 kind of a track record already to see how voluntary
14 implementation of the standards is going to proceed
15 and are you optimistic that there will be a fairly
16 ubiquitous implementation of those standards so
17 that we wouldn't have to go beyond that to consider
18 a more mandatory procedure?

19 DR. BOYD: There are two pieces, I
20 think, of the standards puzzle that you have to
21 take into account. One of them is, as the
22 standards are adopted, Public Safety for the most
23 part wants to use those. They wind up enforcing
24 them by buying based on those standards. And the
25 Public Safety community is desperately interested
26 in developing reliable inter-operable standards.
27 It's important to remember, for example, that the
28 principal standard setting body in this area is the

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1 Association of Public Safety Communications
2 Officers, APCO, which sponsors the P025 process.
3 So I don't think there's going to be an issue there
4 ultimately with implementation.

5 Part of what we're doing to help steer
6 that at the same time, is to impose or require as
7 part of the grant guidance, that you apply P-25
8 when it's appropriate to do so. Now, P-25 is not
9 mature enough that we can mandate it in all cases
10 or we may, in fact, break interoperability in some
11 cases or cost some agencies more money than they
12 can conceivably afford. But as the standard is
13 developed, the grant guidance increasingly will
14 mandate compliance with those standards. Once
15 their robust enough to do that, you're going to
16 start seeing those in the grant guidance and that
17 will be a condition of getting the federal money.
18 That's the one level.

19 The second thing that's important to
20 remember is there's a huge infrastructure already
21 out in the field and a lot of this is legacy
22 equipment that dates back 20 or 30 years or more.
23 Some of it was paid for with bond issues that
24 haven't been paid for yet. So even if we come out
25 with a new standard now, and even if industry
26 builds to that standard, it's going to be a tough
27 sell to tell the mayor that, "We know you haven't
28 paid off the last bond issue, but we want you to

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1 implement a whole new system with a whole new bond
2 issue now". That's not likely to happen.

3 The reality is that the sheer scale of
4 the infrastructure means it's going to take some
5 time to make a transition. If you look, for
6 example, at -- just at the District of Columbia and
7 the counties which border, which touch on the
8 District of Columbia, just that collection, and you
9 look just at subscriber units, hand-held radios and
10 radios in the cars, none of the infrastructure,
11 there are 40,000 radios there. That's about \$160
12 million total is what it would cost for that, and
13 that's just the counties around the District of
14 Columbia, not necessarily even the most populated
15 area of the United States.

16 And so that's why we keep emphasizing
17 to people that as important as this issue is and as
18 desperate we are to achieve interoperability, we
19 should not assume that any standards regime is
20 going to make a change immediately. What we can
21 change immediately and what these two witnesses
22 have clearly demonstrated is how we work with each
23 other, how we agree to cooperate so that we can use
24 the things that are available, ACU-1000s for
25 example, or just other kinds of agreements that may
26 use a variety of IP backbones or shared systems, in
27 the interim to achieve those kinds of
28 interoperability that we need for emergencies,

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1 fairly quickly, within the next one to three years,
2 but the longer term goal of really full-blown
3 interoperability built around standards is going to
4 take some time and there is no magic way that's
5 going to get us past that.

6 CHAIRPERSON VICTORY: Steve Delahousey,
7 I think you were next.

8 MR. DELAHOUSEY: Yes, my question is
9 primarily for Captain Wetherald. I'm Steve
10 Delahousey. I'm the DSF-8 Medical Disaster Officer
11 in South Mississippi. I'm also Chairman of the
12 Harrison County, Mississippi 9/11 Commission and
13 serve on the Public Safety Working Group for the
14 panel here. In your opening comment, you mentioned
15 from the National Response Plan that the purpose of
16 ESF-2 at that level is to insure the provision of
17 federal communications to support federal, state,
18 local, tribal and private sector response efforts
19 during an incident of national significance.

20 I guess something that is kind of
21 ambiguous later in the plan, it talks about the
22 actions of the ESF-2 and it says that it's to work
23 closely with state level and tribal emergency
24 managers and other private sector coordinators to
25 insure that latest technology is available to all
26 federal agencies participating in the response
27 effort. So I guess my first question is, is it to
28 support the federal communications or

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1 communications down to the state and local level as
2 well, because those two statements appear to be a
3 little ambiguous there?

4 Another question that I have is, we too
5 in Harrison County have an 800 megahertz system
6 that worked pretty much flawlessly throughout
7 Katrina and we're all public safety entities,
8 police, fire, EMS, Emergency Management are all on
9 that and it worked great. We found the problem is
10 that we could not communicate with other agencies
11 that came in. Florida had a tremendous response,
12 state agencies, federal agencies, that we could not
13 communicate with some of those agencies. So that
14 was a concern that we have. Is there a mechanism
15 in place to address some of that. And our
16 IWG-3 group has had some discussions about the
17 possibility of a national cache of equipment that
18 could be deployed to a disaster and it sounds like
19 from your comments, that maybe some of that already
20 exists. I'd like to know a little bit more about
21 that. And finally, with regard to communications
22 with the military, we sit -- I sit at the EOC with
23 all the branches of the military and we had
24 tremendous military support for Katrina, but found
25 it very difficult to communicate with any of them
26 with regard to evacuation particularly of the
27 patients from the hospitals and nursing homes. So
28 it's several different questions embedded there.

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1 CAPT. WETHERALD: Some of those I can
2 address. Start with ESF-2. ESF-2 activities and
3 our responsibility for them take place during
4 response. It's a response activity. It's a part
5 of ESF-8, so you understand that part. So the
6 provision of those -- of communications and
7 technology prior to response is not our place. We
8 do, however, provide the priority services. That,
9 of course, is large -- that work is done largely
10 prior to crisis. We can enhance it during crisis,
11 help those folks who don't have it, but where I
12 said that we had had provided over 1,000 GETS
13 cards, well, that's to a GETS community that's
14 already well over 100,000. Most of that work is
15 done well in advance of crisis.

16 Our role in ESF-2 is to attempt to
17 coordinate federal communications capabilities and
18 where we don't have those or where perhaps, it's
19 more appropriate to use commercial capabilities to
20 meet a federal need or when requested a state or
21 local need, then to make an effort to obtain that
22 commercial service, pay for it through disaster
23 funds and get it deployed.

24 If it is more appropriate or perhaps,
25 they're the only ones that can do it, we do have
26 some reach to federal assets, National Inter-Agency
27 Fire Center is part of the ESF-2, DOD is part of
28 ESF-2. DOD assets are generally a last resort

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1 asset across the board and would generally only be
2 used if commercial assets weren't available fast
3 enough or couldn't be transported into an area. I
4 can think of a number of reasons why I might choose
5 a DOD solution.

6 To get into the part of your question
7 where you were asking about defense communications,
8 there were two issues that came about with use of
9 DOD assets in the field, one was the difficulty of
10 DOD personnel, units, that were coming in support
11 of missions like yours that were not inter-operable
12 with the agencies they were attempting to work
13 with, using their own equipment. The second issue
14 we were dealing with was DOD bringing
15 communications assets into the field to provide to
16 civil authority for the civil authority to use for
17 their own purposes. There were two completely
18 different communications problems.

19 The latter one we are working on
20 solving and I think we've gone a long way toward
21 being able to solve through procedural means,
22 through prescribed mission assignments. That is a
23 process that is in draft right now and should be
24 settled shortly, within DOD. That's been worked
25 out between FEMA and DOD with ESF involvement in a
26 number of those, you know, ESF-2 is involved in
27 communications and we hope to be able to do that
28 more effectively next time.

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1 In terms of communicating with --
2 between DOD units and civil authority, I really am
3 outside my bounds there but I'll attempt to give
4 you a little bit of what I've picked up because
5 I've spent a lot of time over the last several
6 months with the military and their communications
7 folks. The National Guard as a whole, it's a
8 program being driven by the National Guard Bureau,
9 is deploying significantly upgraded communications
10 capability, command and control capability, ability
11 that will allow them to use public spectrum as well
12 as interface directly into the public switch
13 telephone network, and if nothing else, communicate
14 that way. Those were capabilities that largely did
15 not exist or were very limited within the National
16 Guard at the beginning of the last hurricane
17 season. They're being deployed rapidly to insure
18 that all of the hurricane state National Guard
19 units have that capability and there's a
20 significant reserve that's been placed in some of
21 the states just outside the hurricane zone that can
22 be deployed as necessary within the National Guard.

23 I think in the coming season you're
24 probably still going to see difficulty between
25 deploying units, particularly units coming from
26 outside a particular state or if you're talking
27 about federal units, you're still going to have to
28 find work-arounds because you're not going to have

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1 a radio system that they bring with them or that
2 you have that you can just say, "Oh, there's the
3 DOD switch, got them". It's not going to happen.

4 DR. BOYD: Let me add one quick one. I
5 sit on the Senior Advisory Group that addresses
6 communications issues for the National Guard Bureau
7 and the Guard is intensely interested in trying to
8 figure out how best to address this. It will
9 probably be addressed through the Title 32 powers
10 for the National Guard which means that your state
11 probably is the one that will find the way to
12 implement those capabilities within the Guard
13 because once they fall under Title 10 in the
14 federal resources, then they model after the
15 Department of Defense itself.

16 And the Department of Defense
17 equipment, of course, is designed to meet the
18 military mission. They're on a different spectrum.
19 They're not on the same spectrum that Public Safety
20 is. Much of their equipment is on five kilohertz
21 channel spacing. Yours tends to be on 25 and 12-
22 1/2 kilohertz so there's a built-in disconnect just
23 there. Those things aren't likely to go away
24 except within the Guard Bureau which is -- and the
25 National Guard within your state is probably going
26 to be the principal military bridge and I think
27 you're going to see that happening more and more as
28 governors begin to emphasize that Title 32 role in

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1 their emergency response mission.

2 CHAIRPERSON VICTORY: Thank you. Steve
3 Davis and then Adora.

4 MR. DAVIS: Thank you very much. I
5 appreciate that. A couple of questions, number
6 one, I wanted to thank Mr. Boyd for the
7 interoperability guide here. I think that our
8 panel should look at this as extending beyond just
9 interoperability and how to actually manage a
10 potential disaster preparedness plan because as I
11 look at this, all of the components that go
12 together, whether it's usage from planned events to
13 daily usage throughout the region, all the way up
14 through the training and exercises, the technology,
15 standard operating procedures and governance, all
16 of those things really apply to any disaster
17 readiness plan that we might recommend that people
18 adopt. So I think that just for the thinking of
19 the panel later this afternoon, I want to commend
20 you for your work on this, but also want to
21 consider this as beyond an interoperability
22 guideline. I know that I was having an off-line
23 conversation with Fire Chief Dean about exercises
24 that they have and whether possibly broadcasters
25 might participate in that and he was willing to
26 invite us to do so. And I think that it's the
27 actual -- also getting to the issue about grass
28 tops and not grass roots, the actual participation

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1 of people in the field making these things happen.
2 It's just crucial to seeing any kind of real
3 progress being made.

4 I have one question beyond that, and
5 that is the question about for the NCS
6 representative, is there any reason, maybe a
7 technical reason or a historical reason why the
8 WPS, GETS and the TSP criteria aren't synchronized?
9 It would seem like that if we had a central or
10 synchronized set of standards for the GETS and the
11 WPS and the TSP that we might be able to more
12 readily encourage adoption of these services which
13 I understand that some people are not really taking
14 advantage of and could you perhaps respond to that?

15 CAPT. WETHERALD: Let me ask for
16 clarification. Synchronized in what way?

17 MR. DAVIS: Well, the requirements to
18 get WPS status are different than getting GETS or
19 TSP. It seems like there are three different --
20 although they're different services, who is
21 eligible for them does not appear to be unified.
22 Perhaps it's just simply my misinterpretation then
23 of the three standards, of the three services that
24 are provided.

25 CAPT. WETHERALD: They are essentially
26 unified. The only place that I would say that they
27 are not is particularly in the last hurricane
28 season, the -- some of the financial community were

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1 authorized and this was the Federal Reserve Board
2 requested this, were authorized TSPs to assist in
3 restoration of communications for some financial
4 concerns in the Gulf Area. They would not
5 normally, under standing regulations under the
6 report and order for TSP, they would not normally
7 have been granted TSP status, but we did that as a
8 temporary measure.

9 Aside from that, the same priority
10 levels do exist. You are right, that there is a
11 vast difference in the deployment of WPS versus
12 GETS. Part of that is the age of the program.
13 GETS has been in place since 1995 and WPS began
14 service 60 days after 9/11 and only reached full
15 operational capability last year for GSM and will
16 be another year and a half probably before we have
17 full operating capability in CDMA.

18 The other primary difference between
19 GETS and WPS is that GETS is free. And when we go
20 around and we go to states and we brief and we
21 train GETS, everybody says, great, free system, and
22 they sign up in droves. We brief WPS and it turns
23 out that it's going to cost money per line, per
24 phone to have -- to carry a WPS phone, you get a
25 different response.

26 MR. DAVIS: Fair enough.

27 CAPT. WETHERALD: We've got about
28 12,000 to 13,000 WPS users right now, and as I said

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1 before, over 100,000 GETS users.

2 MR. DAVIS: Okay, and one last follow-
3 up and I'll pass it onto one of my colleagues on
4 the panel. Has the NCS looked at single points of
5 failure in the telecommunications infrastructure
6 and is there any move afoot to address that? I'm
7 really talking about the private sector but as it
8 relates to the national communications system,
9 clearly the failure of key components, whether that
10 be a switch or a switch point is something that
11 impacts many public service providers and I just
12 wondered whether the scope of the NCS had
13 considered that at all.

14 CAPT. WETHERALD: We have been looking
15 at single points of failure for quite awhile. And
16 that's a -- it's a rather controversial question.
17 The industry believes that -- this is a general
18 statement, that they don't exist, single points of
19 failure that would significantly impact the nation
20 at large. If you --

21 MR. DAVIS: I didn't mean the nation,
22 you're right. I meant the large regions.

23 CAPT. WETHERALD: Regions can be
24 significantly impacted by some single assets. We
25 look at those in advance of an arriving hurricane.
26 We had identified some in New Orleans, for example,
27 and we were -- it was the one place where we were
28 successful in being able to use Stafford Act funds

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1 to provide security to those sites because we had
2 identified them ahead of time as critical sites and
3 Federal Marshals stood watch on that one site and
4 then down really the whole of telecommunications
5 row in New Orleans for a period of 20 days. And
6 the only reason we were able to do that to get that
7 approval to spend -- to use Stafford Act funds was
8 because we had identified that as a very critical
9 site and potentially, you know, the single point of
10 failure kind of site but it's a lot more
11 complicated than that.

12 CHAIRPERSON VICTORY: Thank you very
13 much. Adora Nweze?

14 MS. NWEZE: Yes, my name is Adora Obi
15 Nweze and I represent the National Association for
16 the Advancement of Colored People. I recognize the
17 complexity of the issue that we are discussing,
18 certainly one that all of us have to be concerned
19 about but the major issue for me is at this point
20 having heard this particular panel, I want to know
21 what is going to be different this time?

22 One of the problems that we have is how
23 do we get support to the grassroots level, that is
24 the everyday person who, for example, in Florida,
25 we never got support in our minority communities
26 for a very, very long time and we were told, for
27 example, when we asked the local government that it

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1 was the state government that was holding them up
2 from doing things or they were waiting on direction
3 from the state government. People from the state
4 said they were waiting for the feds. I mean, we
5 just got the run around when we tried to get
6 support for people on the ground. And so when you
7 talk about the disabilities community, when you
8 talk about the elderly community, when you talk
9 about those communities that we don't talk about,
10 I'm wondering what's going to be different with all
11 the elaborate systems that exist? It just seems to
12 me that we shouldn't have the kind of problems that
13 we continue to have, not only post-Katrina but
14 post-Wilma and Rita and all the others that we've
15 had. And now we're 40 some days out and I'm
16 wondering what is going to be different this time
17 and I'm asking that from all of you.

18 MR. JOYNER: Well, I'll go first. Of
19 course, you know, our legislature is still meeting
20 and it's going to pass a budget that should become
21 effective July 1 but a lot of talk has already been
22 occurring in dealing with these issues that you
23 addressed here. So I don't think there is a quick
24 answer for any of it because I've been in this
25 business for 18 years and it was going on back
26 then.

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1 But I know that as a result of these
2 high profile storms, it has raised the awareness.
3 I'm sorry to hear that there was a "pass the buck"
4 answer there. That's unacceptable.

5 MS. NWEZE: Publicly.

6 MR. JOYNER: Yeah, unacceptable in our
7 business and I'm not quite sure I know the specific
8 incident that happened in but anyway, as our
9 society is changing as well, we're going to see
10 more elderly people, especially in Florida and
11 we're -- I think the first wave of it, we are going
12 to have to address this. A lot of them do not have
13 family members in the state. They are totally
14 reliant on government to help them.

15 Now at the state level, we do require
16 all of the assisted living facilities and nursing
17 homes to have an emergency plan, tell us where if
18 you had to evacuate, where you're going to take
19 your clients. We do that in conjunction with our
20 Department of Elder Services in the Department of
21 Health. For those -- we have a large population in
22 South Florida that lives in condominiums. We are
23 trying to work through ways, whether it's through
24 some grant programs or whatever, to help them as a
25 private entity, to become better prepared and that
26 is do you have a place within your facility that's

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1 safe from the storm, do you have a backup
2 generator, do you have a three-day supply of food
3 or just water for that matter?

4 We are, at the state level, are also
5 going to redesign our methods of distributing
6 relief supplies. We found last year in South
7 Florida that we were setting up 30 and 40 different
8 sites and right across the street, the grocery
9 store was open. And so the people that needed
10 those supplies didn't get them because people had
11 an option, you know, go to public or go to the free
12 distribution site. So we are now going to
13 definitely focus all of our relief supplies into
14 those areas that cannot get to the grocery store,
15 do not have means to get to a commercial
16 establishment.

17 CAPT. WETHERALD: I'll take a crack at
18 the rest of that question. From part of the ESF-2
19 mission, it's always going to sound like that same
20 pass the buck. We support the states when the
21 states ask. That's the Federal Government's place.
22 That's how the National Response Plan works.
23 That's how the Stafford Act works. And that is the
24 law, that's the way it's going to be. However,
25 it's my opinion, the opinion of most of industry as
26 well, that the most -- from a communications

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1 perspective, the most effective thing we can do is
2 restore the commercial infrastructure as rapidly as
3 possible. And in so doing, that's where the people
4 that you are talking about can get the most benefit
5 that they get their communications back, their cell
6 phone, their home phone, whatever because from a
7 communications perspective, that's what they're
8 missing.

9 And I'm not talking about food or
10 federal aid or anything else, but it's kind of hard
11 to get at those things sometimes, especially if
12 you're restricted to a home or something like that.
13 And that is an area we are working on directly,
14 working with industry, working with the states to
15 do a better job in getting the industry repair
16 crews into areas and get the infrastructure
17 repaired more rapidly.

18 It was a particularly difficult problem
19 in New Orleans. Everything from the water to the
20 perceived security environment, New Orleans was
21 just plain hard and it's still hard now but we are
22 working with industry on that.

23 DR. BOYD: Let me add to that. The
24 painful reality is that there's a limit to what
25 emergency responders can do. There's a limit to
26 what commercial industry can do, and there's going

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1 to be a period of time where those who are in the
2 effected area are going to have to do what they
3 can, because if you take down a tower or you wipe
4 out a telephone line, it's not going to be fixed by
5 somebody flipping a switch. Somebody is going to
6 physically have to get there. They're going to
7 have to come from somewhere else. You can build
8 communication systems that are less likely to
9 break. The question is, whether you want to pay
10 what the phone bill will cost if you do that. You
11 can't build communication systems that cannot
12 break. That's going to happen. That's the nature
13 of disasters and emergencies.

14 So I think what you're going to see is
15 lots more emphasis on how you respond to very large
16 scale kinds of incidents and how you can put these
17 things together at every level, but the reality is
18 that there will always be those aberrational events
19 that fall outside everybody's expectation and it
20 will be difficult for us to respond to. And so
21 there the magic is going to have to be built around
22 serious planning in advance, good solid trading and
23 maybe a prayer or two.

24 CHAIRPERSON VICTORY: Kay Sears, I
25 think you had a question.

26 MS. SEARS: Kay Sears with PanAm

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1 Satellite Corporation, I have a question for Ms.
2 Owens. As you described the network that you put in
3 place, my assumption is that that will solve
4 primarily regional or county-wide voice
5 communications inter-operability among your first
6 responders. As you look at a real emergency
7 response, a disaster that might take place in that
8 area, have you considered how you would communicate
9 outside of the effected area and also how you would
10 provide broadband capability within the effected
11 area.

12 As a panel we have heard much testimony
13 about the fact that we can't be reliant on one
14 system or one technology. We have to consider
15 multiple technologies for our first responders and
16 I just wondered in your assessment is there going
17 to be a Phase 2 perhaps where you'll look at some
18 of those other issues since you've solved certainly
19 a county-wide voice -- primarily voice inter-
20 operability?

21 MS. OWENS: First of all, when you say
22 outside of our region, you mean outside of the
23 Eastern Shore? Is that what you mean? Well, with
24 the national calling and tactical channels, you
25 know, we can operate all over the State of Maryland
26 with those, but if we -- you know, if we're

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1 confined to our geographic areas, we can use our
2 system, you know, connecting all the different
3 types of radio systems. This is not one -- the
4 MESIN system is comprised of probably eight
5 different types of radio systems and three
6 different manufacturers. So it just takes, you
7 know -- it just takes the radio audio and converts
8 it into digital audio packets and puts it back out.

9 So I talk on my radio and someone else
10 talks on their radio and they're connected without
11 doing anything. We have -- we're just -- since the
12 process took so long, because of site availability,
13 we're just getting it finished and starting on our
14 training and everything. I certainly would like to
15 pursue, you know, a Phase 2 approach and going
16 back to, instead of just the 12 sites that we have,
17 to address the other sites that each of us have in
18 our jurisdictions, like for myself, I have three
19 sites and I only have the five repeaters at one
20 site. I'd like to expand that and get in-building
21 portable coverage which we have on the street,
22 portable coverage now, to all the sites for 800
23 megahertz and take it two steps further and do the
24 USF and VHF, the tac-stack approach. So that when
25 you have all of those, then you can virtually
26 connect any radio on the system.

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1 MS. SEARS: I guess more specifically,
2 have you considered mobile satellite phones or
3 satellite overlay networks, things like that?

4 MS. OWENS: We're just beginning to get
5 into the broadband area on the lower shore and it's
6 not a stable enough environment yet and there's so
7 much -- there's the same problem there with the
8 real estate that it's really not available without,
9 you know, a large price tag but we have considered
10 it and possibly, you know, to run data. We can run
11 data over our system but we just haven't pursued
12 that yet.

13 CHAIRPERSON VICTORY: Bill Smith?

14 MR. SMITH: I'm Bill Smith with
15 BellSouth. I had a follow-up for Captain Wetherald.
16 You mentioned the Stafford Act and the use of
17 Federal Marshals for critical facilities. That was
18 true but as I think you probably know, it took us
19 about 24 hours to get protection for that facility
20 and reluctantly we had to abandon the facility and
21 then go back and re-occupy it. There were also
22 cases where fuel priority letters were written and
23 rescinded and so forth. So I guess my question is,
24 do you feel that the matters of interpretation
25 about the limits of the Stafford Act, et cetera,
26 have been resolved sufficiently so in 60 days we're

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1 not going to go through that same kind of a
2 mechanism and if not, what could we do between now
3 and then to resolve that?

4 CAPT. WETHERALD: The short answer to
5 your question is, no, they have not been resolved
6 in my mind. We had a discussion yesterday at the
7 NCS or NCC industry call with ESF-13 there to
8 discuss this very issue. And I know from speaking
9 with others across the community that have to
10 execute that, that there remains disagreement as to
11 the applicability of the Stafford Act in terms of
12 supporting companies. The one event that we were
13 talking about and since you've brought it up, your
14 asset, that was the only time that we actually did
15 a federal override. That execution of the Stafford
16 Act was done from the federal level.

17 We organized the FBI team to go in Bill
18 Lokey's helicopter to do the re-entry of that
19 building and then get the Marshals in on the ground
20 and meet your people somewhere in the city and get
21 them back in that building along with the AT&T
22 folks. But it was an anomaly. Consider it a
23 success but it was an anomaly and as we discussed
24 that with ESF-13, now, their understanding is that
25 if we have those requirements, those requirements
26 are going to have to come from the state and since

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1 we have Florida here, for example, the State of
2 Florida would have to ask ESF-2 -- well, through
3 the Federal Coordinating Officer, ask ESF-2 to
4 provide security to that specific industry location
5 before technically we're supposed to be able to do
6 that and that's problematic in my view. And I'd
7 love for you to comment on that.

8 MR. JOYNER: Well, what he explained is
9 exactly correct and if you go back to what I said
10 earlier, these relationships have got to exist
11 before the event occurs and I would dare say that
12 if you had that relationship with either the local
13 emergency management or the state office, we would
14 have expedited that. That is exactly what we go to
15 great pains to have our Florida Association of
16 Broadcasters in our EOC who can make those contacts
17 not only to the FCC but to the local broadcasters
18 as well.

19 We could get pretty creative at times
20 when it comes to making sure that these systems are
21 brought back up on line that our airwaves are back
22 up on line. We realize that that is critical
23 because we have a message to the public that we
24 have to get out and if the private sector is not
25 up, you know, shame on us.

26 CHAIRPERSON VICTORY: Marion, and then

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1 I'm going to ask a question and then I think we'll
2 let this distinguished panel go.

3 MS. SCOTT: Thank you, this is a
4 follow-up. Marion Scott. I'm speaking on behalf
5 of IWG-1 the Infrastructure Committee as part of
6 the Katrina Panel and I have a follow-up question
7 to Mr. Davis' earlier comment about infrastructure
8 and defining the critical components of
9 infrastructure. Captain Wetherald, you touched on
10 it, Dr. Boyd, you talked a little bit about
11 disaster preparedness, disaster recovery. What is
12 the criteria for determining what a critical
13 infrastructure node is and what is the preparedness
14 plan around mitigating impact to those or a quick
15 recovery to those from the perspective of the work
16 you've done?

17 CAPT. WETHERALD: When we've analyzed
18 the infrastructure at a national level, we've
19 looked at two things primarily; the number of --
20 the number of switches, the number of lines handled
21 by a particular facility, I'm being very simplistic
22 here, and the industry folks are -- again, I beg
23 your forbearance -- as well as support to the
24 government. We have been developing an economic
25 analysis that tries to look at the economic impact
26 of that particular switch. We're not there yet.

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1 The Deputy Manager of the NCS has not
2 approved that as a method yet. We continue to work
3 on it. That's how we use -- that's what we use to
4 decide which major switching elements across the
5 country, and again, we're primarily talking about
6 land line here, but we also look at some other
7 elements, cable landing points, that sort of thing.
8 When it comes to -- you know, we did that when we
9 were tasked by the Department nearly a year ago
10 now, to do top 100 list. That list remains
11 classified by the way and it will hopefully remain
12 so.

13 When a hurricane is inbound and we look
14 at a specific area, of course, we'll pull that
15 list, but we redo the analysis essentially again,
16 looking at co-location facilities where you have
17 the maximum number of assets all in one place. You
18 asked about mitigation. The industry has a large
19 number of steps that the industry takes. They've
20 had a lot of experience in this, in preparing sites
21 for impending disaster. One place where I think
22 the government has impeded that over time is that a
23 lot of -- a lot of the large important industry
24 sites used to be able to keep three weeks of backup
25 fuel in site, for example, and now that's
26 restricted to three days. So we immediately have

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1 this problem of doing refueling, which was a major
2 problem in New Orleans, in particular. And it
3 posed a problem in Wilma as well as the power
4 outage was so widespread.

5 But in terms of preparing for impending
6 disaster, that is primarily an industry function.
7 They're very good at it, and while they're doing
8 it, we're well aware of what their preparations are
9 and whether or not they've been completed.

10 CHAIRPERSON VICTORY: Let me ask the
11 last question before I let you all go. One of the
12 things that this panel, in particular, working
13 group 2, has spent a lot of time discussing is the
14 need for some sort of a coordinating body for
15 communications at the state or regional level, if
16 you will, a state or regional level NCC that would
17 bring together industry and state and local
18 communications operators and not just on the
19 telecom side but on the media side, before a
20 disaster to exchange information, to exchange
21 business cards so they'd know who they are but also
22 after a disaster to be able to come up with a
23 common staging area where you can share fuel. You
24 might be able to share security, might be able to
25 coordinate access.

26 And I wanted to get your impressions of

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1 what are the things we should keep in mind or what
2 should the criteria be for this body if we
3 recommend coordinating it? Who should be a member?
4 How should that plug in? Should it plug in with
5 your regional NCS representatives? Obviously, it
6 would plug into the State EOC, but since especially
7 Captain Wetherald and Mr. Joyner, I think you have
8 some experience in the industry/government
9 partnership, any suggestions for us on what are the
10 most important things to keep in mind as we provide
11 -- you know, provide a potential recommendation on
12 the creation of such bodies at the state or
13 regional level?

14 CAPT. WETHERALD: Well, as you
15 mentioned, I talked about the fact that we are
16 deploying NCS representatives at the regional level
17 because we realized that we've got to be much more
18 regionally located. Part of that plan, once we get
19 those in place, is to form a regional
20 communications committee. We envision that state
21 ESF-2 representatives would be part of that as well
22 as industry and that that's how you build the
23 relationships that Mr. Joyner has been talking
24 about and that are absolutely critical. All the
25 things that you were talking about working out
26 staging areas, working out access issues ahead of

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1 time at a regional level has to be done that way or
2 at the state level.

3 There are a number of states that have
4 communications, emergency communications committees
5 and are very effectively working along those lines.
6 And the NCS now you know, needs to engage with
7 those groups as well as perhaps doing it at a
8 regional level so that we can have more of a --
9 more of a crosscut and not just within each region
10 or state.

11 MR. JOYNER: Just to add that with our
12 ESF-2 communications we do have private industry
13 reps in our EOC working with our State Department
14 of Communications. And in turn, those folks are
15 dealing at the local level and communicating to get
16 that done. I also want to add, too, that with our
17 ESF structure, the way it's set up, ESF-2
18 communications can now go to our ESF-12, which is
19 energy and find out why they can't get fuel to get
20 their generators back up and become operational.

21 So it's those kinds of relationships
22 that are developed before the event and I guess my
23 recommendation would be we'd love to have, you
24 know, the FCC have a bigger part in ESF-2 and
25 encouraging those relationships because through our
26 ESF-2 we communicate very heavily with the Tampa

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1 FCC office and they've been a huge help to us. So
2 it's only because, you know, we've had meetings
3 before.

4 One last thing, we do have a very
5 strong emergency alert system, a State Emergency
6 Communications Committee but that's only really
7 addressing right now the broadcast side of the
8 communications aspect.

9 CHAIRPERSON VICTORY: Thanks. One last
10 question for Ms. Owens. You know, obviously it's
11 sometimes difficult to bring individual
12 jurisdiction who have made technology choices
13 individually to come together on a common system.
14 To what do you attribute the success of your
15 program? Is it because the money came from an
16 outside source, so this was kind of a -- you know,
17 it was sort of free. No one had to put up their
18 own money or abandon their own equipment?

19 MS. OWENS: That's exactly right. Had
20 we not been given the opportunity, you know, for
21 the grant then the project would probably not have
22 happened and certainly wouldn't have happened on
23 such a large scale. But, you know, there's -- we
24 used the money and we used it wisely and we have a
25 system that is, you know, one of the few systems
26 throughout the nation that will accomplish the task

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1 and hopefully, we can find some more money to
2 expand it.

3 It's a similar program in -- or a
4 project in the Central Maryland area. It's called
5 the CMARC project which was a COPS grant and
6 they're doing basically the same thing that the
7 MESIN program did and so you've got two projects,
8 two large projects, totaling \$11 million in the
9 State of Maryland and then you have the State of
10 Maryland's -- the State Inter-Operability Executive
11 Committee of which I happen to be a member of, and
12 they're trying to accomplish, you know, the state's
13 inter-operability plan plus try to bring all of the
14 partners in and then we have seven representatives
15 from the Maryland Municipal League representing the
16 municipalities and we have seven members from the
17 Maryland Association of Counties and then there are
18 six state agencies involved. So we're trying to,
19 you know, have a good group together that we can
20 bring in all of the aspects and not really dictate
21 to the local jurisdictions what system they buy,
22 but just to make them aware that this is the
23 direction that the State of Maryland is going into
24 and you know, this is what we can do as a group and
25 we can accomplish a lot more as opposed to
26 everybody out there individually.

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1 CHAIRPERSON VICTORY: Thank you very
2 much and thank you to our panelists. We're going
3 to take about a five-minute break to set up the
4 other panelists, let people stretch their legs and
5 then we'll get back for our second panel. Thank
6 you, again.

7 (A brief recess was taken at 11:07
8 a.m.)

9 (On the record at 11:16 a.m.)

10 CHAIRPERSON VICTORY: Okay, why don't
11 we get started with our next panel of speakers. I
12 think everyone is filing back into the room and I
13 don't want to hold up schedules of our folks who
14 have agreed to come there today. Our second panel
15 of speakers today, we're going to hear from folks
16 who will tell us a little bit about what some other
17 industry advisory committees focused in on
18 communications and particularly in the wake of a
19 disaster situation, what they all have been working
20 on so that we make sure that we're not re-inventing
21 the wheel and that we're fully informed of all the
22 good efforts that have been taking place elsewhere.

23 Our panel members today, we have John
24 Stogoski, the Director of Homeland Security for
25 Sprint Nextel and he's going to be presenting today
26 on the work of the Network Reliability and Inter-

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1 operability Council. And we also have David
2 Barron, the Assistant Vice President, Federal
3 Relations and National Security at Bell South,
4 who's going to present to us on the activities of
5 the National Security Telecommunications Advisory
6 Committee. If we could start with Mr. Stogoski
7 and we'll move to Mr. Barron's statement and then
8 we'll, I'm sure, have lots of questions from our
9 panel members. So, Mr. Stogoski.

10 MR. STOGOSKI: Thank you and good
11 morning, panel members and colleagues. On behalf
12 of Sprint Nextel, I'm here to talk about NRIC.
13 Sprint Nextel was chair of NRIC-7 which was the
14 previous cycle going through. I had the pleasure
15 of actually serving as the chair of the Homeland
16 Security Infrastructure Focus Group during that
17 committee and I was a member of the Steering
18 Committee as well. So I know how it operated and
19 spent two years on it.

20 So what is NRIC? For those of you that
21 are not familiar with it, NRIC is an advisory body.
22 It is chartered by the FCC and the goal of that
23 body is to look at network reliability and inter-
24 operability. So it's bringing industry into the
25 room, have their business leaders participate at
26 this very table and talk over issues that are

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1 effecting reliability, inter-operability and how
2 can we make our communications infrastructure more
3 dependable, able to serve the user groups, whether
4 that be individual consumers, whether that be
5 businesses, whether that be our government.

6 So why was it formed. NRIC was formed
7 back in 1992. And the issue then was reliability.
8 There were some outages that took place that caused
9 concern and said we need to bring key players
10 together. As we all know, it's not single company
11 that has responsibility for this infrastructure so
12 you need to bring in the participants so that they
13 can share ideas, discuss the issues and more
14 importantly find solutions for going forward.

15 So how was NRIC organized? And
16 basically, is FCC develops a charter and the cycle
17 runs every two years. A new charter would be
18 developed and issued and you go ahead and organize
19 around that charter to be able to address the
20 issues that the FCC has identified. Focus groups
21 are established to work the individual issues.
22 Now, here's the important part is we have the
23 business leaders at the table. They're actually
24 members of NRIC and the one driving the overall
25 council. And then what we do is reach back in our
26 companies and bring in subject matter experts. And

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1 those experts come in and participate in smaller
2 focus groups. They have meetings. They have
3 conference calls. They go off and do work, and
4 come together to address those issues. And what I
5 want to do is talk about the really goals or
6 benefits of NRIC.

7 Part of it, of course, when you have
8 this type of body you have to produce a report
9 because that's your deliverable, right? So you
10 have a report and it contains all the words and all
11 the headings and all the important issues and
12 that's important to be able to carry on the word
13 and get it beyond the participants. In the case of
14 NRIC we also have a data base and that data base is
15 accessible on the web and you're able to go in
16 there and pull up best practices that haven't been
17 identified. Some of these best practices go back
18 to 1992, '94 time frame, and some of them haven't
19 changed. They're still viable in today's
20 environment.

21 Other of these best practices have been
22 developed just six months ago and they address
23 today's concerns. So whether you're a participant
24 that's attending all the meetings, you can use this
25 data base and use it internally within your
26 companies or if you're another carrier, another

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1 service provider, you're able to go ahead and
2 access this information. We see a lot of new
3 companies getting into the communications arena.
4 This is a vehicle that they can utilize to access,
5 to pull up as lessons learned.

6 So I mentioned about the lessons and
7 the meetings. We have the data base, we have the
8 report, but I really want to emphasize the value of
9 coming together in the meeting. And a lot of these
10 meetings are smaller settings with the subject
11 matter experts and providing the ability to share
12 experiences. It's interesting, we had Hurricane
13 Katrina. Before that, we've had power outages.
14 We've had 9/11 and everyone says we need to take
15 those lessons learned and go ahead and react on
16 those and act on those, implement those. Well,
17 that's very true but as a communication carrier
18 dealing with the complexities of the infrastructure
19 we have today, we're experiencing issues every day.

20 Sometimes it effects operability and
21 sometimes it doesn't but there's a lot of lessons
22 learned. So coming into this environment, we're
23 able to share those experiences with other
24 individuals so that they don't have to go through
25 the heartache, the school of hard knocks. They can
26 go ahead and develop that understanding and

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1 incorporate that back into their companies.
2 That's an important value to be able again to
3 escalate the learning. So if we go back and take a
4 look at the so to speak time line of NRIC and I
5 mentioned before, 1992 was when the first NRIC was
6 chartered and the issue there was reliability and
7 then it moved on to inter-operability. Okay,
8 several carriers, all connected, we need to be able
9 to pass calls around the country as well as
10 internationally.

11 And then we start to hit the year 2000
12 so Y2K was a major issue that had to be dealt with,
13 had to be examined. And then we all know the 9/11
14 attacks occurred and back in NRIC 6, Homeland
15 Security was a focus point where we had, you know,
16 specific focus groups examining that new dimension
17 of homeland security and what do we, as a
18 communications infrastructure, need to do to be
19 able to react to those lessons, to incorporate best
20 practices.

21 And then the last cycle, NRIC 7
22 continued reliability, continued homeland security
23 but it also brought in the public safety piece.
24 With homeland security, we brought in wireless
25 operators. We brought in ISPs. We brought in
26 satellite and cable, those new companies. With

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1 NRIC 7, you saw public safety coming in. You saw
2 the PSEC community coming in and participating in
3 the meetings, participating in the issues and
4 trying to extend the range of the discussions to
5 come up with broader solutions. So that's the
6 background.

7 And what I'd like to do now is go over
8 specifically NRIC 7, the charter for that and the
9 issues we tackled and how that may be able to help
10 this body in your work that's coming up here
11 shortly. So the first group, as I mentioned, the
12 focus point was emergency communications and that
13 did include the E 9/11 issues. There were four
14 individual focus groups that made up that component
15 and as you can see, there were a total of nine
16 groups, four of which were in this category. And
17 those groups took a look at near-term issues. So
18 what are the things that are effecting us now that
19 we can do short-term react, come up with solutions
20 and go ahead and implement?

21 The next focus group took more of the
22 long-term approach, more of kind of the maybe the
23 eight to 10-year type thing, what are we looking at
24 down the road, where do we need to be going? One
25 of our challenges here is that we are dealing with
26 a changing environment. We're dealing with new

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1 platforms, new technology. We're not dealing with
2 all the same players as well. Our user base is
3 changing somewhat independently of us all and the
4 way we may be thinking, so users are incorporating
5 new technologies in their day-to-day life and we
6 all know that in the time of emergency, that's no
7 time to go give someone a new device or new
8 procedures and say, "Now, use this to get help".

9 They're going to try to utilize what
10 they currently have and what they are accustomed
11 to. A third focus group took that specifically out
12 of the gist of PSEC. How can we make that
13 infrastructure more reliable so when someone needs
14 to make a 9/11 call, they're able to make sure it's
15 completed. Okay, taking a look at past outages,
16 what were some of the causes and did some analysis
17 in that area. And then the last one looked at the
18 larger emergency communications issues beyond 9/11.
19 So I invite you all, reports are available on the
20 website, NRIC.org. Some of this information may be
21 valuable to you.

22 The next set of focus groups covered
23 homeland security. And these were really a
24 continuation from NRIC 6. However, there was some
25 collapse to reduce the number of focus groups. The
26 first one was the one that I served as chair on,

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1 which dealt with infrastructure and this one was
2 really a combination of multiple issues that were
3 previously examined, the first one being physical
4 security, the second one being disaster recovery.
5 How do we bring those things together?

6 The next focus group was cyber-
7 security, taking a look at that dimension and this
8 was a whole new component that came up in NRIC 6.
9 As you know, there's a lot of concern regarding
10 physical threats that are facing us but there's
11 also a cyber element and I'll also tell you that
12 you can't always separate these two. There's a
13 very close relationship. As we incorporate more
14 and more technology into our businesses, into our
15 business processes, into our way of life, I think
16 that line is going to blur because you're going to
17 see physical outages causing impacts to your IT
18 infrastructure changing your abilities to
19 communicate. So we need to make sure that we
20 consider all those dimensions and the inter-
21 relationships there.

22 The third area dealt with network
23 reliability and this row is broken down into the
24 previous PDN world and then also the wireless world
25 and new issues with that. And then the fourth one
26 was broadband. As you can see, a lot of these

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1 issues, there are cross-overs between them and we
2 needed to make sure there was close coordination
3 here. I, myself, am Director of Homeland Security.
4 A lot of times I get asked what that title means
5 and I'm still looking for the exact answer but I
6 know it's a broader definition than what I thought
7 it was when I started this. It deals with public
8 safety. It deals with network reliability. So I
9 caution you to make sure we take a look at holistic
10 solutions as we go forward, not try to pigeon hole
11 ourselves or our thinking into a single treat line
12 or into a single solution environment there.

13 So in closing, I'd like to go over
14 maybe some of the benefits and challenges. And I
15 talked about the value to the communities that are
16 participating. I've talked about the value of
17 going ahead and bringing in the experts. There's
18 also huge value of raising the awareness. It is
19 the senior members of our companies that are
20 members of the NRIC council and raising that
21 awareness, raising that attention, having
22 individuals like yourself spend time at these
23 tables to talk about these issues and driving
24 solutions going forward is very important. And I
25 think we continue to improve that as the years go
26 on.

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1 People are more sensitized to the
2 threats that are facing us and what our individual
3 responsibilities are to solve those. Challenges;
4 one of our biggest challenges, we're dealing with
5 changing threats. What we were facing back in 1995
6 is very different than what we're facing today.
7 The technologies are evolving. We're in a very
8 dynamic environment today, as I mentioned before
9 and it's going to continue to change, so the work
10 that we did two, three, four years ago, we need to
11 constantly be looking at. We need to be updating.
12 We need to be bringing in new participants, new
13 thought. What we don't want to be doing is
14 implementing old solutions which could have an
15 adverse impact.

16 Hurricane Katrina hit us very much
17 towards the end of our cycle. Each cycle is two
18 years and as you know, basically Katrina hit at the
19 end of August, beginning of September time frame
20 there, so we were just completing our work as we
21 were preparing the report for delivery in December.
22 We were not able to come up with and really
23 specify, identify specific new best practices that
24 we can incorporate there. There just wasn't enough
25 time. It's interesting because a lot of the SMEs
26 we brought in were the exact people that were

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1 responding to the hurricane impacts. So in many
2 ways it did affect our group. In other ways, it
3 showed me we had the right people at the table
4 because when the problem happened, it was those
5 individuals that were helping. So maybe some of
6 the information that we've talked about over those
7 two years was -- actually changed the way they
8 think, changed the decisions they made and helped
9 the overall solutions and response mechanisms that
10 were utilized.

11 The previous panel talked about
12 security and access and those type of issues, and
13 those are very important. We need to find a way to
14 solve those, but I'd like to stress the importance
15 of government and industry coordination. In the
16 past we tended to I guess look at our area of
17 responsibility and it's very easy for us to try to
18 fix what we have control over and we're good at
19 that. But I think in today's world we're dealing
20 with a more inter-related, inter-dependent
21 environment than we ever have before.

22 So I think the coordination between
23 government, between industry, among industry, among
24 the different levels of government, I think that
25 needs to be our emphasis. We're all trying to, I
26 guess, implement solutions to make things better

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1 than they were before. Part of my concern, though,
2 is we need to make sure as we go into this year's
3 hurricane, we have somewhat a consistent way of
4 thinking. We don't want new strategies to come out
5 conflicting with each other. Everyone thinks
6 they're doing the right thing and within their
7 area, they probably are. But we need to try to go
8 over those and find the potential conflicts before
9 the disaster happens. I think that's critically
10 important because we are trying to implement so
11 many things so quickly here.

12 So in closing, I think that NRIC has
13 provided a lot of benefits to the community. I
14 think new carriers, new technologies, new
15 environments that come in are able to utilize that
16 base, utilize that form. I think that it has
17 increased our ability, at least as a carrier, as an
18 infrastructure sector, to go ahead and respond and
19 make the infrastructure overall more reliable.
20 Thank you.

21 CHAIRPERSON VICTORY: Thank you very
22 much. Mr. Barron?

23 MR. BARRON: Good morning, Madam Chair.
24 Thank you very much. Members of the panel, thank
25 you for having us in this morning. Thanks to Lisa
26 and Jean Ann for having us get ready for this

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1 today. I'm here to talk about the President's
2 National Security Telecommunications Advisory
3 Committee, called NSTAC. Some of you may or may
4 not be familiar with that. NSTAC was chartered
5 back in 1982 by President Reagan to look at issues
6 of national security, emergency preparedness,
7 communications and what can be done from the
8 industry perspective to make recommendations to
9 insure the most robust communications that are
10 available during times of crisis. Obviously,
11 homeland security has been rolled into that mission
12 as well.

13 My role is the Chair of the Industry
14 Executive Subcommittee of NSTAC and I support Duane
15 Ackerman. Duane Ackerman is the Chairman and CEO
16 of Bell South, who was appointed by President Bush
17 to be the Chair of NSTAC and that's where we are
18 right now and why I'm here today to talk about some
19 of the things we're working on that are
20 presidential in nature, policy in nature, that we
21 are making recommendations and have made
22 recommendations to the President on. I've shared
23 with you, I think, six reports that we've done
24 recently. I think you may have those before you
25 today.

26 But these are issues where I think

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1 we've made some specific recommendations that are
2 at the White House dealing with issues coming out
3 of Hurricane Katrina. Mr. Ackerman called a
4 Katrina special meeting in December. We shared the
5 minutes of that meeting with the panel and coming
6 out of that meeting we've had three recommendations
7 in January and three in March and those are before
8 you today.

9 So that's what NSTAC is. A number of
10 companies including Sprint and Nextel are members.
11 John's a colleague of mine. Some of the issues
12 we'll talk about this morning are actually issues
13 he vice-chaired the effort on, so he can help me
14 with some of the question that might come for
15 NSTAC.

16 Right now we've got about 26-member
17 companies of NSTAC. Typically, it's the Chairman
18 and CEO who is representative. We'll meet once a
19 year face-to-face and quarterly with conference
20 calls and then we have specially called meetings
21 like we've had with Katrina. So it's a very active
22 group and we think we're making some very solid
23 recommendations that we'd like to share with you
24 this morning.

25 The way we structure ourselves is,
26 again, the industry executive subcommittee that I

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1 chair is the working group of NSTAC. We break up
2 into task forces and assign out work based on what
3 the principles and our key stakeholders have
4 identified as key issues for us to address. Our
5 key stakeholders are in the White House and the
6 Executive Office of the President, the Homeland
7 Security Council, National Security Council, Office
8 of Science and Technology Policy and the Office of
9 Management and Budget and obviously, the Department
10 of Homeland Security would work very closely with
11 those folks every day.

12 Captain Wetherald and David Boyd, we
13 work with literally every day on issues involving
14 emergency preparedness and national security. But
15 those are stakeholders that we get input from.
16 Part of what we try to do is outreach to groups
17 like this to get other input and also share with
18 you some of the things that we've been doing. So
19 the task force work I'll cover this morning leads
20 up to the recommendations that you have before you.

21 The first largest report you probably
22 have is on the next generation of networks. John
23 mentioned and others have mentioned the convergence
24 of traditional telephony and information
25 technology, physical and cyber if you will, the
26 evolution to an IP based network, Internet Protocol

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1 based network. That conversion, that transition,
2 if you will, is underway today and it will take
3 many years to get to the ultimate next generation
4 network but it's happening as we speak. What NSTAC
5 has done is look at the implications of that
6 convergence, brings a lot of features and a lot of
7 capabilities that you don't have today.

8 It also brings some implications for
9 security that you need to address. A couple of
10 things we've looked at specifically looking at the
11 NGN as we look to the future are identity
12 management, a huge issue that's going to have to
13 take some more work because if you're looking at IP
14 based platforms, the identity management piece and
15 authentication of those communications is critical
16 and that's something we're looking at very
17 carefully. Also the international implications of
18 a network now that's open to the world as opposed
19 to a network in the past that was more closed, we
20 think that has some security implications as well
21 as we're looking at that very carefully. But one
22 thing that the NGN recommended specifically that
23 ties back to the Katrina panel, I think, is the
24 idea of forming a joint communications council, if
25 you will, to look at managing security implications
26 of the next generation networks and to insure that

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1 both the telecommunications and the communications
2 sector and the IT sector are in that council.
3 We've got to get those two industry groups together
4 to work on these issues because the convergence is
5 taking place as we speak and we've got to be at the
6 table together and we've got to be able to manage
7 incidents that may happen literally today on this
8 next generation network. And there's a good
9 section in the report before you that talks about
10 how to manage incidents, utilize the capabilities
11 and functionalities of the next generation of
12 networks. They have a lot of capabilities, also
13 some concerns and the report addresses that.

14 You heard some discussion this morning
15 from Captain Wetherald and others about the
16 National Coordinating Center for Communications,
17 the NCC. That's a entity that's been around for
18 years. It came from an NSTAC recommendation years
19 back where literally industry and government sit
20 face-to-face in the same facility every day to plan
21 for and respond to incidents. We think it's
22 probably the model of industry and government
23 cooperation and collaboration. It's physically
24 housed in a facility out in Arlington. We're
25 hosted by the National Communications System, the
26 NCS. We think the NCC is a model to be built on

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1 and one that can deliver a lot of capabilities both
2 today and in the future.

3 The NCC, as I mentioned earlier talking
4 about the next generation of networks, has to
5 evolve to respond to today's environment and
6 today's technology. You've got to have what I
7 would call non-traditional players incorporated
8 into the process; cable telephony, satellite
9 communications, voice over IP providers, in
10 addition to the traditional long distance wire line
11 and wireless carriers who are there today.

12 Specifically, and again John Stogoski,
13 my colleague here, worked on this issue and it ties
14 back again with what Captain Wetherald talked about
15 this morning. We have two recommendations to the
16 President, that one, endorses the creation of the
17 Federal Emergency Communications Coordinator, that
18 person, that capability being deployed into the
19 field. We think that is right on point, needs to
20 be done, needs to be supported and resourced
21 appropriately. We plan to plug our capabilities
22 and our process into that process so that there's
23 one person in charge of communications who will be
24 in the joint field office out in the field during
25 an incident and he or she will be the single point
26 of contact for communications in and out of that

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1 joint field office. Critical, and we think that's
2 something that will be -- actually, will be
3 incorporated in our planning procedures to link our
4 capabilities from industry into their capability in
5 the joint field office, and we think that
6 absolutely is a critical recommendation.

7 The second piece of that is a learning
8 that we at Bell South came away from Katrina with
9 and that is having a regional coordination
10 capability out in the regions for the
11 telecommunications industry players to sit
12 literally again, at the table together to work
13 through issues as they unfold. Bell South did that
14 during Katrina. In fact, the FCC had a meeting at
15 that emergency operations center back some time
16 last year. We think it was a huge success. What
17 we're trying to do, Madam Chair and members of the
18 panel, is more formally have that process in place
19 and understood, that industry players are plugged
20 into it and it has linkage back to the joint field
21 office and linkage to the NCC. Our goal is to have
22 that capability stood up and ready to deploy June
23 the 1st in the Southeast this year. So that is a
24 specific recommendation we've made that we are, in
25 turn, taking from industry and implementing in
26 concert with our government partners and we think

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1 that will be done, in fact, it will be done by June
2 the 1st.

3 So to talk to an issue that came up
4 during a question earlier about regional
5 coordination and moving the coordination capability
6 at least in this case from the communications
7 industry closer to the action, closer to where the
8 incident is, and we're going to do that in the
9 Southeast but we want to incorporate that thought
10 and move it throughout the country as quickly as
11 possible because the next incident may be in
12 California, it may be in Chicago, it may be in New
13 York. So we've got to have those regional
14 capabilities stood up as quickly as possible.

15 Another issue we've taken on is the
16 notion of inter-dependencies between electric power
17 and telecommunications. That's a growing inter-
18 dependency that's getting bigger every day as
19 communications technology evolves and the need for
20 power gets closer and closer if not to the desktop.
21 And that brings on some interesting inter-
22 dependency challenges that are absolutely critical.
23 One thing we've done in this effort, I think, is
24 begin building those relationships that were talked
25 about between telecommunications industry players
26 and our counterparts and colleagues in the electric

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1 power industry. Those relationships are critical.
2 You can't over-emphasize the importance of those
3 relationships. We work closely with entities like
4 NAERC, the North American Electrical Reliability
5 Council, and others to build those relationships.

6 A specific recommendation coming out of
7 the task force, and you'll hear this in other areas
8 as well, is the recognition and creation of what we
9 call an emergency responder category and this ties
10 to several things throughout our reports. We saw
11 during Katrina that telecommunications
12 infrastructure owners and operators had difficulty
13 getting access to disaster sites. We've talked
14 about that already this morning. A critical issue
15 where we think there needs to be a recognition and
16 an understanding that we're not first responders
17 but we're certainly right behind the first
18 responders to help restore communications that, in
19 turn, our government partners need to do their
20 work. So we recommended the creation of a
21 emergency responder category, if you will, that
22 will be reflected in both the National Response
23 Plan, the Emergency Support Functions that underlie
24 the National Response Plan and also ultimately
25 being reflected in amendments to the Stafford Act,
26 which I'll touch on in just a minute in another

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1 area.

2 But we think that that is a critical
3 recommendation that truly can make a difference for
4 this hurricane season, both formally and informally
5 being recognized and the need for this critical
6 infrastructure owners and operators, being it
7 telecommunications, electric power and others,
8 being able to get access to a site and again, I'll
9 come back and touch on that in a minute.

10 The long term effort of inter-
11 dependency work is looking at how we can address
12 long-term outages and people would say, "Well, we
13 can't have a long-term power outage". Well, you
14 can. There are areas in New Orleans that are still
15 without power today. So what we do with that
16 growing inter-dependency and the prospect of an
17 extended power outage? How do we deal with that
18 from a technological standpoint, looking at new
19 fuel cell technologies or whatever, battery
20 technologies that might be available. We also have
21 a group looking at legislative and regulatory
22 issues. And this is where we really focused in on
23 -- I think the report that's before you will be
24 very interesting to you to read. It gives a lot of
25 anecdotal evidence about things that happened
26 during Katrina and it tees up specifically the

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1 recommendations of the emergency responder category
2 that needs to be recognized in the National
3 Response Plan.

4 We recommend that the President issue a
5 Presidential Directive or other appropriate
6 documentation to codify this recognition and
7 ultimately that the Stafford Act itself needs to be
8 recommended to better facilitate federal assistance
9 for private infrastructure owners and operators
10 during a disaster. Without question, that was an
11 issue during Katrina. I think without question,
12 it's still an issue today that's got to get
13 resolved. And we're very specific in our
14 recommendation about that. We suggest language for
15 the Stafford Act amendments, but in addition, we
16 think it's critical that folks understand two
17 elements of that.

18 One, industry is not seeking any
19 funding. That's not an issue. We're not looking
20 for funding from the Federal Government through the
21 Stafford Act, and we're more than willing to
22 reimburse any direct costs that are incurred. All
23 we're asking for is access and recognition and the
24 ability to get access to fuel, security, water,
25 power, things that we need, billeting, housing,
26 things that we need to do our job so, in turn, you

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1 can do your job. That's a critical recommendation
2 and, again, that's one, I think, that's pretty
3 hard-hitting and it is before you today.

4 The next issue is one that's a huge
5 issue, will be an ongoing issue for NSTAC, it's the
6 issue of emergency communications and their
7 operability. Again, the previous panel talked
8 about that in some detail. We see that probably as
9 the key remaining issue that needs to be worked on.
10 We have one set of recommendations that you have in
11 your package and it's what can be done near-term,
12 we think, to make a difference. We had four
13 recommendations in there and we think these are
14 things that truly can be done fairly quickly and,
15 in fact, would make a difference for the next
16 hurricane season.

17 The Emergency Manager Contact
18 Information, we had a lot of discussion with
19 NorthCom, the military that came into the theater
20 and there was a lot of concern about not knowing
21 how to get in touch with people and literally
22 having to drive to talk to somebody. We think
23 there should be and could be created a data base
24 that has all the emergency contact information in
25 it. It's updated and kept current so that if you
26 want the SF-2 person in Baton Rouge, you know how

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1 to get in touch with that person and you don't have
2 to drive to go see him or her.

3 Second, deployable communications
4 capability; without question it goes back to, I
5 think, the question from PanAmSat, who is also a
6 member of NSTAC. What technology, what equipment,
7 what capabilities are out there that can be
8 deployed quickly to supplement the commercial
9 infrastructure, be it satellite capability, be it
10 IP mesh networks, be it military assets that will
11 be dropped in. There needs to be a process in
12 place systematically to understand what's
13 available, what capabilities it brings and how it
14 can be interconnected and interfaced into the
15 network that is available during a disaster. And
16 we think, again, that asset inventory and
17 availability and capability is something that can
18 make a big difference sooner instead of later.

19 Again, the previous panel talked about
20 existing programs, GETS, WPS, Wireless Priority,
21 and TSP. They work but a lot of people during
22 Katrina did not know about these programs, didn't
23 have the capability, didn't have access to them. I
24 used them myself during Katrina. I can tell you
25 that WPS and GETS do work. They can make a
26 difference. So there's education and deployment of

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1 those capabilities that can be done very quickly
2 that truly can make a difference for the emergency
3 responder category of people out in the network.

4 The other issue is, and this is one, I
5 think, directly tied to this panel, Madam Chair, is
6 the issue of coordination between the FCC and the
7 NTI over the allocation of federal incident
8 management and incident response frequencies and
9 addressing the process of making those frequencies
10 more readily available to non-federal entities
11 during a crisis. We think that's a hard-hitting,
12 very specific recommendation where the FCC and the
13 NTI can make a difference on that fairly quickly.

14 Looking at specific issues related to
15 Hurricane Katrina and I've touched on most of
16 those; one thing that Captain Wetherald mentioned
17 was the access and credentialing issue that ties
18 back to the emergency responder category, if you
19 will. There's a pilot that's already been done in
20 Georgia, Georgia State Police, Georgia Emergency
21 Management, state and local officials all the way
22 down to county level folks and even local folks
23 were involved in looking at what can we do quickly,
24 near-term that's simple and easy to deploy that can
25 readily facility access to critical infrastructure
26 owners and operators during a disaster. That pilot

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1 is finished. It basically is going to say it's a
2 recognition thing, it's a training issue. That
3 communications and other infrastructures, they need
4 access. They need special access, considerations.
5 Local law enforcement, state law enforcement needs
6 to be involved in that obviously. But it could be
7 as simple as a company ID and a placard that would
8 go in your car or a hang-tag on your rear view
9 mirror, a letter of authorization, something that
10 can be done quickly and deployable by June the 1st.
11 Our goal in working with the NCS and DHS is to get
12 that done, move the learnings and the procedures
13 from the pilot, to move that out to the Gulf Coast
14 States, the hurricane prone states again by June
15 the 1st of this year. It's a joint effort between
16 the Department of Homeland Security, state and
17 local officials and industry and we think, again,
18 it's going to be simple. It may not be real
19 sophisticated, but it will work and it truly will
20 make a difference.

21 We talked about emergency responders,
22 near term recommendations as far as WPS, GETS and
23 those kind of things, we think that can truly make
24 a difference, regional coordination that's being
25 done, we'll have that implemented at least in the
26 Southeast by June the 1st. So a lot of these

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1 recommendations are the things, I think the panel,
2 Madam Chair, can look at and leverage and build on,
3 hopefully, and we'll be glad to answer any
4 questions you may have about those, but again, the
5 recommendations are in front of you. I think
6 you'll enjoy reading through those and those are
7 either in the White House or will be in the White
8 House shortly for those stakeholders and the
9 President literally to react to, help us implement,
10 but they're already reacting to some of these,
11 helping us with some of these issues and we sense
12 we're making some pretty good progress in some
13 critical areas relating back to our learnings from
14 Hurricane Katrina. Thank you very much.

15 CHAIRPERSON VICTORY: Thank you very
16 much. Let me now open this to questions from our
17 panel members. Yes, go ahead, Steve.

18 FIRE CHIEF DEAN: Mr. Barron --

19 CHAIRPERSON VICTORY: For the
20 transcript, Chief Dean.

21 FIRE CHIEF DEAN: Yeah, Chief Dean.
22 I'm representing the International Association of
23 Fire Chiefs in the Metro Section. There's been a
24 lot of talk about the emergency responders'
25 credentialing for people to get into the area which
26 we certainly understand the need for the critical

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1 infrastructure folks to get into the area. I guess
2 the question that I would have as a manager of
3 first responders, we have an accountability issue
4 that we deal with our personnel and that we do PAR
5 checks about every 15 minutes if you're on an
6 emergency scene and every hour otherwise if they're
7 out operating.

8 Are you willing to, through the EOC,
9 put some type of accountability system in for your
10 personnel because I don't want to be out looking
11 for somebody and not know where they are or how
12 long they've been there or if I find their car 30
13 miles from where they're supposed to be. I mean,
14 that's what the troops in the field have to be
15 concerned with as emergency responders as we let
16 these folks in.

17 So, I mean, in that recommendation,
18 what type of accountability system are you
19 recommending to go with that access? You just
20 can't go anywhere you want to go any time you want
21 to go I guess is what I'm saying.

22 MR. BARRON: Mr. Chief, you're right on
23 point. We had a meeting as a mission in Georgia a
24 couple of weeks ago and we had several of the state
25 police officials, local officials and there was a
26 long discussion about that very issue. We

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1 understand that this is a partnership between
2 industry and government, that we have
3 responsibilities and accountabilities that we've
4 got to step up to, to make this process work. And
5 we're willing and able to do that, not only with
6 our employees but our contractors. So we've got to
7 manage that process to insure that it's as easy as
8 possible for you, law enforcement and emergency
9 responders, to be able to control the area, if you
10 will, and we've got to help you do that and we will
11 do that, again, not only with employees but with
12 contractors, and we'll have a lot of contractors in
13 the area.

14 John, you may have a comment on that,
15 too.

16 MR. STOGOSKI: Just to follow up on
17 that, nobody wants you in what we call a hot zone,
18 but you've got to understand that you're taking and
19 putting people into a very hazardous situation from
20 time to time and there's a certain way you operate
21 in that type of an environment and certainly don't
22 want to go knocking on any of our employees' homes
23 and tell their loved ones something that we really
24 don't want to tell them and they don't want to hear
25 and we don't want you to have to do that either
26 with your employees.

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1 And that's our -- one of our major
2 responsibilities is protection of life and then
3 property. And certainly, you've got the property
4 issue to deal with but you also have your employees
5 when you put them in that environment and sometimes
6 you're in an environment that's not under control,
7 and we -- I don't like to put my people in that
8 position and I use law enforcement to insure that
9 that environment is intact before I put my folks in
10 a bad situation to begin with. So I mean,
11 certainly that's a concern from all emergency
12 managers as far as letting people into that hot
13 zone.

14 MR. BARRON: Chief, first and foremost
15 is safety. We're not going to go into an area
16 until you clear it and say it's okay to get in
17 there. That's your mission to tell us when the
18 area is safe. Safety is absolutely number one.
19 But even when the area is safe, there's still
20 issues, curfews and other things you have to deal
21 with and we understand that, and we're willing to
22 accept the responsibility of managing our people
23 and our contractors to know what they can do and
24 what they can't do based on input from you. But we
25 need to get access in there as quickly as we can
26 and obviously, electric power is a critical part of

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1 that and typically, they have to go before we do to
2 restore power or bring up downed power lines or
3 even cut power off, if necessary, so that it's a
4 coordinated effort but without question, you make
5 an absolute critical point and again, safety is
6 number one and we will always work in response to
7 that and in recognition of that through you, the
8 first responders, because that's your job, not
9 ours.

10 MR. STOGOSKI: And if I could add, I
11 think developing a process for this one that's
12 improved from last year, we're going to be able to
13 gain more information on deciding where we want to
14 send our employees and there's got to be different
15 levels of, you know, safety and issue with certain
16 areas. We saw extremes last -- you know, last
17 year. We need to understand those to be able to
18 make those decisions and make sure our employees
19 are safe and we're not jeopardizing them. So, I
20 appreciate your question.

21 FIRE CHIEF DEAN: Which leads back to
22 the unity of command issue and the rep at the hill.
23 I keep beating on that issue for the panel members,
24 but I really think that that one point of contact
25 at that central location is the way to make this a
26 workable, viable solution because it is something

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1 that needs to be done and it's very critical to the
2 general populous but it's critical to everybody
3 that's operating in the area that the
4 infrastructure get back on line but we need that
5 point of contact.

6 CHAIRPERSON VICTORY: Steve Davis next.

7 MR. DAVIS: Thank you. Steve Davis
8 with Clear Channel Radio. There's no microphone, I
9 can't talk. I do want to thank you for your time
10 today and I had a couple of questions especially
11 for Mr. Barron and with regard to the emergency
12 responder private sector category that you
13 mentioned in the In Step Report, our working group
14 that we have is looking at adopting portions of the
15 In Step Report. We do believe that you've done a
16 lot of great work in this area and there's no
17 reason for us to reinvent the wheel. But we wanted
18 to understand better.

19 One of my questions was, being a
20 broadcaster, I heard what Harold Joyner of the
21 Florida Department of Emergency Management
22 mentioned, that being that the broadcasters played
23 a critical role in alerting the public to what the
24 conditions were, when they should evacuate, where
25 they should go, when it was safe to come back in.
26 So did you envision the broadcast infrastructure as

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1 being part of the Telecommunications Infrastructure
2 Providers of the TIPS or not within that -

3 MR. BARRON: That's a great question,
4 Steve and a couple of ways to answer that. One,
5 the answer is, yes. We wanted to incorporate
6 communications in its broadest sense. We, by
7 charter, are looking at telecommunications and
8 information systems, so we didn't go into the
9 broadcast world, per se, because that's beyond our
10 purview, but we certainly endorse that. Early on
11 in some of the discussions about amendments to the
12 Stafford Act, the National Association of
13 Broadcasters were involved in those discussions, so
14 without question, I think the notion of an
15 emergency responder category needs to be expanded
16 to incorporate broadcasters, probably electric
17 power and other infrastructures, but we did not go
18 that far because that's not our charter.

19 MR. DAVIS: Okay, that's very helpful.
20 Thank you. And I had one other question if you'll
21 indulge me, and that is how -- have you given any
22 thought to the credentialing plan, how people get
23 credentialed and who gets credentialed? Is there
24 going to be an arbitrating force? In other words,
25 obviously, there's two sides of this issue and I've
26 been hearing both sides of it in my panel.

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1 Certainly the law enforcement side is very
2 concerned with a huge herd of people coming into an
3 area and then making it difficult to secure the
4 perimeter or maintain security inside the perimeter
5 and then on the other side of that coin, there are
6 people like my company that want to and need to
7 bring people into respond.

8 So how do you see the credentialing
9 being handled? Would that be something that would
10 be set up prior to a disaster and how -- is there,
11 you know, a number of people per company or how do
12 you envision that or has that at all been discussed
13 in the NSTAC plan?

14 MR. BARRON: Again, a great question
15 Steve, and I think I can answer that a couple ways
16 as well. For this hurricane season, the input we
17 got from state and local officials in Georgia was
18 to keep it simple. Don't go create another
19 credential. We got to manage that. How do you get
20 them issued? You know, who gets what? But to use
21 an existing credential of some fashion, in this
22 case, a company ID that has your picture on it and
23 the name of your company that will be recognized by
24 law enforcement in addition to a credential of some
25 fashion, again, a placard or hang-tag from the rear
26 view mirror, whatever, that will be issued by local

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1 or state officials and if you've got those two, you
2 get access.

3 If you don't have those two, you don't
4 get access. And so it's got to be two documents at
5 least, and over time we may move to a more
6 sophisticated credentialing process, but that
7 involves time, it involves effort, it involves
8 money that I don't think we've got time to do
9 between now and June the 1st. So it's the
10 recognition of the need and an agreement between
11 state and local officials in concert with DHS and
12 the industry of what's available already out there
13 today that we can all agree on will work, be it a
14 company ID, a placard, a letter of authorization,
15 whatever it may be that would get those emergency
16 responders through the checkpoint, if you will.

17 MR. DAVIS: Mr. Barron, I think that
18 absolutely does work and it's right along the lines
19 of what we've been discussing and I will allow some
20 time for some other questions. The only other
21 follow-up I had on that was would that be -- the
22 second credential, the one that's hung in the car
23 or whatever, that's given to a responder during a
24 disaster, is that something that we go to the EOC
25 to obtain or is that obtained in advance? How do
26 you envision that being distributed?

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1 MR. BARRON: We haven't worked those
2 details out yet, but we're close and the thought
3 was, at least in Georgia, that they would have
4 hang-tags for lack of a better word, that have
5 serial numbers on them, and prior to the event,
6 they would send out, in this case to BellSouth, 500
7 hang-tags and they will know what numbers BellSouth
8 has to kind of keep the inventory. And this will
9 be pre-positioned. We'll have that quantity that
10 we could use to get our equipment, our trucks, our
11 vans into the area and the burden is back on us to
12 manage that. So it has some control built into it.

13 CHAIRPERSON VICTORY: Tim Cannon was
14 next.

15 CAPTAIN CANNON: Thank you. My name is
16 Tim Cannon. I'm representing the Florida Sheriff's
17 Association Statewide Task Force. I just have a
18 question, kind of a follow-up to what Chief Dean
19 said. When it comes to first responders in your
20 private industry responding in to assist with
21 communications issues or whatever the need be, have
22 you made any provisions in your plans or ideas to
23 partnership with private security to provide
24 escorts, because one of the issues we had -- I was
25 part of the Unified Command in Mississippi and we
26 were constantly tasked with escorting people which

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1 we don't have -- you know, we were in a position
2 where we didn't really -- I mean, we had to make a
3 decision on what we were going to escort and what
4 we weren't. And my question to you is, is just as
5 long as you're going to include that in -- as part
6 of your plan to how you're going to escort your
7 people in and out.

8 MR. BARRON: Again, a great question.
9 Two responses to that. One is we have our own
10 security forces, our own in-house and external
11 forces that we contract with, we, BellSouth, and
12 others do as well. What we found in Katrina is
13 those resources were stretched extremely thin to
14 the point of being overwhelmed. We didn't have the
15 resources available. So we had to turn to local
16 and state officials and even to the Federal
17 Government for assistance for security. I think
18 that need could always be there.

19 That's not our first choice. It's our
20 second choice and it's only turned to when we don't
21 have anything else left to turn to. We've got to
22 turn to you for help. So we understand the primary
23 burden is on us and we're prepared to accept that
24 but if overwhelmed, we've got to turn to you and
25 we've got to work out the capability of
26 facilitating that as best we can.

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1 Another way to look at that is, if the
2 private security firm is going to escort our folks,
3 then obviously the credentialing process we talked
4 about would apply to them as well, so that you know
5 they're there working for, in this case, BellSouth,
6 and they're authorized to enter, they have the
7 appropriate documentation with them and they get
8 access.

9 So it's -- there's always going to be a
10 need, I think, in dire situations to turn to local
11 officials, state officials and even federal
12 officials for security, when we can't do it
13 ourselves, but we know the first burden is on us.

14 CAPTAIN CANNON: Just as a follow-up, I
15 think that you're going in the right direction. I
16 mean, obviously that's something you need to look
17 at because, of course, getting back to what the
18 Chief said as far as safety, that's always
19 paramount. I like the idea of what you're doing
20 with the credentialing or wanting to do with
21 credentialing and placards but I would also say
22 that it's an education process, too. When you're
23 talking about the lower six counties of
24 Mississippi, where we responded into, you're
25 speaking of probably, you know, 40 different police
26 agencies and make sure that, you know, everyone

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1 knows that these things are legitimate because if
2 we can't communicate with each agency or back to
3 the EOC because you're not there yet to fix our
4 problem, then you're going to have your people
5 turned away because they're not going to allow
6 anyone in unless they're educated in advance as to
7 what can and cannot come in.

8 MR. BARRON: You're absolutely right on
9 point. It's education and recognition is the key.
10 We plan to take the learnings from our Georgia
11 effort and move those out to the hurricane problem
12 states, working in concert with the State Emergency
13 Management agencies and DHS to educate, get input.
14 Each state might be slightly different but the
15 concept will be the same and again, to deploy that
16 education effort and that capability by June the
17 1st.

18 And we've looked at Florida. I know
19 Florida uses -- I think they use a hang-tag as
20 well.

21 CAPTAIN CANNON: Yes.

22 MR. BARRON: All right, so that's kind
23 of the model we're working on because you guys have
24 done some great work down there.

25 CAPTAIN CANNON: Thank you.

26 CHAIRPERSON VICTORY: Steve Delahousey?

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1 MR. DELAHOUSEY: Thank you . I guess to
2 open it up, the medical response - I've read all
3 the documents and they look very interesting. My
4 question was assuming that the governmental
5 entities embrace the idea of giving some type of
6 emergency responders status as you're speaking of
7 here, do you think it's unreasonable to expect them
8 to have some training in the concepts of NIMS so
9 that there is a common terminology, not only for
10 your technicians but even the drivers of the fuel
11 trucks. When they go into a disaster area, it's not
12 business as usual and when someone approaches them
13 and uses an ESF-2 acronym or something, I think
14 it's important that they understand that they're in
15 a different environment here and perhaps a modified
16 version of the ICS or the NIMS training. Do you
17 think that's unreasonable?

18 MR. BARRON: Great idea. To my
19 knowledge, we have not thought about that but I
20 think it is something we absolutely should consider
21 and train our people to understand what they're
22 getting into, some of the languages used, how the
23 different support structures, the ESF structures,
24 the National Response Plan, the National Incident
25 Management System, how those all inter-relate,
26 that's a great point and we'll need to incorporate

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1 that.

2 MR. STOGOSKI: This is actually where
3 you see the difference between presidential level
4 recommendations and SME level focus because as part
5 of our NRIC work, we did have a lot of discussions
6 regarding National Response Plan and NIMS and
7 actually during our two-year cycles when NIMS was
8 going through its development and final release.
9 So we did talk about that. There are best
10 practices that reference those and the need to make
11 sure that those responding organizations have an
12 awareness and understand their role within those.

13 MR. DELAHOUSEY: Because that's
14 important when they enter the area, they need to
15 understand that while they might be representing a
16 private entity in delivering that load of fuel or
17 that equipment to a specific site, their boss is
18 the incident commander, not their corporate
19 headquarters that sent them into the area.

20 MR. STOGOSKI: And that's an ongoing
21 education because you never know, of course, where
22 the incident is going to happen and people change.
23 And we constantly need to be following up on that
24 and describe to them what the situation is, what
25 they need to be doing to be able to fit into that
26 overall structure.

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1 CHAIRPERSON VICTORY: Kelly Kirwan was
2 next.

3 MR. KIRWAN: Hi, Kelly Kirwan with
4 Motorola. Thank you for coming. A couple of
5 questions, in recommendations that NSTAC is making
6 endorse the Federal Communications coordinator.
7 Who and what is this coordinator going to
8 coordinate?

9 MR. BARRON: The Federal Emergency
10 Communications Coordinator, FECC, that's what
11 Captain Wetherald talked about being deployed in
12 the field first in Dallas and in Atlanta, the
13 hurricane prone areas. Their job is to build -- my
14 understanding, is to build relationships with state
15 and local officials in their regions from a
16 communications perspective. During an incident,
17 they would be deployed through the Joint Field
18 Office to be that interface between what the state
19 and local officials need from a communications
20 standpoint back to the Federal Government or back
21 to private industry.

22 And probably to supplement that, we
23 would deploy into that Joint Field Office the
24 critical infrastructure owners and operators in
25 that area would be physically there as well to
26 directly interface with that FECC. So does that

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1 make sense?

2 MR. KIRWAN: Yeah, it does and I guess
3 that goes into the second part. You also were
4 recommending deployables, alternate communication
5 sources, satellites. In NSTAC's recommendation,
6 who's going to own those assets and who's going to
7 determine where they go and who has priority on
8 them?

9 MR. BARRON: We have not gotten to that
10 level of detail yet. There's a definite need
11 there. In fact, Motorola is an NSTAC member
12 company as well. Greg Brown has been involved in
13 this discussion.

14 MR. KIRWAN: Correct, and we're facing,
15 in this panel -- I mean, and one of the
16 recommendations is also deployable alternate use of
17 different technologies and we're struggling a
18 little bit with you know, who pays for it, who owns
19 it, who has priority, who makes that decision. So
20 clearly within NSTAC and the panel I was hoping
21 that you guys had already done the leg work so we
22 didn't have to.

23 MR. BARRON: We've done the leg work to
24 think about it. We have not done the leg work to
25 come up with the answer because it's a very
26 complicated issue. SAFECOM is involved in some of

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1 those discussions but I think it's a critical area
2 and you're exactly right, Kelly, that we got -- we,
3 the industry, we the community, if you will, have
4 got to address that issue to determine how best to
5 manage the inventorying, the paying for, the
6 resources necessary to deploy those assets, be it
7 wireless, be it radio, be it satellite, be it
8 whatever.

9 We just think, I think, there's a lot
10 of capabilities out there that are commercially
11 available for different technologies that could
12 make a difference but the issue is how you get it
13 from where it is to where it needs to be in some
14 orderly process, how you pay for it, how it's
15 managed, who controls it. So we've identified the
16 need. We have not identified the answer.

17 MR. KIRWAN: Thank you.

18 CHAIRPERSON VICTORY: Martin Hadfield?

19 MR. HADFIELD: Yes, hi, Martin Hadfield
20 from Entercom. I think this is to David Barron.
21 Again, thank you for being here, both of you. This
22 is terrific. A little extra input is always
23 terrific. Has there been any discussion -- when
24 you mentioned a coordinator, I wasn't sure if you
25 were actually kind of getting into an area that the
26 sub-group that I'm involved with is and that's a

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1 thought about a field frequency coordinator,
2 perhaps, like a hot spot coordinator or something?
3 Have you touched on that in your group's
4 involvement?

5 MR. BARRON: I don't know that we have
6 specifically. Part of the mission assignment and
7 part of the responsibilities of the coordinator may
8 include frequencies. I'm not sure but that's a
9 note I'll take, to make sure that we have looked at
10 that and we'll feed that back to the staff to see
11 exactly what we've done, if anything, with that
12 question, which again, is a good question. I'm
13 just not sure.

14 MR. HADFIELD: Sure. Just to give you
15 a little insight as to where we're coming from. In
16 the broadcast sector, we do this with Super Bowl
17 Games and Olympic events, where they'll have a mass
18 crush of multi-users within the industry.

19 MR. BARRON: Fine. The issue of -- one
20 recommendation dealing with the coordination
21 between the FCC and the NTIA about incident
22 response frequencies may get at that, but if not,
23 we need to supplement it.

24 CHAIRPERSON VICTORY: If I could follow
25 up on the federal incident response frequencies,
26 what are they? You know, where are they located?

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1 Are they used on a day-to-day basis or only in the
2 wake of an emergency? I don't know if you've gone
3 into that level of detail but it would be helpful
4 to know what are these frequencies and how are they
5 typically used on a day-to-day basis? Are they
6 only brought or cleared for an incident?

7 MR. BARRON: As I understand it, Ms.
8 Victory, the frequencies are available and they're
9 almost inventoried, if you will, standing ready to
10 be used during an incident, thus incident response
11 frequencies, strictly allocated, again, as I
12 understand it, to the Federal Government entities
13 that may need them. Our position is that some
14 frequencies may be available and needed by non-
15 federal entities they can't get to today so that
16 the process of going from non -- from federal to
17 non-federal needs to be addressed. That makes
18 sense to me.

19 Now, as far as how the process works
20 between NTIA and FCC, I'm just not familiar.

21 CHAIRPERSON VICTORY: Do you happen to
22 know whether or not the identification of what
23 frequencies are part of this is public? I know
24 that certainly for a lot of Federal Government
25 frequencies sometimes how they're used and what
26 they're used for is not made publicly available but

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CHAIRPERSON VICTORY: Okay, okay. And I had a follow-up question. You mentioned that the NRIC had taken a look at P-SAP issues and P-SAP pardoning issues. What were some of the conclusions that you came up with, because I know that that is kind of a basket of issues we've been looking at and struggling with as well.

MR. STOGOSKI: Right, and there was a balance there on how the focus groups, I guess, operated because NRIC was not -- is not chartered to actually address best practices for internal P-SAP type stuff. It's always related back to communications. So the idea, of course, is how do you make sure those communications are as reliable as possible? And it was interesting though, in dealing with the conversations, a lot of the best practices that are developed are common to multiple types of enterprises, okay. Some are, of course, specific to carriers and service providers and such, but a lot of it is how you design the system, how you manage the system and then how do you respond to it.

So there are best practices there to say, okay, how do you design your communications to be able to implement that for P-SAP operations and

1 then how do you make sure it maintains reliable
2 those type of things, how do you interact with the
3 carriers there? Does that answer your question?

4 CHAIRPERSON VICTORY: Yes, it does,
5 thank you very much.

6 MR. BARRON: If I could add one thing
7 to that, NSTAC is looking at the P-SAP question as
8 well. In a scenario where the primary P-SAP and
9 even the alternate P-SAP may be down, like in New
10 Orleans. What do you do then? We haven't come up
11 with a recommendation yet but that's one issue that
12 we're looking at.

13 CHAIRPERSON VICTORY: Thank you very
14 much. Colonel Booth?

15 LT. COL. BOOTH: You referenced earlier
16 -- Joey Booth representing the International
17 Association of Chiefs of Police. You referenced
18 earlier the discussion on whether or not
19 telecommunication providers should be given or
20 designated as emergency first responders. Is that
21 what you think needs to happen or is that relative
22 to another concern and really what you're asking
23 for is appropriate and/or timely access? I think
24 getting proper access is really what you're driving
25 at and do you see getting designated as emergency
26 responders as the only avenue for you to do that?

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1 MR. BARRON: I think there's two issues
2 there. Access is a critical piece that could be
3 done outside of the emergency responder
4 recognition, I think. But when you get into the
5 issue of federal assistance for private
6 infrastructure owners and operators, that
7 designation has to be recognized formally and tied
8 back to the Stafford Act or my concern would be
9 that we'd be right back where we were in Katrina
10 with debates ensuing about what can and can't be
11 done for private infrastructure owners while the
12 fire is burning. And we can't afford to be in that
13 position again.

14 LT. COL. BOOTH: Right, so I guess it
15 depends on your audience, when you say make you an
16 emergency responder or designate you as an
17 emergency responder, to us in the law enforcement
18 community, that means a totally different set of
19 circumstances for access, for credentialing and so
20 I was wondering, is that something that just one of
21 the issues that we can work out, I think, if we had
22 a better coordination between government and
23 private sector service providers at a coordination
24 level, perhaps in an EOC, work out that. You also
25 mentioned fuel and security.

26 It would be helpful, I think, to be

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1 able to coordinate those at a central location.
2 All of us are familiar with the stories of
3 checkpoints. You bring people in and couldn't get
4 past the checkpoint, but if we coordinated your
5 entry and a proper level of entry and in fact, not
6 just people who are employees of your company but
7 necessary contractors, who do not have your
8 credentials, getting them in also and it seems to
9 me that if you guys were agreeable and, in fact,
10 we're considering a recommendation in this regard,
11 and would be interested in your comments on it,
12 would that help to be able to coordinate not all of
13 it in advance, of course, because some things are
14 unpredictable or unforeseen but to the extent that
15 we can, coordinate in advance, get an idea of what
16 your requirements are going to be, work with the
17 state and local officials and also federal
18 officials where possible. Can we minimize the
19 effect of some of these difficulties by working on
20 them in advance?

21 MR. BARRON: No question, I think
22 that's a key to success without question. You
23 know, as people have often said, most incidents, if
24 not 99 percent of incidents are local, and that's
25 where the relationships and the pre-planning has to
26 take place. If it becomes bigger than a local

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1 incident, then it goes to the state level and the
2 EOC gets involved and, again, a lot of coordination
3 and pre-planning can be done at that level. And I
4 think all the access issues, credentialing issue,
5 most of those can be dealt with at that level and
6 below, state and local.

7 It's when the incident becomes bigger
8 than that, when it becomes a Katrina, and you've
9 got multiple states, multiple jurisdictions and the
10 Federal Government and the military involved, that
11 you've got to take that next step, in our opinion,
12 not practice necessarily but for critical services
13 that we may need from the Federal Government that
14 were tied to the Stafford Act language, that's when
15 this whole notion of an emergency responder, not a
16 first responder, we know that brings on some
17 special distinctions and we don't want to be there,
18 don't need to be there, but we need to be in that
19 next wave, if you will, of emergency responder for
20 that recognition already in place, some of which,
21 again, can be done state and local. But I think as
22 we move up the chain and the event gets bigger,
23 we've got to have that federal recognition as well,
24 codified in the appropriate documents, including
25 the Stafford Act.

26 The Defense Production Act, which was

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1 amended back several years ago, it's got language
2 in there, and the report references that, that the
3 Defense Production Act recognizes the need for
4 critical private sector infrastructure owners and
5 operators to be able to operate to support the
6 defense community. So the notion, if you will, has
7 already been recognized and has been codified in
8 the Defense Production Act. We're saying, take
9 that language, if you will, look at the Stafford
10 Act and other documents that may be appropriate to
11 be sure at the federal level that that assessment
12 and that capability is there.

13 But to your point, state and local, I
14 think we can work a lot of those issues out at
15 those levels. Does that get at your --

16 MR. STOGOSKI: If I can add, the other
17 thing that we're looking for is consistency. Our
18 ability to go out and deal with each, you know,
19 state and local jurisdiction area, it's tough to
20 build those personal relationships to that extent.
21 So the more that we can at least establish a common
22 framework that we can all be pushing out to all
23 those different areas, then the easier it's going
24 to be because we don't know where the next disaster
25 is going to happen, and it's -- you know, we want
26 to make sure we get it out everyone so we're all

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1 thinking the same way when that time of crisis
2 happens.

3 LT. COL. BOOTH: Would it be possible
4 in the coordination efforts could we also pre-
5 identify possible security challenges were you
6 would ask, for instance, where you had a fixed
7 facility that you needed security on, that you were
8 unable to provide for yourself, that you'd have an
9 idea that you could give your local governments and
10 your state governments some idea of what your
11 security demands may need -- may be and also,
12 especially since you represent a telecommunication
13 provider, state and local government is going to be
14 interested in making sure you get in, you provide
15 essential services. But what would be helpful also
16 to state and locals, if you could participate --
17 not you personally but you as a group representing
18 telecommunication service providers, could give
19 state and local governments an idea of whose
20 services are urgent, where you have -- we discussed
21 earlier, single point of failures or what some of
22 the vulnerabilities to the system would be and what
23 we need to do to be aware of, maybe engineer around
24 where we can, but would it be possible, because I
25 can tell you from my perspective, it would be
26 helpful for us to know, but would it be possible

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1 for this coordinating effort in advance to be able
2 to identify some of the vulnerabilities and some of
3 the foreseeable tasking that you would need to pass
4 on to state and local government to support you?

5 MR. BARRON: I think that's very
6 reasonable and we've talked about that with the
7 Georgia folks in the Georgia pilot about pre-
8 identifying critical facilities and assets so that
9 it's known to the law enforcement community that
10 this is critical and here's why it's critical. So
11 I think your notion is right on point. It's
12 something we need to do. The only caution I would
13 have is as we create those lists or create that
14 data, if you will, it's got to be protected. And
15 there are issues in both state, local and federal
16 arenas where we've got to be careful with that but
17 I think that's more than fair, and I think that's
18 something that absolutely has to be done.

19 John, you may have an opinion.

20 MR. STOGOSKI: Yeah, the other aspect
21 to this is, I guess the need for that real time
22 coordination. Again, you don't know the type of
23 disaster or where it's going to occur. The other
24 thing is our infrastructure and how it's used is
25 changing on a regular basis. So if we did this two
26 years ago, how much value is it today if the

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1 disaster happens? So I think for hurricanes you
2 can predict that and I think having that level of
3 coordination happen immediately, here's where we
4 think the target zone is, let's talk about those
5 possible areas where we may need help, that would
6 be a great advantage to us and help us out. And
7 then at the time of the disaster having those real
8 time discussions, EOC, joint field office, wherever
9 those happen to have to be, you know, we need to be
10 talking face-to-face and make that coordination
11 occur and we're happy to give you that information
12 and let you know our needs, because in essence
13 you're providing us a service to allow us to go
14 forward.

15 MR. BARRON: But on the flip side of
16 that, Colonel, is there may be special requirements
17 and needs that you have that we need to know about.
18 So I think that any scenario, it's got to be a two-
19 way discussion, so we can identify our concerns and
20 we can understand your concerns so we can be better
21 prepared to serve you as well. So it's a two-way
22 street, no question about it.

23 LT. COL. BOOTH: Thank you very much
24 for your comments. Thank you, Nancy, that's all I
25 have.

26 CHAIRPERSON VICTORY: The last

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1 question, Tim Cannon.

2 CAPTAIN CANNON: Hello. Just one quick
3 question as a follow-up to the Colonel. I would
4 make a recommendation to you that the panel look at
5 what the power companies are doing. Other than
6 being short of first responders, but as emergency
7 responders, they have I believe done a lot of this
8 work that you're trying to develop and they're very
9 efficient and you know, they do a very good job at
10 it, so you may even learn some lessons from our
11 power companies.

12 MR. BARRON: You're right, absolutely.

13 CHAIRPERSON VICTORY: Well, thank you
14 very much and thank you very much to both of our
15 panelists today for answering all of our questions.

16 We're going to take a lunch break and
17 I'm going to ask everybody to be back here a little
18 before 1:30 because we are going to start promptly
19 at 1:30 with the demonstration and then we're going
20 to have lots of discussion of all the work that the
21 working groups have been doing. So see you all
22 back here before 1:30. Thanks.

23 (Whereupon at 12:25 p.m. a luncheon recess
24 was taken.)

25

26

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3 CHAIRPERSON VICTORY: I'm pleased to
4 welcome John Lawson of the Association of Public
5 Television Stations to do a demonstration of the
6 digital emergency alert system that they have been
7 working on and have now tested successfully several
8 times. And John was going to give us a
9 presentation on their new technology as well as a
10 demonstration. So let me turn this over to John.

11 MR. LAWSON: Thank you, Madam
12 Chairwoman. It's nice to see you. Members of the
13 Panel, I am John Lawson, President of the
14 Association of Public Television Stations and I'm
15 here to address public warning, homeland security
16 and demonstrate the contribution that public
17 digital television can make. APTS represents the
18 local public television licensees across our
19 country. These licensees operate 356 station
20 transmitters, and over 700 translators. They are
21 100 percent interconnected via the PBS satellite
22 network.

23 Public television stations are locally
24 owned, government supported, non-profit entities
25 with an educational mission and public stations
26 reach 99 percent of the US population. Public

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1 stations have raised over \$1.1 billion for the
2 conversion to digital. With our reach, the public
3 television digital infrastructure can provide an
4 in-place, dual-use backbone for a next generation
5 emergency alert system. In addition to the
6 exciting offerings of high definition and multiple
7 standard definition programming, digital television
8 offers the reality of a new, wireless data delivery
9 system. With data casting, information is embedded
10 into the digital broadcast signal. This data can
11 be received over the air on computers and laptops
12 with DTV tuner cards by first responders and in
13 public safety agencies, schools and hospitals for
14 emergency, educational and medical uses.

15 The spectrum reserved for data casting
16 can be dedicated as shown here, or the data can be
17 opportunistic, meaning it uses any available band
18 width during its transmission. Data casting uses
19 just a fraction of digital spectrum. And the data
20 is delivered simultaneously with television
21 programming. Data casting is completely scalable
22 and is bottleneck-free. Just as with broadcasting
23 to television receivers, the digital information can
24 be received by one end user or one million end users
25 without fear of overload. The data can be encrypted
26 to insure secure information and it can be targeted

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1 for receipt by only certain computers, for example,
2 in police departments. Now, in October 2004,
3 APTS entered into a cooperative agreement with the
4 Department of Homeland Securities, Federal Emergency
5 Management Agency, to launch a pilot program in the
6 National Capitol Region. The pilot is serving as
7 the basis for a new digital emergency alert system.
8 In addition to FEMA, the FCC and NOAA have
9 participated in the pilot. APTS has also joined in
10 the pilot by PBS and Public Television Stations WETA
11 in Arlington, Maryland Public Television, the New
12 Jersey Network, WHRO in Norfolk and KAKM in
13 Anchorage.

14 APTS has numerous other partners in the
15 commercial television, cable, cellular, paging and
16 radio industries, many of whom are represented on
17 this panel. In particular I want to mention John
18 Archer, Vice President of Operations for XM Radio,
19 who is here today. Now, based on the success of the
20 pilot in the National Capitol Region, DHS funded
21 APTS to expand the pilot and we added 19 additional
22 public television stations as test sites for the
23 DEAS delivery system. Additionally Phase 2
24 included the development of a plan for the national
25 deployment of the DEAS. The National Plan includes
26 architecture, designed for a national Presidential

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1 messaging system. This is an example of the
2 existing analogue EAS with its roots in the Cold
3 War. We're actually a little bit ahead of ourselves
4 in terms of the test. What you're hearing is
5 something coming live from FEMA. Those are the EAS
6 tones. They'll be delivered by FEMA to the PBS
7 satellite operations center. WETA is downlinking
8 them.

9 (Test being run)

10 MR. LAWSON: And they are being
11 retransmitted to a rooftop antenna on this building
12 received through that little tuner card you saw on
13 the laptop and being retransmitted on XM Radio.

14 (Pause for test.)

15 MR. LAWSON: Okay, Jeff, I'm going to
16 pick it up with the PowerPoints and we'll come back
17 to the live capabilities here in a moment. Now,
18 FEMA's responsibility is Presidential messaging and
19 the best practices developed in the National Plan
20 can be used by public television stations working
21 with local, regional and state authorities to serve
22 their alert and warning needs. APTS has
23 demonstrated the DES before the Senate Commerce
24 Committee, as you see.

25 This was last summer and that's me pointing to the
26 indoor antenna we were using that day. For this

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1 test, we have used an outdoor antenna on the roof of
2 the building.

3 The warning alert and response network
4 or WARN Act S-1753 was introduced in September of
5 last year by Senator Jim DeMint from my home state
6 of South Carolina and co-sponsored by Senators
7 Inoway, Landrue, Lott, Nelson, Snow, Stephens and
8 Vitter. The WARN Act establishes a national alert
9 system to provide a public communications network
10 capable of alerting the public on a national,
11 regional or local basis. The WARN Act relies upon
12 public television digital transmitters as the
13 backbone for the reception, relay and retransmission
14 of national alert system messages.

15 In December of last year this bill was
16 reported favorably out of the Senate Commerce
17 Committee. This was a unanimous vote of confidence
18 in the capability and willingness of public
19 television to serve the public safety needs of this
20 country. In addition to our national effort, public
21 television stations and state networks across the
22 country are partnering with state and local
23 officials to pioneer localized public safety data
24 casting networks. For example, in early 2000
25 Kentucky educational television, this is before
26 9/11, began working with NOAA to data cast emergency

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1 storm alerts and other weather information
2 instantaneously to computers in emergency offices
3 around the state. On the screen you see one type of
4 emergency alert notice that can be sent. This is
5 not live but this is an example.

6 My written testimony contains other
7 examples of our public television stations and local
8 emergency data casting efforts. Some stations, such
9 as Channel 13 in New York, are also using
10 educational broadband service, formerly, ITFS
11 spectrum, to provide two-way communications for
12 public safety officials and first responders.
13 Regarding the next steps, the DAS Phase 1 and Phase
14 2 pilots have demonstrated proof of performance.
15 Now conditions are in place for a national
16 deployment of the digital DEAS.

17 The national roll-out discussed with DHS
18 would begin in the Southeastern states and progress
19 throughout the country. Part of the DEAS pilot has
20 been pioneering with DHS, the Integrated Public
21 Alert and Warning System, IPAWS, and the Common
22 Alerting Protocol, CAP, so that various systems
23 across the country can talk to each other, including
24 legacy systems. And I know, Madam Chairman, how
25 important interoperability is to the work of this
26 panel.

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1 Now, we have just -- all right, looks
2 like we can do the demo again. So now with our
3 technical contractor, Spectrorep and Mark O'Brien is
4 here, we're going to demonstrate again, for you the
5 capabilities of our DEAS National Capitol Region
6 Pilot. At this moment, an official at FEMA
7 headquarters is sending a test alert to the PBS
8 satellite operations center over a point-to-point
9 connection. PBS is uplinking the test alert and
10 it's being received by WETA DT. The station is
11 retransmitting and data casting the message in
12 several formats.

13 (Test being conducted)

14 MR. LAWSON: See the banner scroll
15 across the bottom of the screen and you're hearing
16 the tones. For these live data casts, DHS has the
17 ability to provide text as well as audio and video.
18 In this case, we're transmitting all three. Once a
19 Presidential message comes through, it will take
20 priority and replace what was being said. Let me
21 stress that again, what you're seeing and hearing is
22 being broadcast over the air live from WETA to our
23 rooftop antenna and it's being received through a
24 digital tuner card on the laptop behind me. All
25 this is commercial off-the-shelf technology and
26 again, XM radio is retransmitting the signal.

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1 Part of the design of this system is to
2 have the public television station feed, in effect,
3 head ends of other radio and TV stations, cable
4 systems, cell phone and pager services. That's the
5 advantage of working with Internet protocol. The
6 wireless carriers in the pilot successfully
7 retransmitted the text alerts to their customers
8 throughout the life of our pilot.

9 At the same time as these alerts were
10 sent today, we also data cast files. You can see
11 the files there that were sent over the air. These
12 include hurricane evacuation maps for Charleston,
13 South Carolina and Matagorda, Texas. As another
14 example, we developed a simple PowerPoint animation
15 based on a hypothetical dirty bomb even at Metro
16 Center. The animation shows the expected movement
17 of the radioactive plume and the traffic routes that
18 should be followed and more importantly avoided as
19 part of the evacuation plan.

20 And as you can see, we have a port
21 security training video. Data casting easily
22 transmits full motion video which can be displayed
23 through a PC browser. This video was given to us as
24 a courtesy of Houston PBS, VistaCast, Spectrorep and
25 Moxie Media. All of these applications of public
26 television data casting are possible. Local public

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1 stations stand ready to play an integral part in the
2 new DEAS both on a national and local scale.

3 You can also see in a moment, Mark will
4 delete files and they will be retransmitted and
5 rebuilt into our hard drive. In conclusion, we are
6 not saying that public television's DEAS is a silver
7 bullet offering the total solution for all emergency
8 communications. However, we do want to make clear
9 that our stations can offer the backbone for a
10 unique, robust and highly cost effective alert and
11 warning system. With adequate support, we could
12 deploy the basic delivery system in months, not
13 years. Our stations look forward to working with
14 this panel, the Commission, Congress and the
15 Administration to roll out a warning system for the
16 common good.

17 That concludes my oral testimony. I'd
18 be glad to take any questions.

19 CHAIRPERSON VICTORY: Thank you very
20 much. Steve Davis, I saw your hand go up.

21 MR. DAVIS: Thank you, thank you very
22 much. That was a good presentation. I appreciate
23 it. Steve Davis with Clear Channel Radio. One
24 question only; you said that all the PBS stations
25 are interconnected via the satellite system. Is
26 that, in fact, then a bi-directional link where all

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1 the affiliates can uplink to it as well as downlink
2 or do they just receive data from a central point?

3 MR. LAWSON: Most of them simply
4 receive. There are regional uplinks that get back
5 to PBS and Congress is funding a next generation
6 interconnection system for our stations and PBS. It
7 would provide for some greater degree of inter-
8 connectivity between the stations but mostly it's a
9 downstream system right now.

10 MR. DAVIS: Thank you.

11 MR. HADFIELD: Hello, Marty Hadfield
12 from InterCom. Again, relative towards the
13 broadcast side of the equation, how are the
14 transitions being handled or envisioned for the
15 eventual sun setting of analogue television
16 reception? Our existing EAS monitors rely on cards
17 that plug in and, you know, you dial to a particular
18 radio or television frequency.

19 MR. LAWSON: Right.

20 MR. HADFIELD: Do you foresee a whole
21 new scheme for that or just a card that has a DTV
22 tuner card, in essence, that only picks up the
23 audio, for instance?

24 MR. LAWSON: I don't know what FEMA's
25 plans are for the analogue system. Certainly,
26 there's a big radio component to the current

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1 analogue EAS that won't go away, but our system can
2 handle anything the current analogue system can do
3 and more. So, we expect -- in terms of the
4 television side for both commercial and analogue, we
5 would expect a pretty smooth transition, but
6 analogue will go away.

7 CHAIRPERSON VICTORY: Questions from the
8 panelists? Yes, go ahead, Kelly.

9 MR. KIRWAN: Kelly Kirwan. In reference
10 to some of the panel's discoveries and what we found
11 in catastrophes, disasters, is obviously, lack of
12 power, sites going down. What redundancy or
13 hardening is being put into the system that you're
14 describing?

15 MR. LAWSON: That's a great question and
16 I have to relate the answer to work that's being
17 done by another panel, an FCC panel, MSRC, Media
18 Security and Reliability Committee which has been in
19 business for two or three years now and really has
20 involved a major effort by the broadcasters, cable,
21 other industry, mostly media industries but not
22 exclusively, to plan for emergency response and what
23 we saw after Katrina was fuel was a major item, just
24 getting the diesel fuel there.

25 Most of them had -- most of our stations
26 had standby power and so part of this plan, part of

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1 the National Deployment would be a hardening of the
2 public television infrastructure in terms of longer
3 availability of emergency power. In terms of
4 redundancy, there is quite a bit, particularly in
5 our major cities. In Washington, DC for example,
6 five different public stations get a signal into
7 downtown Washington and you can replicate that in
8 New York, San Francisco, LA, almost all of our
9 cities. So there is a lot of capacity that could be
10 brought into play. There's -- there typically
11 wouldn't be a single point of failure in terms of
12 the broadcast site.

13 CHAIRPERSON VICTORY: Thank you very
14 much. Any other questions? Yes, go ahead, Billy
15 Pitts.

16 MR. PITTS: I want to compliment you on
17 what you are doing. I think it's great. I notice
18 that the Congress in the Budget Bill that they
19 passed that was signed into law in February, had
20 monies for a national alert system. Unfortunately
21 it's linked to the return of the spectrum and the
22 income from that. Are you still, at the same time,
23 broadcasting 1080-I high definition as you're doing
24 this?

25 MR. LAWSON: We are and on the question
26 of the legislation, you're correct, money was set

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1 aside from future spectrum auction in the Budget
2 Act. However, the WARN Act, which would provide the
3 policy direction to the Secretary of Commerce to
4 administer those funds for the system has not worked
5 its way through.

6 MR. PITTS: Right, it's still at the
7 desk and now it's in Congress.

8 MR. LAWSON: Right, Cingular, I want to
9 praise Cingular. Their message came through on some
10 of their cell phones, too, the message we just
11 transmitted and retransmitted. So there is a -- the
12 legislation is important. In terms of the band
13 width, what our stations are finding is that -- I'll
14 give WETA as an example, even at nighttime when
15 they're broadcasting 1080-I high definition, they
16 have enough band width available for a second
17 standard definition multi-cast channel along side of
18 that.

19 So as the digital compression gets
20 better and better, more and more bandwidth is
21 available. One of the beauties of this system is
22 that our stations are making it available on an as-
23 needed basis and so we don't have to restrict what
24 we can do on the television side to participate. At
25 certain times, we may have to pull bandwidth back,
26 but it should not interfere with the television

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1 transmission.

2 MR. PITTS: That Cingular reception, now
3 how did that happen? It was received through a DTV
4 tuner and then routed to a cell phone cellular
5 antenna to that? How did the phone tune to that?

6 MR. LAWSON: Cingular, that's right,
7 they received the signal over the air just like XM
8 radio did and through their own system, they
9 consented to a certain number of cell phones. They
10 retransmitted it and that's the beauty of IPAWS.
11 Once it's IP, a lot of different systems can handle
12 it and that was one of the primary goals of the
13 pilot was to find out if that was possible and it
14 certainly is. We're not claiming that there's 100
15 percent broadcast right now to every hand held
16 device, but we know that at least a selected
17 population -- for a selected population of phones,
18 it is possible.

19 During the Senate hearing, we equipped
20 the senators with their cell phones and we rang them
21 during the hearing.

22 MR. PITTS: That's great. And so you
23 can obviously select any public television area just
24 for a select message as well.

25 MR. LAWSON: Yes, we could. It can
26 certainly be geographically targeted and what we'd

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1 like to see -- FEMA again, their responsibility is
2 presidential messaging in the time of a national
3 crisis. What we would like to see through the WARN
4 Act or something similar is funding for local inter-
5 connectivity. In fact, the WARN Act extends the
6 requirement by our stations to carry Presidential
7 messages to also carry messages in a crisis from the
8 Governor or the Secretary of Homeland Security.
9 That legislation would provide funding for the
10 connectivity on a local or statewide basis as well.

11 MR. PITTS: Thank you, that's great.

12 CHAIRPERSON VICTORY: Kay Sears?

13 MS. SEARS: John, are your stations
14 considered critical infrastructure at this time?

15 MR. LAWSON: Not that I'm aware. I
16 don't really know the definition of that. Is that a
17 legal term or --

18 MS. SEARS: Well, it's a DHS term and
19 NCS term.

20 MR. LAWSON: I'm not aware that we've
21 been so designated. I do know that we have existing
22 statutory responsibilities but in terms of some sort
23 of designation, I don't know. We do know -- we have
24 been in a dialogue as related to an earlier question
25 about what it would take to harden the
26 infrastructure and they are also certifying the

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1 equipment in these stations.

2 CHAIRPERSON VICTORY: Commissioner
3 Adelstein, you had a question?

4 COMMISSIONER ADELSTEIN: Yeah, first,
5 John, I wanted to commend you and the public
6 television stations for using the spectrum again in
7 the public interest. I think it's another good
8 example of how your dedication to the communities
9 that you serve and the charter that you have to
10 serve the public interest is being borne out in
11 practice.

12 What capacity do you think will be
13 available for this hurricane season? Are any of
14 these going to be up and running in time for the
15 fall hurricane season or are we still in the sort of
16 beta test stage?

17 MR. LAWSON: We're beyond the beta test.
18 It would be relatively easy for us to have this
19 transmission system up and running at least for some
20 stations in the Gulf and the Southeastern States.
21 The real question after that -- and that would take
22 a commitment from DHS to fund this and we're in
23 advanced discussions with them about doing that. We
24 could roll out the transmission side relatively
25 quickly, months. In terms of locating these
26 receivers, they are inexpensive. That shouldn't be

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1 a big barrier but the protocols in terms of the
2 alerting, this is a Presidential system, how to
3 expand that to provide for local and regional alert
4 capability is really the question.

5 COMMISSIONER ADELSTEIN: Do you need FCC
6 regulatory changes or is it statutory changes that
7 you need to get that sort of localized approach?

8 MR. LAWSON: Let me compliment the FCC.
9 They've been very supportive. We thank you for
10 that. It's really a question now of funding. It's
11 not -- there are really no -- there are no statutory
12 barriers that we're aware of. We just need -- it's
13 not an expensive proposition. The good news is that
14 with the money from Congress and the state
15 legislatures and our communities, the basic
16 transmission infrastructure on our side is there.
17 It just takes a marginal investment in the equipment
18 at the station.

19 The rest of the build-out is really a
20 question of the will at the local and state level
21 and the funding to provide the connectivity.

22 CHAIRPERSON VICTORY: Thank you very
23 much, John. Appreciate your presentation. One more
24 question, I'm sorry, Mike, Mike Anderson.

25 MR. ANDERSON: Hi, Mike Anderson with
26 Part 15. You mentioned IP based technologies. What

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1 security issues, if any, does that bring up because
2 it's now IP based?

3 MR. LAWSON: Well, the system -- the
4 good news is that once it's transmitted, it's
5 unhackable. It's going out to anyone with a
6 receiver. And so in that sense it's secure. There
7 would be, I guess, a question between the emergency
8 authority and the transmitter. And we also think
9 the servers, these will be dedicated servers of
10 stations. No one at the station will ever touch the
11 data. It will simply flow through. There is an
12 authentication issue here but in terms of once it
13 leaves the television transmitter, it's out there
14 into the ether and no one can hack it. So we think
15 it's relatively secure and we also can encrypt data
16 if the government chooses to and make it available
17 only on a conditional access basis to certain
18 receivers. That system could be hacked, I'm sure
19 but in terms of the basic data that leaves the
20 station, it's relatively secure.

21 CHAIRPERSON VICTORY: Thank you very
22 much. And John, thank you, again for the
23 presentation, also for the demonstration, two times.
24 That was great and really, really helpful to our
25 panel. So thank you again.

26 MR. LAWSON: And thank you for the

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1 opportunity.

2

3 CHAIRPERSON VICTORY: Well, at this point in our
4 program, we're going to turn to some of the working
5 groups who have been meeting furiously and have been
6 hard at work, first on issue spotting, what are the
7 areas that the particular working groups wanted to
8 identify and construct recommendations, draft
9 recommendations to bring to the panel.

10 In a couple of cases, the working group
11 has progressed so far as to put some straw man
12 proposals on paper for commentary, but I think the
13 big purpose of this discussion this afternoon as I
14 introduce some of the working group chairs and vice
15 chairs, is for them to really inform the rest of the
16 panel what are the issues they're working on, what's
17 the direction they think they're going with those
18 issues and to solicit some feedback as to whether
19 this is the right path that the full panel can get
20 behind as final recommendations from the working
21 group flow up to the Katrina Panel for modification
22 and adoptions.

23 So with that we're going to start with
24 Working Group 1 first, so let me introduce Marion
25 Scott of CenturyTel and Working Group 1 has been
26 focusing on network resiliency issues.

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1 MS. SCOTT: Even though we represent
2 different technologies and different companies,
3 we've been technologically agnostic and that has
4 helped the strength of our team to look toward what
5 we feel are really the best recommendations rather
6 than a recommendation that may come from our own
7 personal interests. So I'd like to congratulate the
8 team on that agnosticity. We have -- from our issue
9 spotting list, we have about seven items on the list
10 and what I'm going to do is just run down those
11 quickly and then I'm going to turn it over to the
12 subcommittee leads who are going to say just a few
13 words about each of the items that our subcommittee
14 of our committee is working on. Those items are
15 reporting, emergency regulatory relief, readiness,
16 infrastructure resiliency, non-traditional
17 technologies as backup, EAS, and insuring that EAS
18 touches non-English speaking and handicapped
19 populations with the message.

20 So first, I'd like to turn it over to
21 John Thomas, who was tapped by Dave Flessas to
22 subchair this issue list and John, you have a few
23 words for us.

24 MR. THOMAS: Thank you, Marion. My name
25 again is John Thomas and I am here representing Dave
26 Flessas on this panel today and I wanted to give you

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1 all a brief status of the issues that we are looking
2 at and while this is no recommendation, it does
3 highlight some of the areas that we think are
4 particularly important. In 2005, voluntary data
5 reporting in wireless and wire line was particularly
6 beneficial, but we think there's some areas that was
7 can improve upon that. And certainly I think we'd
8 all agree that a success metric is going to be
9 important for looking at where the storm's impact
10 has been most severe and where trending of recovery
11 and restoration efforts are taking place.

12 This all kind of goes under the headline
13 of what is the health of the networks or what is the
14 health of the infrastructure. We believe that the
15 aggregation of this information would be most
16 effective if it is gathered and produced by one
17 government agency. It's also -- and I know we had
18 some discussion about this earlier, about the
19 information being competitively sensitive. It's
20 also a matter of Homeland Security. And that the
21 information that is submitted needs to be handled as
22 strictly confidential. One aspect about reporting,
23 it is labor intensive. It does divert resources
24 from restoration and recovery, so that it's
25 important that once as an industry and government
26 agrees on the data set, that we refrain from

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1 supplying additional information and that government
2 agencies refrain from requesting additional
3 information. Coordination in this area is going to
4 be absolutely essential.

5 We also -- you know, the other thing,
6 and we certainly would invite feedback on this but
7 the other item, the last item is that we certainly
8 believe that some of this data reporting can also
9 assist service providers with access, security
10 credentialing and other items. That's it.

11 MS. SCOTT: Okay, thanks very much for
12 that high level read-out. Next, I'd like to
13 introduce Marty Hadfield, who's taken the emergency
14 regulatory relief topic.

15 MR. HADFIELD: Yes, thank you. I've got
16 three bullet-points to provide you with information
17 on regulatory relief in a designated disaster area.
18 We're working on trying to come up with
19 recommendations for protocol of automatic waivers of
20 operational, organizational and, perhaps, technical
21 rules as appropriate in a disaster area.

22 The second area is, as I touched
23 comments on this earlier with David Barron, and
24 that's a recommendation for a hot spot or disaster
25 area frequency coordinator within industry sectors,
26 perhaps and with a thought also to particular areas

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1 where there might be some problems along
2 international borders for instance. And then the
3 third is a recommendation for periodic publication
4 and circulation of FCC contact lists. Those are the
5 primary areas that my little subgroup is focusing
6 on. Thank you.

7 MS. SCOTT: Thank you, Marty. Under the
8 readiness category, Dave Flessas is the subcommittee
9 lead on that. Dave was not able to be with us
10 today, but what that topic sort of includes is FCC
11 encouragement of any communication service provider
12 under its jurisdiction to take steps to enhance its
13 disaster preparedness. Some examples of that might
14 be pardoning of key facilities, survivability,
15 credentialing of key personnel, training and then
16 cross-functional participation in resiliency
17 efforts.

18 The next topic was infrastructure
19 resiliency and really what this subcommittee is
20 doing, I happen to be the lead on that subcommittee,
21 is just calling out what worked, what didn't work
22 and why. And that's been involving just going back
23 through every word of documentation that's been
24 presented to the committee or submitted to the
25 committee for review and picking out the key points
26 by discipline of what worked and what didn't work in

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1 all forms of communication.

2 And so what we're going to do is just
3 give a good fleshed out readout of that to the FCC.
4 The next category is backup and non-traditional
5 facilities particularly for public safety and Chief
6 Steve Dean has agreed to be the subcommittee lead on
7 that. Chief Dean wasn't able to be with us last
8 week, so I surprised him with that one today, but he
9 graciously agreed to lead that subcommittee. So we
10 don't have much work done on that one yet.

11 And then the last two categories are
12 kind of linked. One is on EAS and the other one is
13 on insuring that EAS is available to non-English
14 speaking and handicapped members of our society.
15 Now, we're going to partner with Billy Pitts. Billy
16 is going to talk a little about EAS on IWG-3 so I
17 won't steal his thunder here, but we're going to do
18 a cross-team readout of EAS as far as it relates to
19 infrastructure and the subcommittee that Billy's
20 working on.

21 Now, from everyone's perspective on what
22 you heard from our list, do you think we're on
23 track? Has anything been overstated, understated?
24 Is there anything in particular that you would like
25 for us to look at within these categories?

26 CHAIRPERSON VICTORY: If I might offer

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1 two comments; one on the reporting, one of the
2 things you might want to consider is also having as
3 part of your recommendations you consider having the
4 FCC help to publicize both within industry and
5 within the government both federal and state and
6 local, who that agency is that's going to be the
7 repository of this data so that other government
8 agencies who might ordinarily go to industry to ask
9 these questions know that they would go to this
10 government agency. So I think publicizing that
11 there is one repository and that this repository is
12 available I think is probably something you may want
13 to consider.

14 On the other, with readiness, I think as
15 we heard today from the NRIC speaker, it might be
16 worthwhile checking out the NRIC website of some of
17 the best practices that they have already come up
18 with and publicized. My recollection last time I
19 looked on that website was that the best practices
20 they've come up with in the past are categorized by
21 topic. And it might be that you'd want to
22 particularly highlight certain of those or embrace
23 certain of those as good recommendations that the
24 FCC should publicize perhaps periodically before
25 each hurricane season.

26 MS. SCOTT: Good, great. We know that

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1 there's been a lot of hard work by a lot of
2 different groups around this kind of work and some
3 of our recommendations may just be a validation and
4 restatement of work that's already been done. So
5 it's not that we're going to reinvent the wheel on
6 all of these categories but we'll lend some industry
7 level grassroots validation toward a lot of the work
8 that's been done, I think.

9 CHAIRPERSON VICTORY: Bill Smith, you
10 had a comment?

11 MR. SMITH: Yes, Bill Smith of
12 BellSouth. One thing that I wanted to, I guess, put
13 on the table as food for thought in the regulatory
14 relief area, I think we'll get into it when we get
15 into Working Group 3 area on P-SAP redundancy and e-
16 911 tandem redundancy but as we've looked at some
17 scenarios to improve the redundancy in the e-911
18 tandem network, as you and I chatted earlier this
19 morning, it's incredibly expensive to do it with a
20 redundant approach, with redundant equipment in
21 every LATA, but if you could use alternate LATAs to
22 back one another up, I think we could substantially
23 reduce the price tag of that undertaking. So I
24 think the regulatory relief efforts so far have kind
25 of been on how do we recover from a disaster and I
26 guess one question is, are there some key areas that

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1 if we could work around that, that we could put more
2 resiliency in the network and a much more cost
3 effective approach kind of before the fact, rather
4 than trying to restore afterwards.

5 CHAIRPERSON VICTORY: Any other
6 comments? Yes, Jim.

7 MR. JACOT: Yes, that is one of the
8 areas that we've identified in Working Group 3. I
9 guess a question I'd have for you is, would that
10 require the ability to establish intra-LATA
11 connections prior to the event or would it only
12 require the ability to pre-plan and pre-set up that
13 rerouting prior to the event but only enable it in
14 the event of a disaster incident?

15 MR. SMITH: I would say that pre-
16 planning it is better than nothing but you have to
17 make sure that the facilities are still going to be
18 there. They're essentially reserved if you pre-plan
19 a lot of the trunk groups. They're essentially
20 reserved, so I think to get maximum benefit, it
21 would be better to have the plan implemented so you
22 could have that redundancy without having to take
23 action because obviously, as you know, in the middle
24 of one of these events, there's more than enough to
25 do as it is and trying to, you know, add another
26 thing to go in and start implementing backup plans

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1 is, I think, just more complicated.

2 MR. JACOT: Yes, okay, so let me take
3 that one step further then. So if -- would it be
4 sufficient or does it meet the need if we could
5 establish those inter-LATA routes before the event
6 but not be sending actual live traffic over them or
7 do you need to actually have -- be sending intra-
8 LATA traffic prior to the event?

9 MR. SMITH: Again, I think in that case,
10 it's an improvement to have those routes established
11 without sending the traffic. However, it's even
12 better if you could actually let those systems do
13 load sharing. I think as we heard from some
14 speakers today, sometimes systems that aren't tested
15 on a regular basis, don't work as well when you need
16 them, so one plan to actually have the routes
17 established but not, in essence, activate them would
18 be better than probably where we are today.

19 I think an even better plan would be
20 able to start doing some load share, some overflow
21 share, so even if you get such a routine event that,
22 you know, you need to take it or implement that
23 plan, you don't have to go to the FCC for something
24 that may be an isolated event that has suddenly
25 caused trunk groups to overflow. So you know, it's
26 a degree of how much protection you want to get into

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1 the system.

2 MR. JACOT: Okay, that answers the
3 question, thanks, Bill.

4 CHAIRPERSON VICTORY: Any other comments
5 on Working Group 1's list and scope of activities?
6 Just to elicit a little bit more discussion, I want
7 to make sure that this panel agrees that they've
8 identified the right issues. Is there any concern
9 about any issue area they're working on? Marion, I
10 think you guys have hit the spot. So, if you all
11 would flesh out some of those issues -- Bill, go
12 ahead.

13 MR. SMITH: Just one other thing, I'd
14 kind of like to ask a question and maybe see if
15 there's anything to look at here, one of the things
16 that we found in Katrina was, I think, the supply
17 chain of the industry got tested. And you know, so
18 one of the things as we heard today on some of the
19 wireless communications, there's discussions around
20 stockpiling equipment and so forth. I would submit
21 to you that it may not be as big a deal, but you
22 know, in the throws of Katrina, we were actually
23 looking at areas where certain types of equipment
24 might not be readily available. Has that subject
25 come up in your discussions?

26 MS. SCOTT: It's not something that we

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1 covered but I think we decided that that could be
2 something that could easily be touched on because we
3 ran into the same thing, where do you get the poles,
4 where do you get the carrier spare parts, where do
5 you get the cable, yes.

6 CHAIRPERSON VICTORY: I know that's
7 something that Working Group 3 is looking at from
8 the public safety side and it would probably be
9 worthwhile to have a similar look at it from private
10 industry. So it's a good suggestion.

11 MS. SCOTT: Thank you.

12 CHAIRPERSON VICTORY: Great job, thank
13 you. Let me go ahead and turn to Working Group 2.
14 Steve Davis is the Chair.

15 MR. DAVIS: Thank you, Nancy. Steve
16 Davis with Clear Channel Radio and glad to be able
17 to participate on this panel and have a chance to
18 help make things better next time. We certainly had
19 a rough time of it last time. Our working group has
20 been charged with recovery, coordination and
21 procedures. And basically we're trying to examine
22 ways in which the technology could have been used
23 more effectively to restore communications post the
24 event. We want to review whether or not
25 communication technology could have been used more
26 effectively and what are the intra-industry

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1 procedures that were used to coordinate and
2 communicate amongst state, local government as well
3 as industry and private sector.

4 Other things we're looking at, too, are
5 the security and protection procedures that were
6 utilized by private communications industry members
7 and also looking at how well emergency communication
8 services including TSP, which is Telecommunications
9 Service Priority and GETS, Government Emergency
10 Telecommunication Service and W -- Wireless Priority
11 Access, WPA performed during the Katrina and review
12 the extent to which emergency responders utilized
13 those services.

14 With that in mind, and the goal being to
15 insure prompt recovery of communication networks
16 after a disaster, help the industry and government
17 restore communications connectivity and keep the
18 public and first responders better informed during a
19 recovery, we formed some small working groups within
20 our group to examine these issues and our first sub-
21 group is chaired by Lieutenant Colonel Joseph Booth.
22 I also want to thank the other participants on that
23 panel who were Tony Kent, Mike Anderson, Patrick
24 Yoas, Adora Nweze and Kay Sears. Lieutenant Colonel
25 Booth.

26 LT. COL. BOOTH: Thank you. I think you

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1 have the recommendations before you there. It is a
2 sheet of seven recommendations. Did not publish a
3 finding in advance of this. I think the discussion
4 so far has been very on point with what the need is
5 and so we just skipped right over that. I will ask
6 you also to keep in mind that some of these may
7 sound a tad redundant and that's because they
8 address maybe the same issue from one perspective
9 being the service providers and from a government
10 standpoint, so you may expect some merging of these
11 and, of course, we just wanted to submit these for
12 your consideration today and we're anticipating your
13 feedback.

14 They deal mostly with coordination
15 between service providers and government, especially
16 at the EOC level and also credentialing issues as
17 well, and with that, I'll just go through these very
18 quickly. If you don't mind, I'll just read this
19 real fast and then we'll tell you a snapshot of what
20 we were getting and solicit your comments. Each
21 state's emergency preparedness plan should clearly
22 identify staging areas for Telecommunications and
23 Media Infrastructure Providers, TIPS is our acronym
24 for that, where credentialing, security, escorts and
25 further coordination can be achieved. Where
26 possible, web based application designed to pre-

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1 clear or expedite movement of TIPS into a disaster
2 area should be made available.

3 The FCC should create a website of state
4 emergency management contacts and staging area
5 information which is generally an ESF-2
6 consideration. You'll see that we used TIPS, we
7 borrowed that from NSTAC, except that NSTAC was not
8 written to include media. We included media, that's
9 why the acronym doesn't quite work. We're just
10 telling you for our consideration, we included media
11 equally as a telecommunication service provider.

12 The second recommendation is basically
13 lifted right out of the NSTAC report for your
14 consideration. That is criteria for designating
15 TIPS as emergency responders during or immediately
16 following a disaster should be developed and
17 incorporated into the National Response Plan as well
18 as state and local emergency response plans. And
19 without any discussion there on what level or the
20 distinction between an emergency responder and a
21 first responder, we basically treated it, this is
22 TIPS private sector credentialing.

23 Number three, federal emergency response
24 agencies, state and local emergency managers and
25 TIPS should coordinate to identify damaged
26 telecommunications infrastructure, assign priorities

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1 in repair the damaged infrastructures, sharing of
2 resources, such as fuel and security forces,
3 identify what personnel need to enter to a security
4 perimeter around a disaster area to make repairs and
5 provide coordination. This, as you can see, is
6 generally aimed at that coordination between the
7 various TIPS and their support entities. We
8 discussed last night that although a contractor may
9 need to come in -- not a contractor, but a service
10 provider may need to come in, a trail of related
11 contractors such as tree-cutters and others may need
12 to come in with him and we'll want to coordinate
13 that and also try to coordinate maybe concentration
14 of forces in an area where electrical power and TIPS
15 workers would be working and security and fuel could
16 be concentrated in a particular area where
17 geographically you could isolate somewhere where
18 central services could be most effectively supported
19 in that regard. It doesn't have to be, we were just
20 thinking that when we crafted this.

21 And number five, credentialing
22 procedures and requirements for TIPS should be
23 produced and published by a federal agency to assure
24 uniformity among state and local government. A
25 federal guideline can be amended as needed by state
26 and local governments and should be published in

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1 advance. This is very closely related to
2 recommendation number two, as you see, and we were
3 looking at a national standard approach, but
4 guidelines are not some real precise definitive set
5 of standards from which state and local governments
6 cannot deviate as needed. We were looking at some
7 sort of flexible guidelines to put TIPS on notice
8 that generally, they'd be required to conform to
9 these set of standards, but at the same time, leave
10 flexibility to local government in particular to
11 make changes as to need and local conditions
12 require.

13 Number six, TIPS should work with state
14 and local governments throughout the year where
15 possible to settle issues which may delay or impede
16 important TIP damage repair. Examples of issues
17 which can be addressed in advance include security
18 personnel, updating credentials or credentialing
19 process, changes in infrastructure or its level of
20 demand and relative importance to central
21 communications, et cetera. Again, this is just an
22 all-year coordination, a dialogue that we are
23 recommending occur between the TIPS and governmental
24 agencies.

25 The last recommendation is basically a
26 follow-on of number six, also discussing all your

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1 coordination a little bit more to the point. It
2 says, the FCC shall urge and facilitate coordination
3 between telecommunications and media industries and
4 state and local emergency preparedness officials.
5 The parties should meet on a periodic basis to
6 identify vulnerabilities in the telecommunications
7 infrastructure, develop strategies to mitigate those
8 vulnerabilities, construct joint preparedness and
9 response plans and conduct joint exercises. And
10 again, this one adds in the provision of a
11 communications or joint exercise between the
12 parties.

13 With that, I stand to answer any
14 questions or take your comments.

15 CHAIRPERSON VICTORY: Comments on this?
16 Sandy Wilson.

17 MS. WILSON: Yes, Sandy Wilson with Cox
18 and I'm just substituting for Greg Bicket, who is --

19 LT. COL. BOOTH: I'm sorry, would you --

20 MS. WILSON: Sandy Wilson, Cox,
21 substituting for Greg Bicket today. And I take it,
22 it might be covered in number three, but when you
23 talk about the coordination that would happen on the
24 ground, are you envisioning that the service
25 providers themselves would also coordinate among
26 themselves so that you don't end up accidentally

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1 damaging another person's network?

2 LT. COL. BOOTH: Very much. And in
3 fact, that's what we got from some of TIPS
4 providers, that basically we were here not so much
5 between the TIPS but other contractors were damaging
6 some of their recently repaired infrastructure.

7 MS. WILSON: Right, that was a big
8 problem for us.

9 LT. COL. BOOTH: So, yes, coordination
10 is very necessary because I think what was happening
11 is some contractors were assuming all com was down
12 and so they were giving no attention whatsoever if
13 they further damaged the infrastructure thinking it
14 was already dead, not knowing that it had just been
15 repaired.

16 CHAIRPERSON VICTORY: I think that gives
17 us the idea that the sub-group's proposal is to put
18 together kind of a strawman for a state or regional
19 level communications coordinating council, if you
20 will, or group that would be in existence before a
21 disaster in terms of meeting periodically to
22 exchange some information to get to know each other,
23 to figure out who's doing what and to also try to
24 get some groundwork laid for credentialing and
25 access and some of those other types of things and
26 then in the wake of a disaster, have already

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1 outlined staging areas and a place to meet to share
2 in formation, to coordinate for purposes of repairs,
3 for purposes of sharing fuel, sharing security, if
4 you're all going to the same part of the effected
5 area and those sorts of things.

6 And obviously, our recommendations are
7 to the FCC and we, I think, would envision that the
8 FCC role here would be one of encouraging this sort
9 of strawman proposal and encouraging that states and
10 localities work with NCS in coordinating this sort
11 of a group. And I think we heard a lot of
12 interesting things today, particularly with NCS's
13 plans on forming regional groups.

14 And I think one of the challenges we'll
15 have is try to figure out, okay, how does this model
16 fit in with those plans. So I think that's
17 something for the group to talk about based on what
18 we heard today. But the idea was to outline a lot
19 of the functions that might be involved in that sort
20 of coordinating group. Steve Delahousey.

21 MR. DELAHOUSEY: Steve Delahousey,
22 American Medical Response. I believe you mentioned
23 something about credentials or minimum standards for
24 the emergency responders. As we mentioned earlier,
25 I would just ask that some consideration possibly be
26 given to requiring perhaps a modified NIMS training

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1 for all responders.

2 CHAIRPERSON VICTORY: Could we have the
3 microphone, please, for Mr. Davis?

4 MR. DAVIS: I just wanted to know if
5 there were any more questions first before we moved
6 on to the next sub-group. I want to mention that
7 this is the -- or actually the state/regional
8 coordination body subgroup that Colonel Booth heads
9 up and I would like to position this as a state
10 although it's certainly open to debate by the whole
11 panel, but as a state entity at each state because
12 states already have emergency operation centers and
13 have some infrastructure in place to support this,
14 if we have to go back to the drawing board and
15 design different regional groups and it starts to
16 get a little bit complicated.

17 And really, what I think I've heard over
18 and over in these panels is we don't want to
19 reinvent the wheel. I think NSTAC and the other
20 presenters today have really done some work already,
21 and why not build on what they've already done
22 rather than trying to reinvent the wheel here. We
23 want to adopt what they're proposing but broaden it
24 a little bit. They only contemplated some certain
25 parts of this and we're trying to take it into a
26 full picture that could be utilized to really

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1 respond when needed.

2 But we don't need to, I don't think,
3 strike everything down. But if you have any
4 comments, since we are in a discussion mode, I think
5 here and not just a presentation mode, as far as
6 whether any of you think that a state would be, you
7 know, a state EOC would be the center point for this
8 sort of thing or not or any opinions on that, I
9 would invite your opinions on that before I move
10 onto the next presentation. Yes, sir?

11 FIRE CHIEF DEAN: I don't know if it
12 fits in here or not but I believe that at one of the
13 meetings I mentioned that we needed someone at least
14 at the regional headquarters from FCC that has the
15 ability and the authority with all of the incoming
16 resources and certainly you know quite a bit about
17 the type of resources that show up on one of these
18 things, that the need to coordinate any additional
19 frequencies that may need to be brought on line or
20 anything like that, would that fit into the -- into
21 your ideas as to your plan and you know, where
22 you're headed to because you're going to have a lot
23 of resources coming.

24 Everybody wants to come to the party but
25 everybody wants to talk when they get there, too.

26 LT. COL. BOOTH: Yes, I agree that the

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1 scope of our committee's inquiry, I suppose, was
2 limited but if you take that model and apply it, it
3 works for frequency coordination as well as it does
4 credentialing and for TIPS.

5 MR. DAVIS: Well, I just want to say
6 that Martin Hadfield had brought that up also.
7 They're looking at the frequency coordination aspect
8 of it but you know, I do think we just need to
9 establish a central point where everybody gets
10 together and says, Okay, we've got 16 trucks of
11 diesel fuel and five generators, how can we best
12 work together. We, the broadcasters, formed a
13 little bit of an ad hoc group. I had a generator
14 that I loaned to the Cumulus, one of our competitors
15 and, you know, we just -- but there was no formal
16 way to make sure that that happened. So we're
17 trying to make sure that there's a mechanism in
18 place for possibly for wireless providers to share
19 resources and if there's a contractor cutting down
20 trees, no use having them sit on their hands. They
21 could cut down trees for your group and for somebody
22 else's group while they're in there. So just the
23 idea of coordinating.

24 If there are no further questions on
25 that, I'd like to move to the second -- oh, we do
26 have some, I'm sorry. Go ahead. Kay Sears, did you

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1 have a question, comment?

2 MS. SEARS: Well, yes, I'm on this
3 working group here with Joe.

4 MR. DAVIS: Yes.

5 MS. SEARS: And I think given what we
6 know about the NSTAC now in terms of their
7 recommendations, it seems like we should tie into
8 from the TIPS perspective the joint field office,
9 not necessarily the FECC but the joint field office.
10 I think what our recommendations do is take that one
11 step further which talks about the fact that we
12 wouldn't wait to get that group together. In other
13 words, the joint field office may be something
14 that's deployed after an emergency or a crisis has
15 happened. We'd be wanting to have that group meet
16 on a year-round basis.

17 So, I think -- and Nancy tell me if you
18 agree -- that the more we can tie our
19 recommendations to the NSTAC or other organizations,
20 I guess the more impact we might have because it --
21 we're streamlining and we're talking with one voice
22 across different groups, which I think is going to
23 be helpful.

24 CHAIRPERSON VICTORY: I think that is
25 helpful and it probably makes sense for this group
26 to tie in both to a federal entity as well as into a

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1 state entity. So in terms of tying into the Joint
2 Field Office when it's deployed federally, I think
3 is very helpful as well as tying into the state EOC
4 which hopefully will be coordinating with that joint
5 field office but that state EOC which is operating
6 in the area on a regular basis and where you need to
7 develop relationships, but yes, I agree. To the
8 extent that we can be aware -- and that was part of
9 the purpose of the presentations today.

10 To the extent that we can be aware of
11 what other folks are working on currently and where
12 some attention is being deployed or is being focused
13 and build upon that or agree with it, I think that
14 does help because it suggests that everybody is
15 moving in a common direction and that direction
16 would be more likely to be pursued.

17 MR. DAVIS: And Kay, before we go on, I
18 want to respond at little bit more to Kay as well,
19 in that since she missed our meeting last night and
20 I'm sorry that we didn't have more time to spend on
21 that, we are looking at federal and state
22 coordinations. I didn't mean to foreclose federal
23 when I said it would be a state body. I guess what
24 I meant was I don't want to see it divide into three
25 different coordinating points for say the State of
26 Georgia or something, but there would be one point.

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1 And one thing that we got to in our
2 group last night was to have one website federally
3 so that somebody like yourself that has global
4 responsibility for many markets across the United
5 States can go to one site and see who the
6 coordinating body is, who they need to get ahold of
7 to do business in Georgia or Louisiana or Oklahoma.
8 So that is the idea. And in fact, I'd like to
9 elevate the awareness level and the coordination
10 level to a national level and certainly have FCC,
11 joint field office, et cetera, participation but I
12 think, you know, at the end of the day, it's Colonel
13 Booth and people like that, that are at the state
14 level as well as the local police, I think that
15 Captain Cannon reminded me that all disasters are
16 local and so we need to bring it down to the group
17 that's actually going to be there on the front lines
18 during the disaster.

19 And yes, Bill Smith, was that you?

20 MR. SMITH: Yes, thanks. What I wanted
21 to do is just kind of ask a clarification point
22 around the state EOC. I think the state EOC is a
23 great place to take escalation issues, for lack of a
24 better term. One thing we did with Katrina that
25 worked very well, and we'd never done it before but
26 we actually had wireless carriers and wire line

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1 carriers in our EOC and coordinated on the spot and
2 so I think we, within the industry, did a really
3 good job of solving one another's problems. We had
4 daily conference calls. We said, you know, we've
5 got a fuel convoy leaving from Baton Rouge at 9:00
6 a.m. you know, headed for ports. If you've got
7 stuff you need to put in that, it's an armed convoy,
8 all that work without having to go through any state
9 EOC structure.

10 And so I guess one thing I would suggest
11 is that there are some things that we ought to
12 coordinate within the industry and use the EOC as an
13 escalation point. Otherwise, if everything that
14 you try and do from a coordination point of view
15 goes through the EOC, I'm thinking it's probably
16 going to slow the process down.

17 MR. DAVIS: Agreed. That makes sense.
18 Yes.

19 CHAIRPERSON VICTORY: I think this was
20 sort of a coordinating council was that it would
21 plug into that EOC for information exchange purposes
22 and obviously, for credentialing and access but that
23 this group, on its own could do some of that own
24 coordination without necessarily involving the EOC
25 for decision making purposes.

26 MR. SMITH: That's really what I was

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1 thinking because things like coordinating fuel and
2 those kind of things, we, as an industry, you know,
3 ought to be able to do that. Now, if someone says,
4 "Gee, I'm trying to get something done and I don't
5 know where to go", the EOC should always be kind of
6 the fail-over place to go to, but ought to be
7 careful not to make it mainstream that a lot of
8 those coordination discussions go on because I think
9 we're doing those in much more real time now.

10 MR. DAVIS: That's a good point, Bill,
11 and I also would add that we weren't looking at the
12 EOC being necessarily a decision-maker on each of
13 these things, but rather that we were going to
14 develop a separate state coordinating body to
15 actually coordinate so that people and perhaps your
16 company has already set up with all the state EOCs
17 and if so, that's great, but just to simply let
18 industry know where they need to go and who they
19 need to speak with and what their correct channels
20 are so we don't have what becomes sort of a land run
21 with everybody rushing to the scene with all their
22 equipment and not knowing who to ask, and it's all a
23 matter of who can talk the best story by the police
24 officer on the front line and put that police
25 officer in a tough position of not knowing whether
26 to admit the person or not.

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1 I just think there needs to be a
2 standard that's established. Also to Colonel
3 Booth's point, I would say it's very important that
4 we coordinate prior to the disaster so it isn't a
5 land grab during the EOC but rather that we know
6 each other and get to know one another prior these
7 disasters and that we meet and that our industry
8 representatives do meet at the local basis. I think
9 Chief Dean had a question.

10 FIRE CHIEF DEAN: I think that the
11 coordination of what you need as an industry, if you
12 can do that as a co-op or whatever and you can
13 organize your convoys and all of that, that's great.
14 But once you get ready to hit the road and you get
15 in that perimeter, the guy on the street controls
16 the access. So there needs to be something in that
17 plan that says, "We've got this convoy going,
18 everybody can load up and go", and then once you
19 know you're going to leave at XY time, contact that
20 state EOC or the local EOC and say, "Hey, we have
21 this coming. It's going to this point. We know you
22 have a checkpoint set up there, contact somebody and
23 let them know, and this is their destination".

24 And then these guys have the ability to
25 contact their people on the ground and they know
26 what they're looking for. Otherwise the convoy is

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1 going to run into a roadblock and then it's going to
2 be back to who can do the best talking to get
3 through the roadblock or either they're going to sit
4 for awhile.

5 So, I mean, and the goal is to get those
6 resources where they need to be in a timely fashion
7 and get things back on line as quick as we can. So
8 -- but, yes, if you bog down -- you can bog down an
9 EOC real quick and so as much responsibility as
10 industry can take to self-sustain, that's great, but
11 you still have to have that coordination and that
12 inter-personal relationship goes a long way.
13 Because when you pick the phone up and you say,
14 "Hey, this is Steve with Clear Channel", and I know
15 who Steve is, he's going to go further than somebody
16 that you don't know who Steve is, you know. So I
17 mean, I just -- that coordination -- that phone call
18 needs to happen, that we coordinated this, they're
19 going here, you know, you need to let them through.

20 MR. DAVIS: If I can get this to an
21 action item, then, are we at a dispute where on the
22 one hand -- and I don't mean to paraphrase you,
23 Bill, but you're saying it shouldn't coordinate to
24 the --

25 MR. SMITH: No, no. Let me just be
26 clear. What I thought I heard you say earlier was

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1 that things like fuel availability, et cetera,
2 needed to be coordinated through --

3 MR. DAVIS: Oh, no.

4 MR. SMITH: Okay, that's why I was
5 clarifying. I thought that's what I heard you say.
6 We worked -- through Katrina, we had a rep in the
7 state EOC in Baton Rouge that we coordinate
8 everything through. My point was, if we -- if the
9 industry looks to take every coordination issue
10 through a state EOC, that's not going to be good for
11 the state operation, nor for the industry so our
12 report needs to clearly delineate kind of a
13 hierarchical approach, these kind of things need to
14 be worked in coordination with the state EOC, these
15 kind of things can be worked within the industry if
16 possible.

17 So I'm in complete agreement but I
18 thought I heard you say earlier that that was one of
19 the responsibilities that we were putting at the
20 state EOC.

21 MR. DAVIS: Maybe I was unclear. What I
22 meant to say, because we're not really talking about
23 -- our group wasn't talking about what the EOC would
24 do. We're talking about forming a state/regional
25 coordination body. That body would be a place where
26 people could work together, whether industry or in

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1 the private sector or whether they're government,
2 but they could coordinate and work together on all
3 of their needs, but as far as gaining access, I
4 think that that, you know, obviously goes to local
5 law enforcement, and I don't think that we have a
6 disagreement. But I just want to know if, as a
7 panel, we had a disagreement, but I think what we
8 said together if I were to phrase sort of an
9 agreement and it is that all access, permission and
10 gaining access needs to happen through the EOC. Is
11 that what you're both saying? And that would be the
12 way we should put any recommendation?

13 I think I had a question. Steve, was it
14 you or -- no, it wasn't, I'm sorry. Okay, Colonel
15 Booth.

16 LT. COL. BOOTH: Yes, I think we all
17 understand what we're trying to say but I want to
18 also add the perspective is that you know, the
19 examples we gave was security and fuel, come right
20 out of the NSTAC report on page 5, and BellSouth is
21 a member of NSTAC. So we've heard over and over
22 from industry that these were concerns of yours. If
23 they're not, we can take those out and we're not
24 looking in recommendation one, to make government a
25 part of your every decision process. I can tell you
26 from my perspective, I had plenty to do and we're

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1 not looking for work.

2 What we want to know is where you need
3 our support and coordination to help you get these
4 things that you need and for also just to give us an
5 operational picture of what you're doing because the
6 idea is for us to all be mutually supporting and
7 maybe we can find a better way to say it, but that's
8 where we were aiming at, not trying to get out in
9 the weeds and coordinate your movement of your own
10 support.

11 CHAIRPERSON VICTORY: Maybe as we're
12 coming up with final language for this
13 recommendation, what we probably need to distinguish
14 is we're talking about forming this body that would
15 plug into the state EOC, would plug into NCS through
16 its field regional personnel, and to be clear with
17 that there are certain benefits of having this
18 coordinating body for purposes of allowing industry
19 to pull resources, to coordinate with each other and
20 to make some decisions, smart decisions on their own
21 for responding to a disaster or maybe planning for
22 it in terms of redundancies.

23 And then there might be other functions
24 where this body can be used to be a clearing house
25 of information and get it to the state EOC for
26 things like access or to the extent you actually

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1 need to go beyond private security and use either
2 some of the local, state or federal security, but
3 this can be a means of pushing those requests up and
4 plugging it into one place.

5 So maybe one of the things we have to do
6 is sort of think about what are the benefits of this
7 body in terms of things they can solve on their own
8 and then what are the things where the benefits of
9 this body would be to take the information, push it
10 up to the EOC for a decision and for the EOC to then
11 know that they can come back to this body for
12 disseminating information and instructions.

13 MR. DAVIS: Okay, I believe you had a
14 question.

15 MR. KENT: Kind of I will lead off, one
16 thing that's not clear to me yet and I don't know if
17 it's being addressed or has been addressed somewhere
18 but how is the interaction between the Federal Joint
19 Field Offices and the state EOCs supposed to take
20 place? I mean, we talk about joint field offices
21 and you've got a contact there for federal resources
22 and the state EOCs but I don't understand how we
23 keep those two organizations tied together. Is that
24 being -- is that addressed somewhere or being
25 addressed somewhere?

26 CHAIRPERSON VICTORY: I think that's

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1 being addressed, not by the working groups. I think
2 it's being -- hopefully, it's being addressed
3 elsewhere in the Federal Government, but you know, I
4 think you raise a good point and I think that's one
5 of the reasons that the working group suggested that
6 there are two places that this coordinating body
7 should plug into; one making sure that they are
8 acquainted with and plugging into the NCS/FEMA
9 personnel and also making sure that they're plugged
10 into the state EOC because it did seem like there
11 may have been communication gaps between those two
12 types of entities and perhaps at least with the
13 communications sector, we're plugging in with both
14 of them. But it's -- we're confused, I think.

15 MR. KENT: I can see where this new
16 group to plug into both. The question is, how do
17 those two work with each other.

18 LT. COL. BOOTH: They're sitting
19 together looking at each other, coordinating by ESF
20 function with those taskings.

21 MR. KENT: Okay, so they are co-located
22 groups in a recovery.

23 LT. COL. BOOTH: Yes, yes.

24 MR. KENT: Okay.

25 MR. ANDERSON: I think what we envision
26 is that you have the EOC and just outside the EOC

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1 was here's a tent for all communications people,
2 here's a tent for all the cops, here's a tent for
3 all the fire people. That's my impression of the
4 conversation we had.

5 MR. KENT: Okay.

6 MR. DAVIS: That's a good point, though,
7 and that's why it's good for all of us to work
8 together as a panel because we're getting input from
9 other people who weren't in our group, clearly we're
10 not on mission and we haven't foreseen all the
11 possible permeations of this idea, so thanks. Are
12 there any other -- yes, you had an issue, Steve?

13 MR. DELAHOUSEY: We've referred to it a
14 number of times about the National Response Plan and
15 whether it worked or not. It addresses, Jim, the
16 specific issue that you bring up about regional
17 coordination when ESF-2 is activated and according
18 to the plan, that the FECC and his or her staff
19 deploy to the scene of an incident, so that's taken
20 care of. The FECC or a member of his or her staff
21 normally deploys to the effected state EOC, so
22 that's addressed. And then also as the advanced
23 element, the emergency response team coordinates
24 with ESF-7, at the JFO, so you have a regional
25 response.

26 So all three elements are addressed in

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1 the plan, and you know, again, whether it worked or
2 not, it seems like that's a pretty good approach.

3 MR. DAVIS: Okay, so appreciate the
4 comments. We'll move on to our next subgroup. I'm
5 sorry, we had another question, I apologize.

6 MR. PITTS: This is not so much a
7 question. I just wanted to pick up on what Steve
8 was saying and we heard it several times. It's
9 "when it's activated". There's a lot of aspects of
10 the National Response Plan that I think the FCC and
11 other agencies could implement prior to activation
12 and I think we need to look at the response plan and
13 potentially have the FCC play a greater role in the
14 prior to activation aspects of this. There's so
15 many things that don't happen unless there's an
16 incident of national significance and as you know,
17 in this situation, there was a to and fro between
18 Chertoff and Secretary Brown about whether or not
19 this should be called an incident of national
20 significance, although I think the Stafford Act
21 kicked it in anyway.

22 But I think that we ought to look at
23 this National Response Plan and recommend that the
24 FCC play a greater role in looking at using aspects
25 of it prior to any activation of ESF-2 or an actual
26 incident being cited.

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1 MR. DAVIS: Okay, that's a good thought.
2 It could be tough because when you make the call
3 that it's going to be needed or not but that's
4 certainly something that we can look at how to do.

5 MR. PITTS: Yes, it's not so much about
6 when to declare it. There are some things under the
7 plan that could be done prior to it being declared.
8 You already talked about some of it, you know,
9 determining the assets, et cetera. But I think we
10 ought to take another look at the National Response
11 Plan from that perspective and what role the FCC can
12 do coordinating in a non-activated, non-emergency
13 situation.

14 MR. DAVIS: I wonder if you might be
15 willing to help our working group then. If you
16 might send me an e-mail listing those things that
17 you think from that plan we might look at doing
18 earlier, we can see whether or not we can
19 incorporate that into our recommendations.

20 MR. PITTS: Sure, I'd be happy to do
21 that.

22 MR. DAVIS: I'll give you card later if
23 you don't already have one. You probably have it
24 from Nancy. Any other questions before I move to
25 the next piece? I apologize if I didn't see that
26 there was a question. Great. Our next subgroup is

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1 the emergency communication services and program
2 subgroup and we are -- that is comprised of Jonathan
3 Linkous, Gordon Barber and none other than our own
4 Chairman, Nancy Victory. So without further ado,
5 I'm going to introduce to you Nancy Victory.

6 CHAIRPERSON VICTORY: Yes, we have a
7 discussion draft that you should have. It's about
8 three pages. Toward the bottom, it says "Overview
9 of GETS", but this is really focused on some of the
10 services we heard NCS talk about this morning, the
11 wireless priority access, the GETS service and the
12 telecommunications service priority.

13 And those are assets, if you will, that
14 currently exist but in terms of the extent to which
15 they're subscribed to by all eligible entities, we
16 probably still have a long way to go. I gather GETS
17 is fairly popular, especially because it's free,
18 although our understanding from the literature that
19 we've read is you still don't have even close to 100
20 percent subscribership by the various entities in
21 the public safety community or even in the
22 commercial sector who might be eligible for it
23 because of their critical infrastructure assets that
24 they have just are not taking full advantage of
25 this.

26 So we wanted to take a look at those

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1 existing services and see if the FCC had a role in
2 encouraging them to be better utilized and perhaps
3 even to help them evolve so that they're more useful
4 in the future. So with that in mind, we've come up
5 with sort of four recommendations in this area for
6 discussion and I'll run through those.

7 The first is for the Commission to work
8 with NCS who administers these programs to actively
9 and aggressively promote WPS, GETS and TSP to all
10 eligible government, public safety and critical
11 industry groups. As part of this outreach effort,
12 the Commission should target groups that have
13 relatively low levels of participation. For
14 example, the panel recommends that the Commission
15 reach out to the emergency medical community and
16 major trauma centers to make them aware of the
17 availability of these services.

18 And there may be other groups that we
19 want to specifically mention. I think one of the
20 things that we had talked about is the emergency
21 medical community is not as well organized on
22 communications issues as other aspects of the
23 communications industry or even the public safety
24 industry who is very well-organized and very active
25 on communications regulatory issues. And so that
26 might be an area that we specifically want to target

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1 for the Commission's publicizing of these services.

2 The second recommendation was that the
3 Commission should work with the NCS to clarify
4 whether broadcast, satellite and cable company
5 repair crews are eligible for GETS and WPS under the
6 Commission's existing rules. If so, the Commission
7 should promote the availability of these programs to
8 those entities and urge their subscribership. If
9 the Commission determines that these entities are
10 not currently eligible, the panel recommends that
11 the Commission revise its rules so that these
12 entities can subscribe to WPS and GETS. And what
13 that recommendation stems from is if you look at the
14 eligibility criteria, it really talks about
15 telecommunications providers and so for media
16 companies, even for cable companies, to the extent
17 they're providing telephony services, it's really
18 not clear whether they are covered or not, but for
19 purposes of in the wake of a hurricane or another
20 disaster, you certainly want to get those facilities
21 up and running and it would be helpful to have the
22 executives or the repair crews there be able to get
23 access to priority communications just like the
24 telecommunications providers.

25 So we wanted to get clarification on
26 that issue and if the clarification resulted in a

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1 negative interpretation, wanted to see if the FCC
2 could work to include this group within the eligible
3 entities.

4 The next was sort of a technical issue.
5 That the Commission should work with the NCS to
6 explore whether it is technically and financially
7 feasible for WPS calls to automatically receive GETS
8 treatment when they reach land line facilities and
9 thus, avoiding what's required today, which is if
10 you're a WPS caller, you get priority on the
11 wireless facilities but you don't get priority on
12 the land line facilities that are interconnected
13 with it to complete the call unless you punch in
14 your GETS card information.

15 So I wanted to see if there was a way to
16 examine, to technically have that go through
17 seamlessly and not require the extra step of
18 plugging in the GETS card information in an
19 emergency and that the Commission may desire to set
20 up an industry task force to explore this issue.

21 And finally, the Commission should work
22 with the NCS and the communications sector to
23 establish and promote best practices to insure that
24 all WPS, GETS and TSP subscribers are properly
25 trained in how to use these services. This gets at
26 the aspect that's been mentioned so often, that

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1 unless you use these and test them periodically,
2 when the emergency comes, you're not going to be in
3 the habit of using them. So having the FCC identify
4 some best practices for training, for exercises and
5 to publicize those, we thought might be a viable
6 recommendation for the panel to consider. So I'd
7 appreciate any comments on those, as to whether
8 we've missed any points of that, if there are any
9 other things we should be considering along the
10 lines of TSP, GETS and WPS. Anything else? Mike
11 Anderson?

12 MR. ANDERSON: I know there's a fee for
13 WPS and I learned today that GETS was free. Is
14 there a fee for TSP?

15 CHAIRPERSON VICTORY: I believe there
16 is. I don't know, Bill, if you know what that is.

17 MR. PITTS: For TSP?

18 CHAIRPERSON VICTORY: For TSP.

19 MR. PITTS: Yes, there is a fee.

20 CHAIRPERSON VICTORY: There is a fee. I
21 can't tell you what it is but there is fee, but I
22 just don't know what it is for getting priority
23 access to the line and priority repair for the line.
24 I don't know.

25 Basically, there are a whole slew of
26 levels of priority for TSP, first responders,

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1 critical infrastructure providers, emergency
2 medical. It goes beyond just the communications
3 industry. It really looks at who are all the
4 different types of individuals, who would be
5 responding in a disaster; Federal Government,
6 critical employees who deal with emergency response,
7 state and local. But one of the categories, and
8 it's not the top priorities, it's probably down
9 around three or four for each of these, are critical
10 infrastructure providers and in some cases it's
11 phrased telecommunication service providers
12 explicitly. And I think as we were -- as the
13 Captain was mentioning this morning, for NCS that
14 you know, recently they've added the financial
15 community for some of these lines as well, because
16 they recognize that they're very important for
17 keeping the economy going.

18 MR. ANDERSON: Thank you.

19 CHAIRPERSON VICTORY: Any other
20 questions or comments on this? Okay, thank you very
21 much.

22 MR. DAVIS: It looks that will conclude
23 the presentation for IWG-2 then and, thank you,
24 Nancy and thank you, Panel, for your time and
25 attention.

26 CHAIRPERSON VICTORY: All right, thanks

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1 very much. Next we're going to go to IWG-3. Jim
2 Jacot, are you going to do the presentation?

3 MR. JACOT: Working Group 3 has
4 identified four areas of interest that we are
5 pursuing at this time, and as the other subgroups
6 have done, we've -- or work groups have done, we've
7 broken this down into subgroups to address this and
8 so I'm going to kind of give a brief introduction
9 and then ask the four sub-team leaders to then
10 proceed with the discussion on the four areas.

11 So the four areas that we've identified
12 and are working to better define are the following;
13 first of all, the expeditious restoration of public
14 safety communication systems and Kelly Kirwan is
15 leading that activity. The second is improved
16 interoperability of public safety communications
17 systems and Nancy and some of her staff are actually
18 putting some definition on that for us. The third
19 is the improved resiliency and expeditious
20 restoration of e-911 systems and Gil Bailey, who
21 unfortunately and inconveniently came down ill
22 today, is leading that so I'll lead us in that part
23 of the discussion when we get there. And then the
24 final one is the framework for recommendations for
25 improved emergency communication and Billy Pitts is
26 going to take that one on.

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1 So, I'd ask Kelly, if you want to go
2 ahead and launch into the discussion of the
3 restoration of the public safety communication
4 systems.

5 MR. KIRWAN: As we learned today and I
6 think you're starting to see is there's a lot of
7 common denominators coming out of all these groups
8 that are looking at the same issues that we're
9 looking at. Today we heard testimony that
10 deployable communications, communications caches,
11 are something that's part of NSTAC, it's part of the
12 Congressional recommendation, it's part of the
13 Presidential recommendation and obviously, it's
14 coming out of this group as a recommendation. And
15 you have in front of you a draft that just shows
16 some of the components that could be in deployables
17 and in radio caches.

18 We've done some research, had a couple -
19 - quite a few different conference calls bringing
20 in some other state agencies, learning what we could
21 about EMAC. EMAC is an organization that --
22 Emergency Management Assistance Compact, that signed
23 in 49 of the 50 states. They track assets, help
24 with a lot of other things besides communications.
25 But it could be an avenue that could either assist
26 or track deployable equipment and to get it to the

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1 right location. So you can see through the
2 recommendations that we encourage the FCC and state
3 and local jurisdictions on a statewide or regional
4 basis to maintain a cache of equipment and
5 components. And that cache of equipment and the
6 components could be from very complex to very
7 simple, depending upon what the requirements are.

8 Some of the minimum requirements should
9 include equipment from mutual aid channels. Such
10 cache could consist of you know RF, radio frequency
11 gear, such as 800 megahertz, UHF, VHF, mutual aid,
12 and/or all in one deployable trailer. The IP
13 gateways that are available today that would give
14 you interoperability with disparate systems and be
15 able to rapidly pull things together. A trailer
16 that would house this that would have, you know,
17 capability to have dispatch consoles. It would also
18 be able to have a crank-up tower where it actually
19 folds down, if you've seen some RV's that have the
20 nice satellite dishes, now this is very similar only
21 it goes up 100 feet and it's self-contained and you
22 can crank it up.

23 They would be self-contained with
24 generators, UPS, uninterrupted power supplies,
25 batteries. You'd have racks for radios that could
26 be charged at all times. Self-sufficient, with

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1 their own water and fuel. The cache should be
2 maintained at a safe location outside of the
3 potential of wherever worst case scenarios could
4 happen. I think that on a regional basis, it should
5 be the statewide resources allocated through the
6 National Incident Management so if the situation
7 determines that the radio cache is required for
8 several different reasons, enhancing communications,
9 bringing communications back on line, extending
10 coverage of a particular communication to where
11 possibly the infrastructure today does not cover
12 where the incident might happen, this would be
13 another way to extend coverage into the existing
14 area.

15 We are exploring and looking at that the
16 managed asset should be managed by the State
17 Emergency Management Agencies within each state and
18 they have the abilities. They do this today. And
19 it could be put into action through the EMAC compact
20 for ease of use and tracking and being able to keep
21 the assets and know where they're at and who has
22 priority.

23 It should be an element of the National
24 Response Plan, which I believe it already is. The
25 FCC should also publicize, and part of this cache
26 and/or trailers could include alternate

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1 communications, satellite that has been talked
2 about, mesh broadband technology. They can be as
3 sophisticated -- in the case of Orange County,
4 Florida, they have a very sophisticated
5 communications systems on wheels. Two very simple,
6 just cabinets located in a pull-behind trailer, you
7 can pull behind a pickup truck. You can also make
8 them to where they're deployed through C-130s and
9 drop in as the military does.

10 As you can see, you know, some of the --
11 the FCC should also consider creating a list or a
12 website of private industry and assets that would be
13 available either for contribution or for sale in the
14 event that other assets are needed within the area.
15 So as you can see, this subcommittee ties very
16 closely to what NSTAC is recommending to the
17 President.

18 The Congressional review of Katrina
19 recommended the same radio cache and deployable.
20 Now, whether it's Motorola, Maycom, E.F. Johnson,
21 clearly that's some of the struggles and the
22 question that I asked earlier is, you know, who pays
23 for it, who puts it out, where does it reside, who
24 maintains it? Those are all questions that I think
25 need to be answered but if it becomes a
26 recommendation from all of these panels, it probably

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1 will also become a grant type request. Clearly, for
2 hurricane season this year most likely the
3 deployables will be handled by private industry
4 again but this is a long-range solution because
5 hurricanes, earthquakes, fires, tornados happen
6 every year.

7 So the burden has been borne on local
8 jurisdictions to pay and maintain for these or
9 private industry to supply during a disaster. So I
10 think the recommendation is that this needs to be
11 part of the National Response Plan and part of what
12 the FCC recommends. Questions.

13 MR. SMITH: This is Bill Smith. Is it
14 part of the plan that the reason we have that cache,
15 it has to be maintained current?

16 MR. KIRWAN: If you read in here, that's
17 part of it.

18 MR. SMITH: Okay, I missed that.

19 MR. KIRWAN: There needs to be
20 technology refresh, and I think along with some of
21 the other common denominators that we've heard
22 through all the testimony, everybody that's looking
23 at it, training. You have to have either a contract
24 with a supplier that maintains and sets it up, or
25 you have to have your own personnel that are trained
26 in the deployment and how you maintain the

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1 equipment.

2 MR. SMITH: Well, in one other aspect, I
3 guess we've learned through years of switch
4 restoration, you have to have software
5 configurations that are the proper generic release
6 and even images because if you lose a critical
7 switch or router and you don't have an image, having
8 the new hardware to replace doesn't help you get
9 back in service. And that's often -- you know, I
10 think kind of like the comments earlier today, we
11 take comfort by having some gear in a warehouse
12 somewhere but that's only part of the restoration
13 process.

14 MR. KIRWAN: Correct, correct.

15 CHAIRPERSON VICTORY: I'll tell you the
16 first thing that I would offer on this for the last
17 part of the recommendation in terms of both
18 developing an inventory of Federal Government assets
19 that might be able to be rapidly deployed and also
20 the private industry assets, and I think we heard
21 our speakers this morning saying they'd rather use
22 the private industry assets rather than the Federal
23 Government assets first, but I think what would be
24 helpful for both of these is to develop a list of
25 characteristics, because if you're going to be
26 encouraging either private industry to volunteer

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1 that they have certain assets available through a
2 website or ask the FCC to work with other government
3 agencies to catalog available assets that can be
4 brought to bear, we'd probably need to identify what
5 are the characteristics of the assets we want
6 identified because there are types of communications
7 assets that will not be necessarily helpful. And
8 it's got to be generic, obviously, because you don't
9 know the particular circumstances but, you know, are
10 we generally looking for two-way mobile data and
11 voice and just sort of being able to describe what
12 the characteristics of these systems would be,
13 quickly deployable within such and such amount of
14 time, whatever.

15 MR. PITTS: Nancy, I agree with you
16 totally and this is -- and if there's an incident,
17 that's the responsibility of GSA. This would be one
18 of the things that the FCC --

19 CHAIRPERSON VICTORY: No, right, it
20 would be just the recommendation was to have them
21 get that list ready, exactly. Steve Delahousey?

22 MR. DELAHOUSEY: Secretary Chertoff was
23 in Mississippi last week and issued a press release
24 and said that since Katrina, that the Department of
25 Homeland Security has done exactly what Kelly was
26 just talking about and establish a cache of

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1 communications equipment on various frequencies, et
2 cetera. Do we have a contact at DHS that we can
3 learn more about that?

4 CHAIRPERSON VICTORY: We can try to find
5 one?

6 MR. JACOT: I had a question about the
7 cache. Is that a cache to restore the existing
8 public safety communication system or is that a
9 cache to facilitate a new network that would then be
10 available because I think as you go through this and
11 we have a disaster, and the existing public safety
12 communication systems goes down, there's three
13 options for getting back in service. Number one, is
14 restore the existing system. You get the parts in,
15 whatever, you know, a substitute tower, transceivers
16 whatever you've got to do to get that network back
17 up and operating like it was before to let the
18 people who are using that system use their existing
19 radios and be able to communicate.

20 The second possibility is, is you give
21 them an alternate existing communications mechanisms
22 such as that are provided by the commercial users.
23 That could be wireless radios from one of the
24 commercial carriers. It could be interactive
25 pagers, it could be using some of the existing wi-fi
26 systems, whatever, but you let them substitute with

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1 another existing system that's up. Like in Katrina,
2 we lost those first two and so then the third option
3 I think -- and I think this is the one what I've
4 seen, most of the federal initiatives are focusing
5 on is, let's bring in a new system. Let's just set
6 up something else that doesn't exist today and let's
7 throw up a replacement system, probably on a
8 temporary basis with a bunch of calls and colts and
9 let's get something new set up, give everybody
10 radios that work on the new system and get them
11 going. So I think those three options probably all
12 have a solution.

13 I think the one that Kelly was primarily
14 working on was option number one. Let's figure --
15 let's get equipment available to get the existing
16 systems back up and in service and that's probably
17 in most cases going to be your best and fastest
18 option is to do that. But if that can't be done
19 expeditiously, then you're looking at options number
20 two or options number three. We just need to make
21 sure that when we're talking about those, we're
22 considering those three options separate. We're not
23 mixing them up.

24 MR. KIRWAN: I think another good point
25 is FEMA had a radio and they had deployables prior
26 to the training. But what we're talking about here

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1 is the availability of first responders as the
2 first, then the state, then the Federal Government.
3 So the timing issue is when does restoration begin?

4 CAPTAIN CANNON: If I may comment on
5 that. Tim Cannon from Orlando. Just going off of
6 what Kelly mentioned, that clear delineation between
7 those local first responders because post-Katrina we
8 had people on the ground within 12 to 14 hours and
9 if we're going to rely on -- and I don't want to
10 step on any toes or anything, if we're going to rely
11 on federal assets to be in place that early, I
12 think that we're kidding ourselves.

13 I can tell you that the towers, the
14 portable towers that were brought in, the EDITs
15 packages and stuff from our state into Mississippi
16 that were in place within the first 18 hours after
17 the storm to provide communications for those first
18 responders that are part of these USAR teams that
19 are locating people that are in need or those that
20 have already passed, one of the most important
21 things to understand is that that equipment needs to
22 be in there early. It needs to be in there quick.
23 To bring something in later on to set up to create
24 an infrastructure for a jurisdiction is fine, but I
25 can tell you that a lot of the portable systems that
26 were brought from Florida to Mississippi, keep in

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1 mind landfall was August 29th, I believe it was, we
2 didn't take those out of Mississippi until late
3 December before they were replaced with any other
4 equipment to sustain communications.

5 CHAIRPERSON VICTORY: Any other
6 comments?

7 MR. JACOT: Our next area of interest is
8 the interoperability for public safety systems.

9 CHAIRPERSON VICTORY: Right, we've
10 obviously heard a lot about interoperable emergency
11 communications and wanted to make sure that this
12 panel did look at it, recognizing, of course, that
13 this is a very complex issue that people have been
14 working on for years. We wanted to see if there
15 were some recommendations that we could make for
16 sort of some near term activities of the FCC. And
17 so we came up with a couple and also, I guess heard
18 of some other suggestions today that we probably
19 need to do a little analysis of.

20 This is the document you have that's
21 entitled "Spectrum Requirements for Public Safety
22 Interoperable Communications". And obviously, we
23 focused a lot on the \$1 billion Public Safety
24 Interoperability Program that Congress recently
25 directed and the money for that is coming from the
26 auction of commercial spectrum in the 700 megahertz

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1 band. So we wanted to make sure that that program,
2 which should be very helpful to public safety move
3 forward and got funded. So made a draft
4 recommendation that, consistent with recent
5 legislation, the FCC must maintain the schedule for
6 commencing commercial spectrum auctions before
7 January 28th, 2008 to fully fund the \$1 billion
8 Public Safety Interoperability Program.

9 The date that's in there is the date in
10 the legislation by which the FCC needs to auction
11 that spectrum and wanted to encourage that the FCC
12 do that. Another option we discussed is that they
13 try to actually expedite that and do it before then
14 but that's certainly something we can discuss among
15 the panel members as to what's the most appropriate
16 alternative.

17 The next is that the FCC should work
18 with NTIA to establish appropriate criteria for the
19 distribution of the \$1 billion in a manner that best
20 promotes interoperability with the 700 megahertz
21 band. The NTIA over in the Commerce Department has
22 been the agency granted responsibility for
23 administering this \$1 billion interoperability grant
24 program and they are currently hard at work on
25 coming up with the process and the criteria
26 associated with disseminating these monies.

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1 Obviously, that's going to be bounded, as we heard
2 today, by -- from David Boyd that all grant programs
3 for public safety equipment must be consistent with
4 the guidelines that SAFECOM has developed but we
5 think there's still some interpretive room in there
6 and suggest that the FCC work with NTIA to make sure
7 that this grant program is as effective as possible
8 in promoting interoperability with the 700 megahertz
9 band.

10 Also, for this new 700 megahertz
11 spectrum that's being opened up, and that the \$1
12 billion is going to be made available for, the FCC
13 has tasked the various regional public safety areas
14 with developing frequency coordination plans for how
15 they're going to use these frequencies and how
16 they're going to coordinate among the various public
17 safety agencies to insure that there's no
18 interference and that they're maximizing their use
19 of the spectrum.

20 So this recommendation is that the FCC
21 should encourage the expeditious development and, of
22 course, and FCC approval of the regional plans for
23 the use of the 700 megahertz system. Some of those
24 have been developed and submitted to the FCC. A lot
25 have not been developed yet. So having the FCC
26 encouraging that that process move along so they're

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1 ready to utilize the voice channels, that would be
2 very, very helpful.

3 Also along those lines with making the
4 700 megahertz band available for public safety, the
5 24 megahertz as quickly as possible, that the FCC
6 should expeditiously approve any request by
7 broadcasters to terminate their analogue service in
8 the 700 megahertz band before the end of the digital
9 transition in 2009 in order to allow public safety
10 users immediate access to this spectrum. And for
11 those of you who have not been following this, this
12 24 megahertz that's going to be made available to
13 public safety is currently utilized by analogue
14 broadcast channels until 2009. At that point, those
15 television stations will switch to an all digital
16 transmission and terminate their analogue service.

17

18 The FCC has entertained some waivers to
19 date of analogue stations that are interested in
20 terminating their analogue service early and just
21 transmitting on digital. We want to encourage the
22 FCC to move along and expeditiously address those
23 because it opens up white space for public safety
24 entities to be able to use today.

25 And then finally, two things that are
26 not on here that we heard about today that are

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1 probably worth the working group considering, one as
2 Commissioner Copps mentioned, that the FCC might
3 have the opportunity to act as a clearing house, not
4 only for grant information for public safety
5 interoperable programs, but also for best practices
6 for utilizing that for interoperable systems along
7 the lines of the Maryland integrated system we heard
8 about today. So that's a possibility we might
9 consider.

10 And then I think we also heard some
11 discussion about the federal incidents response
12 frequencies and what NSTAC is doing and that is not
13 something the working group has looked at before and
14 that we probably need to devote some attention to,
15 to see if that's an area that we want to explore for
16 a recommendation.

17 Bill Smith.

18 MR. SMITH: Yes, Bill Smith with
19 BellSouth. Nancy, one thing, I think, this
20 morning's panel was very helpful for me on this
21 issue but I think given this \$1 billion reference,
22 it's important to stress that this is to establish
23 compatibility or more inter-working, I should say.
24 We shouldn't give anyone the impression that this is
25 to replace all the systems that exist in the field.

26 CHAIRPERSON VICTORY: Right.

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1 MR. SMITH: This is really trying to
2 figure out a way to make them, the existing systems
3 interoperable rather than replace them, which is
4 really kind of what we saw happen in Maryland and a
5 few other places.

6 CHAIRPERSON VICTORY: Well, the
7 legislation defines how this money can be used. And
8 it is -- I think the language says that it may be
9 used for equipment that's interoperable with the 700
10 megahertz, have I got that --

11 MR. PITTS: I think it's limited to the
12 700 megahertz.

13 CHAIRPERSON VICTORY: Well, I think
14 that's subject to interpretation whether it can be
15 for equipment in another band that's interoperable
16 with 700 megahertz. So it -- I'm not sure the
17 legislation limits it that way. We'll have to see
18 what the rules are that NTIA comes up with. But if
19 there are -- if that's a position you think the
20 panel should take and that's consistent with the
21 legislation, that's certainly something that we
22 should discuss is just limiting it to increasing
23 interoperability among current systems.

24 MR. SMITH: Well, I guess what I'm
25 trying to be is -- or help be clear about because as
26 we saw this morning, just replacing the hand sets in

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1 and around DC would cost \$160 million, obviously,
2 the size of the national problem would be, you know,
3 considerably more. So I think it's important that
4 we not give the -- this talks about to fully fund
5 this interoperability program. I think it's
6 important that we make sure people understand we're
7 not talking about replacing all the equipment.
8 We're talking about trying to figure out ways to
9 make it talk together. So maybe we could just add a
10 little clarity around that because this morning's
11 panel was very helpful for me to understand the
12 nature of that issue and the fact that the Project
13 25 standard, which I had understood was kind of the
14 benchmark we were all shooting for, even Project 25
15 standard compliant equipment isn't necessary
16 interoperable today.

17 CHAIRPERSON VICTORY: True. Yes, Steve
18 Delahousey.

19 MR. DELAHOUSEY: Bill brings up, I
20 think, a very valid point. Over the years in public
21 safety we have seen the spectrum migrate from low
22 band to VHF high band to 400 megahertz to 800
23 megahertz and now 700 megahertz. In our own
24 experience in Harrison County, the only way we were
25 able to get all seven police departments, all seven
26 fire departments, and EMS under one 800 megahertz

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1 system was to do exactly what you just said, to
2 purchase new radios for everybody and totally wipe
3 out everything else. And we did that and it worked
4 fine.

5 Does the option -- I throw this out for
6 any of the panel members -- does the option of
7 creating yet another spectrum which is obviously new
8 to the industry, is that going to resolve any of the
9 problems for whatever percent of the public safety
10 community already has 800 megahertz radios or VHF or
11 even in our own state, the state police that are
12 still using low band?

13 CHAIRPERSON VICTORY: I think -- I don't
14 want to speak for the FCC and its reasoning on this,
15 but my understanding that it was part of the reason
16 for putting -- making the 700 megahertz spectrum
17 available or the 24 megahertz spectrum available was
18 to deal with congestion issues, particularly in
19 certain metropolitan areas as well as to provide
20 spectrum for at first they were calling it wide band
21 communications, data communications, but now there's
22 a pending rulemaking to look at broadband
23 communications, video and high speed data that can
24 be delivered to PDAs out in the field.

25 So yes, I think there was a hope that it
26 could also be an area because there would be new

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1 systems, you know, potentially being built or new
2 radios being utilized that you could have more
3 interoperable capabilities. My understanding is
4 that the reason the spectrum was made available was
5 to deal with congestion and to provide additional
6 capacity or capability opportunities, not primarily
7 this was going to be an answer to interoperability.
8 That requires, really, new equipment and AC-1000s
9 and a lot of difficult configuration and technical
10 issues because the public safety communications are
11 spread across so many different bands. Yes, Kelly,
12 yes, you can probably address this better than I
13 can.

14 MR. KIRWAN: Well, just keep in mind for
15 seven decades public safety has never had their own
16 spectrum. So since 1939, when the first mobile
17 radio was developed, it has been a shared spectrum
18 with other users. To it addresses something that
19 has been long overdue in public safety to where now
20 technology can evolve to meet the solutions that our
21 law enforcement, fire and emergency team, long-
22 range, need today to fight crime, fire and to
23 protect people's lives. The equipment and the way
24 that it's designed in this bill, is for public
25 safety emergency communications equipment.

26 Now, that's interpreted several ways.

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1 Does that mean hand-helds? Obviously, Office of
2 Management and Budget has said that it would take
3 \$20 to \$30 billion to replace all the infrastructure
4 in hand-helds throughout the country and it would
5 take 20 years. Now, clearly, we at Motorola believe
6 that could be done sooner. I think that the
7 industry does, but it's about funding. This \$1
8 billion is -- keep in mind that most of the states
9 and the regions don't even have the plans yet of
10 what they can and can't do with 700 megahertz. I
11 know one of the challenges that the FCC is going
12 through right now, and I'm not sure, Mike, I know
13 you're over there, but I'm not sure we have a
14 national 700 megahertz plan done yet or do we, the
15 FCC? I know on a conference call we were talking
16 about that.

17 So it goes to regional but I mean, the
18 main intent behind this is it was hard fought by
19 public safety, by a lot of different associations
20 that throughout history public safety has shared
21 frequencies with all other band plans and the
22 limitations of what they could and couldn't do for
23 interoperability have been stymied because there's
24 no frequencies left. A lot of places can't expand.
25 They can't build out. You've seen the rapid growth
26 in all your communities.

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1 So imagine being a fire chief, police
2 chief, city manager, state planner and saying, "You
3 know, we just have this community. Our system
4 doesn't cover out there", and have to fine out,
5 "Well, sorry, there's nothing that can be done
6 because there is no frequencies available, so you
7 can't protect the citizens in that area". So that's
8 what the 700 meg plan is about. Now, the billion
9 dollars, obviously, that will be fought out in
10 competitive arenas by all of private industry but I
11 don't think it's intended really to say anything
12 more than this is part of the funding mechanism to
13 start the road -- to go down the right road, so that
14 standards based equipment will now have the
15 available band width to work into a plan and I think
16 to drive future development.

17 MR. DELAHOUSEY: This would allow 800
18 megahertz to be upgraded to this or are there radios
19 that can have dual capacity?

20 MR. KIRWAN: Technology today, radios
21 that are being delivered, I'll speak for Motorola,
22 they're all backwards and forwards migratable. They
23 both have 700 meg, 800 through the networking which
24 is not a true interoperability solution, so let's
25 not kid ourselves that net -- you know, gateways are
26 true interoperability. They're not designed for

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1 disasters. And they're designed to bring a form of
2 interoperability, but it's not true interoperability
3 but the systems and the phase 2 of APCO talks about
4 both backwards migratability as well as forward
5 migratability but the plans are the smart radios are
6 here today where you can have 700, 800, it's
7 transparent to the users. So it can go from old to
8 new, and back to old.

9 MR. SMITH: I'm not disagreeing with
10 your comments. I'm concerned with the words "fully
11 fund" here gives the impression, I think, that we've
12 solved the problem and I think in reality a billion
13 dollars is a start toward a problem but your point
14 is a long way from fully solving it. So I just
15 think we need to be a little more clear that we
16 don't give the wrong impression here.

17 MR. KIRWAN: Sure, I agree with that.

18 CHAIRPERSON VICTORY: Any other comments
19 on this topic?

20 MR. JACOT: Okay, so as I mentioned
21 before, for our third area of interest, Gil Bailey
22 is leading that. He's not here today, so I am going
23 to take Gil's comments that he provided me and try
24 to represent those as best I can here and then carry
25 the feedback we have in this conversation to him to
26 go ahead and lead this.

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1 But that area was the resiliency and
2 restoration of e-911 systems and really that breaks
3 down into three areas that we're looking at now.
4 You know, how do we make the P-SAPs more resilient,
5 how do we get them restored when they go down and
6 how do we get calls to them? Some key areas that
7 we've identified so far that we're looking at are --
8 one of them is the power restoration at the LECSLIK
9 (phonetic) or remote terminals. Those tend to be
10 battery backup units. When those things -- when the
11 batteries run out because there's so many of them,
12 and where they're located a lot of times, they're on
13 people's front yards, you can't really stick a
14 generator on very easily. When those go down, then
15 you start losing connectivity to the P-SAP.

16 Another issue is the -- and Bill brought
17 this up, is the ability to deliver calls across LATA
18 boundaries. I mean, that could take a couple of
19 flavors because right now the way it works is, if
20 you lose connectivity and you need to route to
21 another P-SAP within another LATA, starting from a
22 cold start, you know, not only do they not have the
23 route set up or not only do they not have that
24 connection established with traffic going to that
25 other P-SAP, they can't even have their route set up
26 until they get forbearance from the FCC that says,

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1 "Yes, we can go ahead and set something up inside a
2 boundary".

3 So one flavor of that, kind of a half
4 step, is getting the ability, regulatory freedom to
5 go ahead and have the route set up even though;
6 they're not using it but as Bill mentioned before,
7 another step could be just to relieve the inter-LATA
8 restriction from P-SAP links so those things could
9 be set up and running all the time. So that's one
10 of the things that we're investigating there.

11 Another issue is restoration
12 coordination with the local exchange carrier. When
13 connectivity with the P-SAP goes down, as we all
14 experienced in a lot of other areas, not just this
15 one, when you lose telecommunications, not only do
16 you need to restore telecommunications but you can't
17 communicate with the other end to get them up
18 because you don't have communications. So
19 investigating mechanisms that can be put in place to
20 make sure that we can at least have communication
21 going on between the P-SAP operators and the LEC to
22 be able to start restoring the links.

23 Similar to what we on our issue number
24 one
25 in terms of where we talked about having equipment
26 available to restore public safety communications

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1 systems, we also need to have equipment available to
2 restore P-SAP. So when we do have damage to
3 equipment of P-SAPs, how do we get equipment in
4 there to get things back up and in service? And
5 another issue that we ran into in Katrina was most
6 of the P-SAPs had a backup plan. The backup plan
7 says in the event this P-SAP goes down, we're going
8 to route all the calls to another P-SAP. The
9 problem is in a wide-ranging event like Katrina,
10 that P-SAP also went down. And so not only was the
11 primary down, but the backup was down and so there
12 probably ought to be another -- a secondary backup
13 that's not in the same region, that's somewhere else
14 that you know, if the P-SAP goes down, Plan A is to
15 go to another P-SAP. If that P-SAP is down, Plan B
16 gets you out of -- gets those calls out of the area.
17 That's not going to be as effective from the point
18 of view that those people aren't going to have local
19 knowledge but at least you can get the call
20 somewhere where somebody can pick up the phone and
21 answer it and try to help -- try to give aid when
22 you have a wide-ranging incident like Katrina was.

23 So that's some of the key areas that the
24 group is currently focused on looking at. And with
25 that, I'll open it up to comments or questions.

26 MR. KENT: Following up on what you just

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1 said, Jim, would -- and I don't know the answer to
2 this but I would throw this out as something to
3 think about. Would the Phase 2 911 type information
4 be passed to that new P-SAP and would they be
5 capable of reading those -- that Phase 2
6 information?

7 MR. JACOT: Certainly, that depends upon
8 two things. One is does the carrier -- and by Phase
9 2 I assume you're now talking about wireless
10 carriers in specific. Does the carrier in the local
11 area still have the ability to generate Phase 2
12 location data and if -- in an incident like Katrina,
13 a lot of times there's been enough impact to the
14 network that they can't get the necessary
15 triangulation density in order to get that
16 information, but if they do, then you go into the
17 second issue is, does the P-SAP that that is now
18 directed to, can they process the Phase 2 data and
19 actually use it?

20 And so one of the issues would be, if
21 you've got a P-SAP that is Phase 2 capable, you
22 would want their backups to also be Phase 2 capable
23 P-SAPs. Other comments or questions?

24 CHAIRPERSON VICTORY: Jim, have you
25 looked -- or one of the things that you may want to
26 look at if you haven't already is we heard from the

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1 NRIC that in the past they had developed resiliency
2 criteria for P-SAPs and the FCC might have a role in
3 promoting those as best practices. I haven't taken
4 a look at those but that might be something that the
5 group would consider or to identify that for one P-
6 SAP in a region, if you're going to have a super-
7 hardened P-SAP that that P-SAP follow those best
8 practices.

9 MR. JACOT: I think that was in the NRIC
10 report, and so yes, we'll pass that onto Gil and ask
11 him to investigate that also. That's a good point.
12 Anyone else? Okay, let's jump to the last issue
13 then and I'm going to ask Billy Pitts to pick up the
14 improved emergency communications area.

15 MR. PITTS: All the chairmen of the FCC
16 has emphasized or recognized the importance of
17 having a comprehensive emergency alert system.
18 Chairman Martin on several occasions and even before
19 this panel, talked about one that allows officials
20 at the national, state and local level to contact
21 and inform the public in the most effective and
22 efficient manner possible. And one of the focuses
23 of our working group was to review the adequacy of
24 emergency communications to the public before,
25 during and after the hurricane and best ways to
26 alert and inform that public about emergencies in

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1 the future.

2 All of us that have attended these
3 hearings can easily say that it was inadequate and
4 we failed in terms of being able to inform the
5 public what was going on. The EAS system in several
6 states wasn't even activated or used. So our
7 recommendations, our draft recommendations for your
8 review, will relate not only to the existing
9 emergency alert system, which as the gentleman, Mr.
10 Lawson talked about being the principal tool for
11 providing information to the public in emergency
12 situations today, but also to other means but which
13 national, state and emphasize, local officials can
14 reach effected citizens prior to, during and in the
15 aftermath of emergency situations.

16 To achieve this effective and efficient
17 public outreach that the Chairman and Commissioners
18 talked about, it will require a multi-prong approach
19 that of necessity entails a set of complimentary
20 technologies, systems and network. No single
21 technology or approach is able to accomplish this
22 mission alone. Now, John Lawson talked about the
23 Warn Act which quite frankly, the title was changed
24 when it was reported from the Commerce Committee to
25 the Unified All Hazard Alert System. They added a
26 tsunami section and they created the National Alert

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1 System. And it was viewed to compliment the EAS.

2 And that can be used with other
3 technologies beyond public television. Our draft
4 recommendations first focus on EAS. The FCC should
5 help educate state and local officials about the
6 existing Emergency Alert System, its benefits and
7 how it can be best utilized. As I said, several
8 states didn't even use it during Hurricane Katrina.
9 The FCC should develop programs for educating the
10 public about EAS and promote community awareness of
11 potential mechanisms for accessing those alerts
12 during power outages or broadcast transmission
13 failures. The current NOAA weather broadcast system
14 can reach 98 percent of the country but only 17
15 percent of the population actually has receivers.

16 A member on our panel talked about the
17 hurricane conference in Florida where there was a
18 hand-cranked apparatus that you were -- no batteries
19 were necessary but you could crank it up and you
20 could listen to both television, emergency
21 broadcasts as well as radio broadcasts. And as
22 being a protégé of the ultimate broadcaster, Tom
23 Murphy, I understand what's required of the
24 broadcasters, as well as cable people dealing with
25 EAS and the technicalities, the technical
26 involvements but we want to recommend that the FCC

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1 should quickly find a mechanism to resolve any
2 technical hurdles in the current EAS to insure that
3 non-English speaking people or persons with
4 disabilities have equal access to public warnings.
5 I think we all feel very strongly about that on our
6 sub-group, and I know the Commissioners do and other
7 members of this panel and we want to work with all
8 of you to try and find the proper mechanisms to see
9 if we can make that happen.

10 We also recommend that the FCC should
11 move expeditiously to explore the expansion of EAS
12 to other technologies. As you know, they've already
13 put out a notice of proposed rule making on this and
14 we urge them to go forward as quickly as possible.
15 And consistent with recent legislation and that's
16 the NAS bill as well as the appropriation that was
17 put into law in February, the FCC should work with
18 Congress on a comprehensive public warning system
19 that compliments existing systems and allows local
20 officials to increase the penetration of warnings to
21 the public as well as target, when necessary, the
22 alerts to a particular geographic area.

23 And this is something I know a little
24 about. There was a lot of money tossed around about
25 hand-helds and what it would cost. I would suggest
26 that it would cost less than half a billion dollars

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1 to allow local officials throughout this country to
2 be able to put a radius on map quest, call up all
3 the land line and business phones and they connect
4 with that public television EAS system. I mean,
5 it's doable. I think what public television is
6 doing is a great thing and I think we should start
7 connecting all the different technologies, be they
8 satellite, land line, and ultimately cell phones as
9 well. So we urge the FCC to work with Congress on
10 the development of this next generation public
11 warning system.

12 And also the FCC should work with the
13 Department of Homeland Security and other agencies
14 to pilot on pilot projects that would allow the
15 immediate deployment and evaluation of new
16 notification technologies. We saw a couple today,
17 the Worcester County, Maryland system wouldn't have
18 happened without a grant, again emphasizing what
19 public television has already done.

20 I think things could be done fairly
21 rapidly, maybe not necessarily, but possibly before
22 this next hurricane season but certainly the one
23 following. So those are the recommendations of our
24 sub-panel on informal working Group Number 3. Any
25 questions or any thoughts? See, that's what you get
26 when you're cleanup, everyone wants to get out of

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1 here.

2 CHAIRPERSON VICTORY: I'll make one
3 comment and that would be on number five, that the
4 FCC work with Congress as well as other agencies and
5 the Executive Branch, because presumably if this
6 goes from legislation to implementation, there --
7 unless the FCC is the one charged with implementing
8 it, there will be some agency or department that
9 will be moving forward on this. Presumably NOAA may
10 be involved, so just taking it to the next step as
11 well.

12 MR. PITTS: I think that's a good
13 recommendation and under the current bill, NOAA
14 still is in charge, although the FCC would be
15 brought in and I understand that the Department of
16 HHS is also working on some kind of public alert
17 system with respect to pandemic influenza, which
18 Commissioner Tate has already mentioned to us in
19 Jackson, Mississippi and said that maybe some of the
20 lessons learned with Katrina could apply in health
21 crises such as pandemic influenza.

22 CHAIRPERSON VICTORY: Steve Davis?

23 MR. DAVIS: Yes, thank you. I had the
24 opportunity to speak at and also listen at the EAS
25 summit here in Washington, DC a couple -- I guess it
26 was about a month ago by now. And we did talk about

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1 the pandemic influenza situation and the fact that
2 that could be the type of emergency that might very
3 well warrant the triggering of EAS. I just wanted
4 to make a clarification really as opposed to a
5 question. NOAA, you mentioned, reaches 97 percent
6 of the population but only 17 percent have
7 receivers. But I will say that NOAA has been very
8 effective in utilizing the broadcast EAS system and
9 in fact, one of the things that we've observed is
10 whenever there's a tornado warning or there's hail
11 or something else, they're very often breaking into
12 television programs or radio programs to talk about
13 that. And so I would submit that you don't need to
14 have a NOAA radio to avail yourself of that
15 information. So I don't know that it might be a
16 little misleading to say only 17 percent have
17 receivers because anybody who has a TV set or a
18 radio set has a NOAA receiver.

19 MR. PITTS: Right, I was talking about
20 the separate -- their separate weather alert
21 systems.

22 MR. DAVIS: Well, I'm familiar with
23 those, but the same system triggers both. For those
24 on the panel that might not know that, I know that
25 you do, it's the same system. They use the same set
26 of codes to trigger those NOAA receivers as they do

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1 to trigger the actual EAS system, so also they can
2 be localized. They can be triggered to a certain
3 county, city or other local area.

4 The other thing I wanted to mention was
5 that the reason I asked the question of the public
6 broadcasters about the satellite communication,
7 whether that was bi-directional or uni-directional
8 is because the idea of the map quest thing, that all
9 works great as long as the internet and the land
10 lines are functional but the question becomes how do
11 you at the EOC or at the police or the fire office,
12 how do you inject your alert into the system if the
13 land lines are down and that's something that we do
14 need to work on as a panel and I think that it's
15 something that, you know, Kay's people and the
16 satellite people can contribute to. Also, you know,
17 getting back to broadcast EAS, we're trying to work
18 to put EAS encoders at the emergency operation
19 centers and places where chemical spills would be
20 reported, but more than that, get them to be on a
21 wireless distribution mechanism, whether that's
22 dedicated frequency or a satellite uplink or
23 something that's not connected to the land lines. I
24 just wanted to add that because I do think that is a
25 good system that's already in place. It does need
26 some work. I think that this panel could really do

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1 some good in getting that EAS to be more useful.

2 I love the recommendations about
3 educating the public and educating some of the first
4 responders who might have to trigger it and who
5 wouldn't know how to do so. I think that what
6 everybody on the panel here that's a law enforcement
7 person needs to know and probably does know, so I
8 don't want to insult anybody by implying they don't,
9 is the fact that they can push a button and tell all
10 of their constituents in their county or parish or
11 city, "Right now, get out, there's an evacuation",
12 and they have that ability to speak on all the media
13 without the permission of my station or any other
14 broadcaster, simply by activating the EAS and that
15 is something that many people do not know.

16 CHAIRPERSON VICTORY: Thank you.

17 MR. PITTS: Good points.

18 CHAIRPERSON VICTORY: Joe Linkous?

19 MR. LINKOUS: I just wanted to add one
20 other thing. You were referring to the other
21 network that's around with health care. There is
22 something called the Health Alert Network that the
23 CDC has been putting together.

24 MR. PITTS: I think it's the Public
25 Health Information Network.

26 MR. LINKOUS: Yes, it's all inter-

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1 related and I think it would be a great opportunity
2 here to do some coordination. There's a lot of
3 different separate networks that people are throwing
4 out and there probably is even more as the years
5 ahead. So I think it would be nice to put in there
6 right way that there be some coordination with all
7 the different networks.

8 MR. PITTS: I think that's an excellent
9 point and it should be included.

10 CHAIRPERSON VICTORY: Any other
11 comments? Okay, well, thank you, too, Working Group
12 3, really appreciate it. Okay, where do we go from
13 here. I think we're down to other business. Does
14 anybody else have anything they'd like to raise;
15 otherwise, I'll talk a little bit about where we
16 need to go from here. All right, we're at about the
17 two-month to go point, a little bit more than 43
18 days, because we get to take an extra 15 days after
19 the start of the hurricane season to get our
20 recommendations in order. A reminder that they are
21 due to the Chairman and the other commissioners on
22 June 15th. Backing up for that obviously, we're
23 going to need a meeting a couple of days before that
24 to try to approve a report, endorse those
25 recommendations.

26 There is a possibility we might have a

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1 meeting before that one, so look at your calendar.
2 We'll be back to you about that possibility shortly.
3 I would encourage the working groups to continue
4 moving along in refining and redrafting and
5 finalizing the language of the recommendations and
6 to look at some of the other issues that were
7 brought up through the discussions today. In fact,
8 I'd really encourage all the working groups to
9 schedule a call within the next two weeks to kind of
10 move things along and some of the sub-working groups
11 may want to think a little bit about what they need
12 to do before that next meeting to move these issues
13 along.

14 For our part, for this report, one part
15 of this report in addition to the recommendations
16 probably needs to be observations about what are
17 some of the problems that we identified. And I know
18 Marion's group has been working quite a bit on
19 trying to identify going sector by sector with some
20 of the resiliency or operational problems, or even
21 if it got down to training or how to use a phone.
22 And that's going to be, I think, a part of that
23 section. Obviously, the other issues that we've
24 identified that has been the predicate for some of
25 the recommendations, improvements to EAS. People
26 didn't know about EAS and how to activate it, go

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1 into that.

2 I'm working with my team to try to take
3 a stab at outlining and drafting that and that will
4 be something that I will endeavor to circulate to
5 everybody in draft form for comment, perhaps through
6 the working groups and then to everybody for more
7 discussion at our next meeting, particularly if we
8 have a meeting before the final meeting. So that is
9 something that I'll commit to get out in the next
10 couple of weeks.

11 But otherwise, I think the main charge
12 is to put together the recommendations, develop
13 these further, figuring out if there are any other
14 issues that we need to talk about or refine based on
15 the discussion today, based on any additional
16 comments that we may get in and we'll try to
17 circulate those to you as best we can.
18 Unfortunately, we were not able to get a
19 representative of the MSRC here today due to
20 scheduling problems, but I would encourage the folks
21 to take a look at their website which is linked
22 through the FCC's website, kind of the bottom right-
23 hand side of the FCC's first web page is kind of
24 where the Katrina panel link is, and take a look at
25 what they've done, because they -- I think as Steve
26 Davis mentioned, they've also done a lot of good

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1 work, looking at disaster preparedness and as we're
2 scanning through and making sure that we've taken
3 advantage of all the existing resources that are out
4 there, that's a good one to take a look at as well.

5 I apologize we weren't able to get
6 somebody here from the group today. Any other
7 questions about what I've said or about what we've
8 heard today? Jim?

9 MR. JACOT: Yes, Nancy, I've got two
10 requests. Number one, is we're getting into the
11 pre-hurricane season here and I'm sure a lot of us
12 have drills scheduled. If you can get that next
13 meeting scheduled as soon as possible because I'm
14 sure a lot of us are running around in May trying to
15 prepare for the June 1st date.

16 CHAIRPERSON VICTORY: We are working on
17 this now to probably schedule both dates to the
18 extent that we can make you aware of both dates,
19 since I know you guys want to make sure you're here,
20 especially for the final meeting, to clear your
21 calendar. So we're working on both simultaneously
22 and we'll let you know about those as soon as we
23 possibly can, hopefully very soon.

24 MR. JACOT: That would be very helpful.
25 Thank you.

26 CHAIRPERSON VICTORY: Sorry we weren't

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1 able to come up with a date today but we are
2 actively working on it.

3 MR. DAVIS: I am on the MSRC and if
4 there's anything I can do in a future meeting or
5 anything to present their position to the group, I'd
6 be happy to do so.

7 CHAIRPERSON VICTORY: That would be
8 great, especially -- in fact, perhaps that is
9 something that I might ask you to sort of summarize
10 and maybe we can even send around a quick e-mail as
11 to what some of the key issues might be to see if
12 there's any interest.

13 MR. JACOT: The second question I had,
14 now that we've narrowed in on kind of a set of
15 issues for this panel, could we get a document
16 created and maintained by somebody which basically
17 keeps track of the issues that we're working on?

18 CHAIRPERSON VICTORY: Sure.

19 MR. JACOT: I wasn't able to capture all
20 those today and it would be nice to know if anything
21 gets added to those issues or taken away or modified
22 that I know what the other sub-teams -- the other
23 working groups have on their radar screen.

24 CHAIRPERSON VICTORY: That sounds great.
25 I actually have been putting together my own list to
26 try to track the discussion and certainly can expand

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1 it with everything that has been produced today and
2 circulate that around to the working groups for them
3 to add to it, make sure we've got that done
4 accurately and that can be sort of our working
5 master list of recommendations. So I think that's a
6 great idea.

7 MR. JACOT: Okay, and then if we could
8 all agree that if we're going to make any changes to
9 those issues, that we'll communicate those in so
10 that we can keep an updated list.

11 CHAIRPERSON VICTORY: Sounds great.

12 MR. JACOT: Okay, thanks.

13 MR. DAVIS: I know we have a suggestion
14 and I agree with it. I'll bring it to the panel,
15 I'm not sure which working group it fits under but
16 whether or not we might ask the FCC to either
17 encourage, endorse or help produce any kind of
18 public service announcements that would inform, not
19 only the public but others about the EAS system and
20 about emergency preparedness and what they can do to
21 be prepared on a public level. It might be
22 something that we add to maybe the post group. I
23 don't know which group it falls under.

24 CHAIRPERSON VICTORY: I think it
25 probably falls under the EAS working team because
26 it's an emergency communication to the public and I

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1 think one of the things that's in there is
2 publicizing the existing EAS program and how the
3 public, you know, so the public knows about it and
4 if there's anything else that should be added to
5 that, I think that probably is a corollary.

6 I think for the recommendation some of the
7 bullet approaches you've seen here are probably
8 going to be useful maybe preceded by a paragraph not
9 for each but rather for the issue area and
10 obviously, then there will be more exposition
11 perhaps in the section identifying problems. I'll
12 see if I can find any models, but I don't think we
13 are -- we should find that we're confined to a model
14 because my experience has been that every advisory
15 committee takes its own approach based on the
16 writing styles of the drafters, but also the issue
17 that they're looking at and some requires a lot of
18 detail. Others require more issue spotting. So you
19 know, I'll see if I can come up with a template or
20 see if I can find one that probably matches our
21 approach.

22 But I would imagine that our
23 recommendation -- the recommendation section itself
24 is probably going to look something like the list of
25 recommendations in this for that you have here.
26 There will be several recommendations clustered

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1 around an issue area with maybe a lead-in paragraph
2 describing what the goal is and what they're trying
3 to get at, and that's probably for the
4 recommendation section for what the working groups
5 will be drafting. That's probably the best model to
6 follow because our instructions are that we are -- I
7 don't think we need to provide a tremendous amount
8 of detail to some of these because we do need to
9 allow the FCC discretion to address these in the
10 manner that they have authority that they do and the
11 manner that they see fit, so I think the approach
12 may be the right happy medium for that.

13 Any other questions? Okay, well, we're
14 done nine minutes early, so for those of you who
15 have planes to catch, hopefully, you'll have a
16 chance for a beer. Thanks so much for joining us
17 and we'll get back to you as quickly as possible
18 about the next meeting date.

19 (Whereupon, at 3:55 p.m. the above-
20 entitled matter concluded.)

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