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Good afternoon and thank you Chairman Norris for that kind introduction. Thank you also to NCAI for inviting me to be a part of your annual conference. It's a pleasure to be a part of such an illustrious gathering of Tribal leaders. I'm honored to be here to share some exciting information with you as we talk about communications issues related to homeland security and emergency management. Just as importantly, I'm pleased to be here to reaffirm the relationship between the Commission and Indian Country. We have come a long way in creating strong ties and effective collaboration, and we look forward to strengthening those ties as we work together in the future.

I know FCC Chairman Julius Genachowski spoke with you in March of this year at your Executive Council Winter Session, and he was so pleased to be invited to speak at that meeting. I'd like to reiterate a few things he shared with you.

First of all, the relationship between the Federal government and Tribal governments is unique, and we are committed to respecting and reinforcing our extraordinary partnership as we work towards improving the safety and

security of the United States as a whole. This includes working with you on a government-to-government basis, respecting Tribal sovereignty and self-determination, and continued consultation with you to ensure that all Tribal communities enjoy the benefits of a modern communications infrastructure which includes broadband.

For those of you who are not familiar with our Bureau, let me tell you a little bit about us and why we were asked to be here today. As Chief of the Public Safety and Homeland Security Bureau, I am responsible for carrying out the Commission's public safety mission, focusing on the development of rapid, reliable and ubiquitous communications technologies to promote public safety and homeland security. Created in 2006 following Hurricane Katrina, the Bureau focuses on areas such as broadband technologies, 9-1-1 services, interoperability, protecting communications infrastructure, cybersecurity, ensuring the availability of communications as part of emergency preparedness, and disaster response, and outreach on communications issues to the public safety community. To accomplish these tasks, we work closely with the first responder community, including Tribal, state and local police,

fire and emergency medical agencies; emergency operations centers; public safety answering points; hospitals; state, Tribal and local governments; and other Federal agencies.

We interact on a daily basis with public safety personnel that operate state, local and Tribal police, fire and emergency medical radio systems, and as I mentioned earlier, we also play a role in emergency preparedness and response. Partnering with FEMA, we deploy FCC staff in advance of or following disasters to assist with communications assessments and recovery. We are determined to further develop our working relationships in Indian Country, and we were pleased to be able to send one of our key staff to the Pueblo Governors' meeting in New Mexico a couple months ago to discuss emergency preparedness and response.

While we have made tremendous strides on a number of fronts, the United States is still challenged by many of the same communications interoperability issues that have hampered emergency responders for years. Indian Country understands these communications challenges probably

better than any other part of the country. Currently, only approximately 65% of Americans have broadband in their homes; however, in Indian Country, 65% is roughly the adoption rate for telephone service. That is an alarming statistic and one we need to change. In regard to broadband, we don't even have the basic data to fully understand the scope of the challenge, though we recognize the severity of the problem. Our best evidence indicates that the broadband deployment rate on Tribal lands is less than 10% and there are some suggestions that it may be as low as 5%. This is a problem that must be solved, and solved quickly. Not only does this affect the prosperity and advancement of Indian Country, it is also a public safety issue that concerns us greatly.

“Broadband has the great potential to empower tribes and their institutions in an unprecedented way,” as the NCAI told the House Subcommittee on Communications, Technology and the Internet in April regarding the National Broadband Plan. Therefore, we are pleased to be here today discussing this issue and finding ways to collaborate so that we can move towards lessening the divide that separates Indian Country from the rest of the United States, both

literally and figuratively, especially as it relates to public safety, homeland security and emergency management.

My visit with you today has given me a timely opportunity to share with you the details of the FCC's plans for advancing public safety and homeland security through broadband technologies and innovation. Much of our effort is tied to the FCC's National Broadband Plan, which we delivered to Congress back in March. This Plan is the culmination of a comprehensive and open process that generated substantial input from all sectors. And while it is the product of an extensive effort, it is only the beginning of some of our most significant work. I applaud the focus that Native issues received in the National Broadband Plan, especially the recommendations to elevate the importance of Native issues at the FCC through the creation of the Office of Native Affairs and Policy and to address issues regarding spectrum licensing and use over Tribal lands. What I would like to focus on today are the Plan's provisions relating specifically to public safety and security.

One part of the Plan that has attracted a great deal of attention is our renewed effort to facilitate the creation of a

nationwide interoperable public safety wireless broadband network. The Plan offers a comprehensive set of recommendations for realizing this long-standing objective, and it is my privilege to discuss a few of these recommendations with you today.

When the FCC unveiled its National Broadband Plan in March of this year, it recommended a comprehensive strategy to create a nationwide public safety broadband network which includes recommendations for an administrative system for ensuring that public safety users have sufficient capacity and coverage where they need it and access to commercial technologies at consumer equipment prices; public funding to support the network's construction and operation; and the creation of an Emergency Response Interoperability Center (ERIC) to ensure nationwide interoperability and operability of the network.

One of the recommendations on which we were able to act quickly was in creating ERIC which was formed to establish a technical and operational framework that will ensure nationwide operability and interoperability in

deployment and operation of the 700 MHz public safety broadband wireless network. ERIC will adopt, implement, and coordinate interoperability regulations, license requirements, grant conditions and technical standards.

While the FCC leads ERIC, we are all about teamwork. To that end, the Department of Homeland Security and the National Institute of Standards and Technology will contribute to ERIC's functions. In addition, a Technical Advisory Committee for ERIC is already in place and a Public Safety Advisory Committee is currently being established. There will be tribal representation on this committee, and I'd like to thank the tribal representatives who applied and are being considered. We hope to have this committee in place soon because we know it will make a difference to ERIC's work and the overall safety and security of the country because it will help us start correctly in creating the nationwide public safety network and ensuring it has the following attributes:

1. The network must be **nationwide**, providing coverage for public safety in all the locations where Americans live, work, and play, whether rural or urban, with the goal of at least 99% population coverage.

2. The network must be **interoperable**, functioning across geographies and public safety agencies. We must move away from the fragmented public safety networks that currently define the norm.
3. The network must be **viable and resilient**, having the required capacity and performance to support public safety reliably and dependably on a day-to-day and emergency basis as well as provide contingencies for operations during the worst disasters.
4. The network and its devices must be **cost-effective** – it must be affordable for the country and for public safety to deploy, operate, utilize and upgrade.
5. And the network must be **technologically advanced**, exploiting the latest technology and having a clear path for technological evolution – a system easily upgradable without considerable expense. We cannot afford for public safety to be trapped in expensive old technologies unable to adapt to the changing times.

This approach provides an achievable roadmap for deployment and operation of this system. The public safety community has expressed agreement, in most respects, with the National Broadband Plan's comprehensive concept for the public safety broadband network. There is broad consensus on the need for use of LTE technology, on the need for priority access for public safety and on the need for roaming onto commercial networks and other public safety networks.

We agree that the public safety network should not be an isolated technological island, but that it must continue to evolve as commercial technology improves. We agree that there must be public funding for the network to ensure that it is built, that it is hardened, that it is upgraded, that it works inside buildings and that it extends to rural areas. These are all significant points of consensus with the FCC's approach and reflect the fact that we have listened closely to the public safety community on these issues.

Another point of agreement is our shared belief that public safety agencies should be able to reap the full benefits of the spectrum allocated to them for the broadband

network. Accordingly, the Plan recommended that public safety agencies have the opportunity to lease their spectrum on a secondary basis to utility companies and perhaps other user groups. My staff and I are in the process of examining the details of this recommendation, including its possible legal implications, but we recognize that this could provide public safety with a promising revenue stream to support the ongoing operation and evolution of their network. And while we have had a differing opinion with the public safety community as to the amount of spectrum that should be allocated for the network, these areas of agreement form a solid foundation upon which the Commission and the public safety community can build.

While creating the nationwide network is a tremendous focus and undertaking for the Commission, our work on other public safety issues must continue. Therefore, I'd like to give you an update on some other matters on which the Bureau is working very hard.

One of those areas is alerting. We have been working in partnership with FEMA in this area and are seeing some valuable progress.

It is absolutely critical that the public has access to timely and accurate emergency alerts and warnings about impending disasters and other emergencies. The public relies on a multitude of communications technologies in their daily lives, from radio and television to cell phones and other wireless devices, and increasingly, the Internet and other broadband technologies. A comprehensive alerting system that utilizes these multiple communications technologies will have the ability to reach more people more quickly and effectively than ever before.

One system with which you are familiar is the Emergency Alert System (EAS), the national public warning system that requires broadcasters, cable television systems and others to allow the President to address the American public during a national emergency. This system may also be used by Tribal, state and local authorities to deliver important local emergency information, such as AMBER alerts and weather information targeted to specific areas. All governments share an interest in ensuring that the EAS infrastructure functions correctly, and fully utilizes the resources of our modern, digital communications technologies. Accordingly, over the next few months, the

Commission, along with FEMA, will initiate an outreach effort to coordinate the “first-ever” national test of the EAS. As our outreach plan unfolds, we will be reaching out to you as a partner.

Another system with which you probably are not as familiar is the Commercial Mobile Alerting System (CMAS), which will allow consumers to receive emergency alerts over their cell phones and other mobile devices. The CMAS will complement the EAS and other alerting systems by providing Federal, state, tribal, territorial and local government alert originators an additional mechanism by which to send emergency alerts and warnings to the public in a targeted area. Under CMAS, FEMA will accept and aggregate CMAS alerts from the President of the United States, the National Weather Service, state, tribal, territorial and local emergency operations centers, and then send the alerts over a secure interface to participating wireless providers, who in turn will distribute the alerts to their subscribers. Consumers will not have to sign-up for this service. Rather, they will automatically receive CMAS alerts so long as they have a CMAS-compatible mobile device and their wireless carrier is a participant in CMAS. In December,

2009, the FCC initiated the 28-month period during which participating Commercial Mobile Service providers must develop, test and, by April 7, 2012, deploy the CMAS. We are very excited about the possibilities and the lives we know will be saved because of this technology.

Broadband has the potential to greatly expand the capabilities of these and future warning systems' capabilities, and the Commission is taking two important steps to facilitate the development of a broadband-based "Next Generation" alert and warning system. First, FEMA recently adopted a Common Alerting Protocol (CAP) standard, a common alerting messaging standard that will be used as part of its Integrated Public Alert and Warning System (IPAWS). The Commission will be initiating a rulemaking proceeding in which it will seek comment on how the introduction of CAP will affect our current EAS rules. Second, the Commission will be initiating a Notice of Inquiry on the development of a next generation, broadband-based alerting system. We look forward to consulting with you on both of these important issues.

Another important public safety communications issue that you may be concerned about is the Commission's narrowbanding deadline. Narrowbanding is the migration of certain VHF and UHF channels to narrower bandwidths by January 1, 2013 to increase spectrum efficiency and to free additional channel capacity within these bands. These deadlines have been in place since 2004 and have been consistently supported by public safety organizations because of the need to obtain additional channel capacity for first responders in the Private Land Mobile Radio (PLMR) bands.

The Commission recently adopted two orders that will simplify the narrowbanding process. In March 2010, the FCC eased the requirements for licensees who narrowband their systems to avoid costs and administrative burden of unnecessary frequency coordination. In June 2010, the Commission allowed PLMR licensees to continue to obtain wideband-capable equipment for their existing systems until January 1, 2013, making it easier to manage the transition. These orders further promote spectrum efficiency so that more public safety and non-public safety users may utilize these frequencies.

If you are currently in the narrowbanding process (or if you need to be but haven't started yet) I encourage you to continue moving forward. The 2013 deadline is very important. With that said we are here to help you with any issues that arise, so if you have problems or concerns in this area, please contact our bureau soon. We will do all we can to assist you and answer any questions you have.

Another area in which the bureau continues to focus is 9-1-1 and Next Generation 9-1-1. As you are aware, 9-1-1 can be a life-saving tool when someone is in need of assistance. Therefore, one of the FCC's goals is ensuring that all Americans can access 9-1-1, regardless of the technology they use to place the call. This past September the Commission adopted new rules establishing timelines and benchmarks for wireless carriers to provide more granular E9-1-1 location information at either a county-based or PSAP-based geographic level. The Commission also adopted a Further Notice of Proposed Rulemaking and Notice of Inquiry seeking to improve E9-1-1 location accuracy and reliability for existing and new voice communications technologies, including Voice over Internet Protocol and, consistent with the National Broadband Plan,

to understand the ways in which voice communications enabled by broadband and next generation 9-1-1 technologies could support enhanced first response.

As more people rely on wireless service as their primary means of communication, it is increasingly important not only that wireless users have access to 9-1-1, but also that first responders receive automatic and accurate information to identify the caller's location. There is certainly an expectation among the public that a 9-1-1 call taker should have a good idea of the location of a 9-1-1 caller so that first responders can be directed to the correct place. In light of today's technological advances, this is a reasonable expectation and one we take very seriously and on September 23, 2010 a Further Notice of Proposed Rulemaking/Notice of Inquiry was adopted to explore NG 9-1-1's impact on wireless location accuracy requirements. I recognize some of the unique challenges of full 9-1-1 and E-9-1-1 implementation in Indian Country, and I look forward to working with you on effective solutions.

Another 9-1-1 related proceeding at the Commission concerns the issue of fraudulent and harassing 9-1-1 calls

from non-service initialized phones. We are very concerned that harassing and fraudulent 9-1-1 calls from non-service initialized phones continue to be a serious problem for 9-1-1 call centers. These calls disrupt 9-1-1 service and waste precious public safety resources, which should be devoted to true emergencies. The Commission previously issued a Notice of Inquiry on this matter, and we plan to release a Notice of Proposed Rulemaking in the near future.

Now I want to turn to some exciting recommendations concerning Next Generation 9-1-1 from the National Broadband Plan. The nation's 9-1-1 system is evolving toward supporting NG9-1-1, an IP-based platform integrating the core functions and capabilities of E9-1-1 while adding new 9-1-1 capabilities such as texting, photos, video and e-mail. In the September NPRM, the Commission initiated a Notice of Inquiry to explore how public expectations may evolve as new broadband and IP-based communications, devices, applications and technologies develop, and how deployment of NG 9-1-1 can meet those expectations and accommodate new forms of communications.

The FCC's National Broadband Plan includes specific recommendations on how to encourage the timely deployment of NG9-1-1. The plan recognized that we need to analyze the costs involved for deploying NG9-1-1 across the nation and recommended that the National Highway Traffic Safety Administration (NHTSA) prepare a report to identify them, including a technical analysis and cost study of different delivery platforms, and an assessment of the characteristics, feasibility and limitations of NG9-1-1 delivery. Further, the NBP recommended that the report address the current state of NG9-1-1 readiness among PSAPs and how differences in PSAPs' access to broadband across the country may affect costs. This report could serve as a resource for Congress as it considers creating a coordinated, long-term funding mechanism for NG9-1-1 deployment and operation.

The NBP also recognized that certain federal and state regulations that focus on legacy 9-1-1 systems have hampered NG9-1-1 deployment, such as existing laws, regulations and tariffs that reference older technologies, which could be interpreted to prohibit the implementation or funding of IP-based 9-1-1 systems. The plan recommended

the enactment of a federal NG9-1-1 regulatory framework to remove jurisdictional barriers and inconsistent legacy regulations. Without such a comprehensive framework, it is unlikely that you will be able to take advantage of the benefits of NG9-1-1 in the near future.

In Indian Country, the lack of 9-1-1 services and the lack of interoperability is an enormous public safety issue. Some research shows that the crime rate on Tribal lands is higher than the national average and that the violent crime rate is significantly higher. Simply put, residents of Tribal lands must be able to call for help and receive assistance when they need it. This is a problem even with a large number of first responders covering a large geographical area, but as we understand it, in Indian Country, only about 3,000 officers patrol 56 million acres. With such a low number of officers patrolling such an enormous area, it's imperative that they can talk to one another. It's also imperative for the public to have the ability to call 9-1-1 in order to get assistance as quickly as possible and to be able to provide accurate information to responders answering their calls-for-service. This is a matter of life and death in many situations, and we must work together to get this

problem fixed and bridge this gap in the public safety and homeland security of Indian Country.

Our Chairman has told me that in the next few months the FCC will be moving forward to address many issues with respect to communications in Indian Country and holding consultations. I will be working with him and our staff to ensure that the public safety issues I've discussed with you today are included. With your help and partnership, we are reviewing our work on these issues to identify the most expedient way to develop specific solutions for Indian Country.

We obviously have a lot of work to do, but we are committed to working with you to improve public safety communications and get over these hurdles together. I'd like to reiterate how much I appreciate the opportunity to talk with you today and for the continued dialogue I know will come from these types of gatherings.

Thank you again for your time and attention.