

Captain Thomas W. Turner
Chairman



Ronald P. Hawley
Executive Director

June 14, 2012

Mr. Lawrence E. Strickling
Assistant Secretary for Communications and Information
National Telecommunications and Information Administration
U. S. Department of Commerce
HCHB Room 4812
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Washington D.C. 20230
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Dear Sir,

SEARCH, the National Consortium for Justice Information and Statistics, is a membership organization that represents the 50 states and territories in matters of justice, public safety and homeland security, and is a training and technical assistance provider. As such, we work closely with justice and public safety agencies on technology projects, including voice and data interoperability projects. We believe that this grant is of the utmost importance to the success of the National Public Safety Broadband Network (NPSBN), and as such, that:

- Best practices learned in public safety/ justice programs and technical assistance should be leveraged at every opportunity. Use of national standards and models should be required;
- Current governance structures responsible for statewide interoperability, facilitated by the Statewide Interoperability Coordinator (SWIC), be responsible for the states' efforts in coordinating with FirstNet;
- Planning efforts, and the staff to properly plan for the network, be allowable expenditures under the grant;
- Current processes, programs, and systems be leveraged to the extent possible, such as:
 - Statewide Interoperability Governing Bodies (SIGB);
 - SWICs;
 - Statewide Communications Interoperability Plans (SCIPs);
 - Current technical assistance programs such as the Department of Homeland Security's Interoperable Communications Technical Assistance Program (ICTAP);
 - Frequency mapping tool and the Communications Assets Survey and Mapping (CASM).

We appreciate this opportunity to provide comment to the NTIA based upon our work.

Response to Request for Comment

The Consultation Process

1. Section 6206(c)(2) of the Act directs FirstNet to consult with regional, State, tribal, and local jurisdictions about the distribution and expenditure of any amounts required to carry out the network policies that it is charged with establishing. This section enumerates several areas for consultation, including: (i) Construction of a core network and any radio access network build-out; (ii) placement of towers; (iii) coverage areas of the network, whether at the regional, State, tribal, or local level; (iv) adequacy of hardening, security, reliability, and resiliency requirements; (v) assignment of priority to local users; (vi) assignment of priority and selection of entities seeking access to or use of the nationwide public safety interoperable broadband network; and (vii) training needs of local users. What steps should States take to prepare to consult with FirstNet regarding these issues?

a. What data should States compile for the consultation process with FirstNet?

Response: SEARCH does not have a position on this issue.

b. Should this activity be covered by the State and Local Implementation grant program?

Response: Yes. Proper planning and thorough requirements gathering is key to the success of the National Public Safety Broadband Network. As a training and technical assistance provider for the Department of Homeland Security and the Department of Justice, we have seen the challenges, inefficiency and waste that result from a lack of proper planning. States will need time and resources to make outreach to stakeholders to educate them about the process, provide a plan for moving forward, and to engage stakeholders in the data collection process. SEARCH recommends all planning activities, including data collection and the associated costs, be covered under the grant program.

2. The Act requires that each State certify in its application for grant funds that the State has designated a single officer or governmental body to serve as the coordinator of implementation of the grant funds.

a. Who might serve in the role as a single officer within the State and will it or should it vary for each State?

Response: Each state has a statewide interoperability governing body (SIGB) with responsibility for strategic direction and implementation of public safety interoperability. Most states also have a designated Statewide Interoperability Coordinator (SWIC). Coordination and implementation of grant funds should be designated to the SIGB or SWIC, where a SWIC is identified. The decision about whether to assign this responsibility to the SIGB or SWIC should be a state decision. These two entities are most familiar with public safety interoperability, and are best suited to serve in this role. As public safety broadband and voice systems converge, coordination of these efforts – and funding to implement convergence – must be carefully aligned.

b. Who might serve on the governmental body (e.g., public partners, private partners, technical experts, Chief Information Officers, SWIC, finance officials, or legal experts)?

Response: Each state has a Statewide Communications Interoperability Plan (SCIP) that designates who should serve on its governing body. In addition, many states have other chartering documents that describe the makeup and role of the SIGB. Each state should be encouraged to revisit their SCIP and other charter documents to ensure appropriate representation on the SIGB. Funding to revisit the states' governance structures should be an allowable expense under the grant.

c. How should the States plan to involve the local entities in the State and Local Implementation grant program?

Response: Local entities are represented within the SIGB of each state, typically through regional governing bodies that report to the SIGB. Using the SIGB or SWIC as the coordinator for the implementation of grant funds ensures inclusion of local entities.

d. How should the States plan to involve the tribal entities in the grant program?

Response: Tribal entities are represented within the SIGB of each state, typically through regional governing bodies that report to the SIGB. Using the SIGB or SWIC as the coordinator for the implementation of grant funds ensures inclusion of local entities.

e. What requirements should be included in the grant program to ensure that local and tribal public safety entities are able to participate in the planning process?

Response: Each state should be encouraged to revisit their SCIP to ensure appropriate representation on the SIGB. Funding to revisit the states' governance structures should be an allowable expense under the grant. Likewise, the SWIC and SIGB will need to perform outreach and educational functions. These activities should also be allowable expenses under the grant.

f. How should the State and Local Implementation grant program ensure that all public safety disciplines (e.g., police, sheriffs, fire, and EMS) have input into the State consultation process?

Response: Each SIGB includes multi-jurisdictional, multi-discipline representation, typically through regional governing bodies that report to the SIGB. Using the SIGB or SWIC as the coordinator for the implementation of grant funds ensures inclusion of all disciplines. The SIGB and SWIC will need to perform outreach and educational functions. These activities should also be allowable expenses under the grant.

g. How should the State and Local Implementation grant program define regional (e.g., interstate or intrastate) and how might the grant program be structured to facilitate regional participation through the States?

Response: Through the SCIP development process, States are encouraged to coordinate with other states regionally on interoperability issues. States should be encouraged to revisit their SCIP to ensure regional coordination. Funding to revisit the SCIP to ensure regional coordination should be an allowable expense under the grant.

h. How should States plan to involve the Federal users and entities located within their States in the grant program?

Response: Through the SCIP development process, States are encouraged to coordinate with Federal users and entities that work within their borders on interoperability issues. States should be encouraged to revisit their SCIP to ensure regional coordination. Funding to revisit the SCIP to ensure regional coordination should be an allowable expense under the grant. SEARCH also recommends that the NTIA assist the States by encouraging Federal users and entities to reach out to the States' SWIC to offer their participation.

3. The Act contemplates that FirstNet will consult with States regarding existing infrastructure within their boundaries, tower placements, and network coverage, which FirstNet can use to develop the requests for proposals called for by the Act. The States, however, will need time and funding to collect the necessary information before they are ready to consult with FirstNet.

a. Given these interrelated activities, how should the State and Local Implementation grant program be used by States to assist in gathering the information to consult with FirstNet?

Response: SEARCH does not have a position on this issue.

b. Should consistent standards and processes be used by all States to gather this information? If so, how should those policies and standards be established? What should those policies and standards be?

Response: SEARCH does not have a position on this issue.

c. What time period should NTIA consider for States to perform activities allowed under the grant program as it relates to gathering the information to consult with FirstNet?

Response: SEARCH does not have a position on this issue.

Existing Public Safety Governance and Planning Authorities

4. Over the years, States have invested resources to conduct planning and to create governance structures around interoperable communications focused primarily on Land Mobile Radio (LMR) voice communications, including the Statewide Interoperability Coordinators (SWIC) and Statewide Interoperability Governing Bodies (SIGB), often called Statewide Interoperability Executive Committees (SIEC).

a. What is the current role of these existing governance structures in the planning and development of wireless public safety broadband networks?

Response: These bodies should be designated as having responsibility for planning and implementation of wireless public safety broadband networks. These structures already exist with the purpose of planning for and implementing interoperable emergency communications. Public safety broadband is but another means of emergency communications, with many of the same considerations as emergency voice communications. The convergence of the two in the future makes inclusion of the SIGB an imperative.

b. What actions have the States' governance structures (e.g., SWIC, SIGB, or SIEC) taken to begin planning for the implementation of the nationwide public safety broadband network?

Response: Some states have begun evolving their governance structures to include the NPSBN. For those that have not, SEARCH recommends that States be encouraged to do so, and that funding be provided under the grant for these activities.

c. Can these existing governance structures be used for the PSBN, and if so, how might they need to change or evolve to handle issues associated with broadband access through the Long Term Evolution (LTE) technology platform?

Response: Yes, and they should be used for this purpose. It should be an allowable grant expense to use grant funds to evolve the current governance structure to include proper governance to handle issues associated with broadband access through the LTE technology platform.

d. What is or should be the role of the Statewide Communications Interoperability Plans (SCIPs) in a State's planning efforts for the nationwide public safety broadband network?

Response: The SCIP should include initiatives that support the build-out of the NPSBN. As such, only those activities that aligns with the SCIP – and therefore with the state's plans and in support of FirstNet's work - should be funded by the grant. SEARCH also recommends that the SCIPs be reviewed in light of a State's strategic information technology plan to identify

opportunities for alignment.

e. What actions do the States need to take to update the SCIPs to include broadband?

Response: Most states will need funding to plan to update the SCIP, and to bring stakeholders together to accomplish the update to the SCIP. Additionally, some states will need funding for staff to coordinate this planning, including funding to maintain their SWIC position.

f. Should the costs to change or evolve existing governance and Statewide Plans be eligible in the new program?

Response: Yes.

g. Should the maintenance of those existing governance bodies and plans be eligible in State and Local Implementation grant program?

Response: Yes. As voice and data converge, states will need to constantly re-evaluate the initiatives in their strategic plans, and ensure stakeholders are properly represented in the governance bodies.

Leveraging Existing Infrastructure

5. How should States and local jurisdictions best leverage their existing infrastructure assets and resources for use and integration with the nationwide public safety broadband network?

a. How should States and local jurisdictions plan to use and/or determine the suitability of their existing infrastructure and equipment for integration into the public safety broadband network?

Response: SEARCH does not have a position on this issue.

b. What technical resources do States have available to assist with deployment of the nationwide public safety broadband network?

Response: SEARCH does not have a position on this issue.

c. How will States include utilities or other interested third parties in their planning activities?

Response: Non-Governmental Organizations (NGOs) such as utilities are represented within the SIGB of many states, typically through regional governing bodies that report to the SIGB. Using the SIGB or SWIC as the coordinator for the implementation of grant funds ensures inclusion of NGOs. Where these interested third parties are not part of the SIGB, SEARCH recommends that grant funding be used to perform outreach to these parties, and to update the governance documents as necessary to include them.

d. Should NTIA encourage planning for the formation and use of public/private partnerships in the deployment of the nationwide public safety broadband network? If so, how?

Response: SEARCH does not have a position on this issue.

6. Section 6206(b)(1)(B) of the Act directs FirstNet to issue open, transparent, and

competitive requests for proposals (RFPs) to private sector entities for the purposes of building, operating, and maintaining the network. How can Federal, State, tribal, and local infrastructure get incorporated into this model?

a. How would States plan for this integration?

Response: SEARCH does not have a position on this issue.

b. Should States serve as clearinghouses or one-stop shops where entities bidding to build and operate portions of the FirstNet network can obtain access to resources such as towers and backhaul networks? If so, what would be involved in setting up such clearinghouses?

Response: SEARCH does not have a position on this issue.

a. Should setting up a clearinghouse be an eligible cost of the grant program?

Response: Yes.

State and Local Implementation Grant Activities

7. What are some of the best practices, if any, from existing telecommunications or public safety grant programs that NTIA should consider adopting for the State and Local Implementation grant program?

Response: SEARCH is a technical assistance provider for a number of grant programs. As such, we have provided technical assistance to public safety agencies on many large public safety projects. SEARCH encourages the NTIA to support processes that are collaborative and inclusive, to fund planning and outreach activities, as well as to fund activities that educate stakeholders on the process. SEARCH also recommends leveraging those positions and processes and relationships that have already been developed under other programs such as the SIGB and SWIC, and SCIP implementation. These have been in place for some time, trust relationships have been built, and cooperative work is occurring. Collaboration and trust relationships will be key to the planning and implementation of the NPSBN. As such, SEARCH encourages NTIA not to “reinvent the wheel”.

8. What type of activities should be allowable under the State and Local Implementation grant program?

Response: All planning activities, including revisiting existing governance structures, updating SCIPs, and collecting data should be included. Likewise, funding for necessary staff including SWIC positions should be included.

9. What types of costs should be eligible for funding under the State and Local Implementation grant program (e.g., personnel, planning meetings, development/upgrades of plans, or assessments)?

a. Should data gathering on current broadband and mobile data infrastructure be considered an allowable cost?

Response: Yes. Current systems, such as CASM, should be leveraged for this effort where possible.

b. Should the State and Local Implementation grant program fund any new positions at the State, local, or tribal level that may be needed to support the work to plan for the nationwide public safety broadband network? If so, what, if any, restrictions should NTIA

consider placing on the scope of hiring and the type of positions that may be funded under the grant program?

Response: Yes, new positions and maintenance of SWIC positions should be allowed under the grant.

10. What factors should NTIA consider in prioritizing grants for activities that ensure coverage in rural as well as urban areas?

Response: SEARCH does not have a position on this issue.

11. Are there best practices used in other telecommunications or public safety grant programs to ensure investments in rural areas that could be used in the State and Local Implementation grant program?

Response: NTIA should work closely with the Department of Homeland Security Office of Emergency Communications to ensure technical assistance for emergency communications also supports NPSBN efforts, including work with SIGBs, SWICs, SCIPs, and maintenance and updates to CASM and related tools. Assistance to States in outreach and facilitation should be allowed or provided to States.

12. In 2009, NTIA launched the State Broadband Initiative (SBI) grant program to facilitate the integration of broadband and information technology into state and local economies.

a. Do States envision SBI state designated entities participating or assisting this new State and Local Implementation grant program?

Response: SEARCH does not have a position on this issue.

b. How can the SBI state designated entities work with States in planning for the nationwide public safety broadband network?

Response: SEARCH does not have a position on this issue.

13. What outcomes should be achieved by the State and Local Implementation grant program?

a. Are there data that the States and local jurisdictions should deliver to document the outcomes of the grant program?

Response: SEARCH does not have a position on this issue.

b. If so, how should they be measured?

Response: SEARCH does not have a position on this issue.

c. Who should collect this information and in what format?

Response: SEARCH does not have a position on this issue.

d. What data already exist and what new data could be gathered as part of the program?

Response: CASM and the Frequency Management Tool should be supported by and leveraged by NTIA for the purpose of collecting relevant data as identified by the States and FirstNet. When configured properly, CASM can be accessed by local agencies as well as States to enter

data, and view their own data. Data extrapolated from CASM could be used to the benefit of the States and FirstNet to determine progress and gaps.

14. The U.S. Department of Homeland Security’s Office of Emergency Communications (OEC) has developed the following tools through its Technical Assistance Program available at <http://www.publicsafetytools.info>, including: (1) Mobile Data Usage and Survey Tool—Survey process to document the current-state mobile data environment, in preparation for a migration to LTE; (2) Statewide Broadband Planning Tool—Template and support on Statewide strategic broadband planning issues designed to serve as an addendum to the SCIP; (3) Frequency Mapping Tool—Graphical tool to display FCC license information and locations including cellular sites within a jurisdiction; and (4) Communications Assets Survey and Mapping Tool (CASM)—Data collection and analysis tool for existing land mobile radio assets. Should States be encouraged to utilize tools and support available from Federal programs such as those developed by OEC? Are there other programs or tools that should be considered?

15. Do the States have a preferred methodology for NTIA to use to distribute the grant funds available under the State and Local Implementation grant program?

a. Should NTIA consider allocating the grant funds based on population?

Response: SEARCH does not have a position on this issue.

b. What other targeted allocation methods might be appropriate to use?

Response: SEARCH does not have a position on this issue.

c. Should NTIA consider phasing the distribution of grant funds in the new program?

Response: SEARCH does not have a position on this issue.

State Funding and Performance Requirements

16. What role, if any, should the States’ Chief Information Officer (CIO) or Chief Technology Officer (CTO) play in the State and Local Implementation grant program and the required consultations with FirstNet? How will these different positions interact and work with public safety officials under the State and Local Implementation grant program?

Response: States’ CIOs or CTOs should be included in states’ planning efforts. In some States, the CIO or CTO already has a role, or the SWIC is part of the CIOs office. In other states, there is little collaboration. Where these roles have been established, planning and alignment between the SIGB, the SWIC, and the CIO or CTO has begun. SEARCH encourages NTIA to foster collaboration between the SIGB, the SWIC, and the CIO or CTO as well as alignment between the SCIP and the State’s IT plan. Funding through this grant program can be used to foster those relationships and to encourage that alignment. States should consider including their CIO or CTO into their governance bodies as appropriate. How that integration occurs should be left to each State.

17. The Act requires that the Federal share of the cost of activities carried out under the State and Local Implementation grant program not exceed 80 percent and it gives the Assistant Secretary the authority to waive the matching requirement, in whole or in part, if good cause is shown and upon determining that the waiver is in the public interest. As NTIA develops the State and Local Implementation grant program, what are some of the factors it should consider regarding States’ ability to secure matching funds?

Response: SEARCH does not have a position on this issue.

18. What public interest factors should NTIA consider when weighing whether to grant a waiver of the matching requirement of State and Local Implementation grant program?

Response: SEARCH does not have a position on this issue.

Other

19. Please provide comment on any other issues that NTIA should consider in creating the State and Local Implementation grant program, consistent with the Act's requirements.

Response: To ensure proper interoperability planning and coordination with convergence in mind, all grants should be coordinated through the SIGB and SWIC to ensure alignment with the SCIP. Initiatives that do not align with the SCIP should not be eligible for funding.

SEARCH appreciates the opportunity to provide comment to this very important program.

Respectfully,

A handwritten signature in black ink that reads "Ronald P. Hawley". The signature is written in a cursive style with a large, sweeping flourish at the end of the name.

Ronald P. Hawley
Executive Director