

Dave Heineman Jack Markell Dan Crippen

Governor of Nebraska Governor of Delaware Executive Director

Chair Vice Chair

March 14, 2012

M E M O R A N D U M

*To:* Washington Representatives

*From:* Heather Hogsett

*Re:* Implementation of the Public Safety Broadband Network

This memorandum highlights key milestones for states as legislation to reallocate the D block of spectrum and construct a nationwide public safety broadband network is implemented. It also addresses several frequently asked questions.

**Key Dates for Network Development**

The legislation requires the establishment of two boards that will play important roles in the development of the nationwide public safety network. The first is the technical advisory board that will be established by the Federal Communications Commission (FCC) to develop technical standards to ensure interoperability across the country. The second is the board of the First Responder Network Authority (FirstNet) that will hold the license for the spectrum and is responsible for network construction, maintenance and upgrades.

Once these boards are established, FirstNet must develop and present to governors a plan to build the network in the state. Governors will then have 90 days in which to decide whether to build a separate state network or participate in the national network.

|  |  |  |
| --- | --- | --- |
|  | ***Deadline*** | ***Requirements/Background*** |
| ***FCC Board Appointments*** | March 22, 2012 | -FCC has solicited nominees  -3 designated state and local slots available and 3 public safety  -Board must develop technical requirements to ensure interoperability by 5/22/12  - Board terminates 7/7/12 |
| ***FirstNet Board Appointments*** | August 22, 2012 | -Appointments will be made by the Department of Commerce/NTIA  - 3 designated state and local slots and 3 public safety |
| ***State Implementation Grants*** | August 22, 2012 | -NTIA must develop grant guidance, including prioritization of activities to ensure coverage in rural and urban areas  -total funding available will be $135 million |
| ***Governor Decision to Opt-Out*** | 90 days | -After FirstNet provides plan for construction within the state, including the state’s funding level, the governor must decide whether to participate in national network deployment or to deploy a state network that would be interoperable with the national network  -if opting out, the state must submit an alternative plan for construction and operation to the FCC that demonstrates compliance with technical requirements and interoperability with national network; must also apply to NTIA to lease the spectrum and for a grant to construct the radio access network within the state |
| ***State Request for Proposals***  ***(if opting out)*** | 180 days | -If the governor chooses to opt-out of the national network, governor must complete RFP for construction, maintenance and operation of network within 180 days |

**Frequently Asked Questions**

***When will funding be available to states?***

The first funding available to states will be $135 million in implementation grants from the National Telecommunications and Information Administration (NTIA). NTIA must establish requirements for the use of these funds by August 22, 2012. These grants are intended to assist states and localities in utilizing and integrating infrastructure and equipment with the nationwide broadband network to meet the needs of the jurisdiction. These grants will require a 20 percent match by the state unless waived by NTIA.

In addition to state and local implementation grants, $7 billion will be available to construct the nationwide network. This funding will not be available until FirstNet is ready to begin construction. States choosing to build their own network rather than participate in construction of the nationwide network may apply to NTIA to receive a portion of these funds.

***How will the legislation impact jurisdictions with current or pending waivers?***

Prior to the passage of the legislation, 21 jurisdictions had received waivers from the FCC to begin construction on their own broadband networks. A number of other jurisdictions have waiver requests pending with the FCC. Neither the FCC nor NTIA have provided guidance to these jurisdictions regarding whether or how they should move forward. NGA continues to coordinate with these agencies and will share information as it becomes available.

***What should states do now?***

States should begin updating their public safety communications plans to incorporate broadband technologies and ensure that statewide interoperability governing boards include the appropriate state and local representatives. Broadband technologies are different in many ways from traditional public safety radio communications and offer new opportunities. For instance, states may be able to leverage other broadband initiatives under the purview of chief information officers (CIOs) for public safety purposes. In the coming weeks, the NGA Center for Best Practices will announce plans to provide states with technical assistance surrounding implementation of public safety broadband.

***How can a state nominate someone to the boards?***

The FCC will announce members of its technical advisory board in the next several weeks. NGA solicited nominees from governors’ offices, whose names were submitted to the FCC.

NTIA will be responsible for coordinating appointments to the FirstNet board. When information regarding NTIA’s nominations process is released, NGA will share it with governors’ offices and facilitate the submission of nominees.

If you have any questions please contact Heather Hogsett ([hhogsett@nga.org](mailto:hhogsett@nga.org); 202.624.5360) or Mike Obrock ([mobrock@nga.org](mailto:mobrock@nga.org); 202.624.5390).