



FBI-Law Enforcement Executive Development Association

**In response to
US DEPARTMENT OF COMMERCE
National Telecommunications and Information Administration
On behalf of First Responder Network Authority
Notice of Inquiry
[Docket No. 120928505-2505-01 / RIN 0660-XC00]**

Title:

“Notice of Inquiry on FirstNet Conceptual Network Architecture”

Submitted to:

firstnetnoi@ntia.doc.gov

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We appreciate this opportunity to respond to this Notice of Inquiry from the National Telecommunications and Information Administration (NTIA).

About FBI-LEEDA

FBI – LEEDA, Inc. is a 501(c)(3) corporation. The members of FBI - LEEDA are primarily Chief Executive Officers of law enforcement agencies, Directors and Commissioners of public safety, and elected Sheriffs throughout the United States. One of the requirements for active membership in FBI - LEEDA is to have participated in a LEEDS training program at the FBI Academy or one of the twenty-three regional FBI Command Colleges located throughout the United States. Members of the Association consist mostly of decision-makers from local, state and federal law enforcement agencies.

FBI-LEEDA's mission is to advance the science and art of police leadership and management, develop and disseminate improved administrative and technical practices to meet the needs of law enforcement executives globally, promote the exchange of information and expansion of training programs for law enforcement executives and to pursue educational excellence through continued public and private partnership programs. FBI-LEEDA is a private, non-profit organization and is not part of the Federal Bureau of Investigation or acting on its behalf.

Introduction

No one has waited with more anticipation for the final recommendation of the federal 9/11 Commission implementing the Public Safety Broadband Network (PSBN) to come to fruition than the law enforcement community. Decisions made now by FirstNet will shape our ability to serve and protect the public for generations to come.

With that in mind, the law enforcement community is eager to play a direct and ongoing roll deploying the network in a way that incorporates the needs and concerns of our community. A 4G communications system providing voice and data has the potential to save lives, increase effectiveness and improve safety in ways previously thought unimaginable.

Despite this hope, there exist in our community an ongoing skepticism that a federal program implemented by a single Board in Washington, D.C. will incorporate the diverse needs of 4 million first-responders. This Notice of Inquiry (NOI) does not dispel that concern.

FirstNet will fail in its mission if law enforcement chooses to retain its legacy systems around the country based on FirstNet's new costs and services. Some communities



may determine that existing networks serve them adequately, with some even utilizing software designed by their own agency.

Vetting Requirements

Indeed, no law exists that mandates first-responders subscribe to FirstNet. To avoid this failure, we would urge that FirstNet initiate a process to solicit input from the user community on requirements for the design of the system. Even with the active and outstanding participation of Board Members from law enforcement, no individual is capable of incorporating the needs of such an enormous and diverse community.

As of this filing, law enforcement remains largely unaware of any inquiry or solicitations allowing the user-community to voice its priorities for the network. We recently sent a survey to our membership asking the following questions and received the indicated responses.

- 1) Do you think that your needs and requirements are known and understood by the First Responder Network Authority (FirstNet), who is charged with building out the nation-wide Public Safety Broadband Network (PSBN)?
 - a) Yes 34.0%
 - b) No 66.0%

- 2) If the monthly subscription costs of the future PSBN System were \$20 more per month/user, would you be willing to move your users to this new Network?
 - a) Yes 31.6%
 - b) No 68.4%

- 3) Are you willing to buy new devices (handhelds, etc) to utilize the new PSBN?
 - a) Yes 37.0%
 - b) No 63.0%

- 4) Are you interested in providing feedback to the federal government on the type of features you would want to see in the PSBN?
 - a) Yes 57.6%
 - b) No 42.4%

- 5) Have you been approached to provide input to the federal government about the PSBN system?
 - a) Yes 6.6%
 - b) No 93.4%



The respondents list their agency size as follows:

0-25 sworn personnel	30.2%
26-50	19.7%
51-150	27.4%
151+	22.7%

NOTE: The original presentation of the Notice of Inquiry contained 2 typos in the survey numbers. The numbers contained herein have been corrected and updated as of November 1, 2012 4pm EDT. These numbers are based on 425 results. Due to the interruption of Hurricane Sandy, responses have been delayed. We will continue to document survey results as they are received. Please contact us for updated information.

We would be eager to participate in a process to test the performance requirements under consideration or even proposed technology. We would hope to do it in such a way that our Members in the field, often our youngest and most technologically astute, could weigh in via any interactive technology set up by FirstNet. Such a process would go a long way in ensuring buy-in for PSBN from the next generation of leadership.

Whatever requirements emerge will need to be accepted by the user-community before design of the network. These requirements may seem incongruous to a federal Board focused exclusively on nationwide interoperability. For instance, the vast majority of law enforcement scenarios call for interoperability during local emergencies in a concentrated geographical area. Should an F5 tornado impacts a mid-sized community in the Midwest, it triggers the needs of all first-responders, including EMS, police, fire, and utilities. But what happens when most networks have been destroyed, and the promised redundancy in FirstNet does not exist? A local police chief's priority will be contacting his officers in his immediate region rather than across the country. You can be certain he or she will evaluate any potential transition from his legacy carrier to FirstNet based on his confidence on that system's local capabilities rather than national outreach.

There exists many questions to be answered for our members such as:

- Will a total conversion be required, i.e. total number of units mandated to be purchased per agency?
- Time frame for compliance
- Availability of Grants
- Who will manage this system? Local, State or Federal Level?

Unknown costs:

Even more disconcerting than a lack of input in requirements for the network from law enforcement is the looming and unknown issue of costs. With the current budget climate, local and state governments are in no position to increase investment in



unfamiliar systems at a time when we are being forced to reduce the number of actual responders. Moreover, most analysts see local and state budgets continuing to contract (see State Fiscal Gap Seen Worsening, <http://www.gao.gov/assets/590/589908.pdf>; Report of the State Budget Crisis task Force, <http://www.statebudgetcrisis.org/wpcms/wp-content/images/Report-of-the-State-Budget-Crisis-Task-Force-Full.pdf>)

Every sector of our membership continues to emphasize that local law enforcement officials do not have the revenue to upgrade to new devices, expensive data plans, or new applications that law enforcement had no hand in vetting. Should such revenue be available, the priority of many departments would be to rehire officers and firefighters they have been forced to let go during the budget crisis rather than purchase new technology.

Our concern over the cost of the new system is amplified by the fact that to the best of our knowledge, the financial viability of FirstNet will depend largely on the participation of its subscriber base. Neither the Board nor this NOI illuminate what pricing models may be in store. But analysts examining the PSBN see law enforcement as a prime source of this future revenue. This uncertainty has only increased skepticism among the user community so long associated with the PSBN.

This community cannot be viewed as a captive source of funds to be maximized as PSBN builds out. It is critical that any revenue model not anticipate increased individual fees from the user community. Even the perception of such a revenue model will turn PSBN's potential customer base back towards existing legacy systems.

As with vetting requirements for the network, we would be eager to participate in a meaningful way creating a business model that serves the needs of both a strong PSBN and a user-community under financial duress.

We look forward to that opportunity in the weeks ahead.

