



# NATIONAL ASSOCIATION OF COUNTIES POLICY BRIEF

NACO National Association of Counties  
**2015**

## IMPORTANT ROLE OF COUNTIES IN THE FIRST RESPONDER NETWORK AUTHORITY (FIRSTNET)

**ACTION NEEDED:** As states begin to identify existing broadband and infrastructure assets to incorporate into the new first responder network, as required by the Middle Class Tax Relief and Job Creation Act of 2012 (P. L. 112–96), *it is imperative that counties engage in the consultation process and actively seek out the designated state coordinator(s) of those activities. This will ensure that existing local broadband and infrastructure assets are identified and included in the new network.*

**BACKGROUND:** In February 2012, Congress enacted *The Middle Class Tax Relief and Job Creation Act of 2012*, which mandated the creation of a nationwide interoperable wireless broadband network that will enable police, firefighters, emergency medical service professionals and other public safety officials to more effectively communicate with each other during emergencies and use new technology to improve response time, keep communities safe and save lives.

The law created the First Responder Network Authority (FirstNet), an independent authority within the U.S. Department of Commerce’s National Telecommunications and Information Administration (NTIA). Congress charged FirstNet to take “all actions necessary” to build, deploy and operate the network, in consultation with federal, state, tribal and local public policy entities.

FirstNet will develop and operate the new broadband network, which is to be based on a single, nationwide network architecture, thus enabling first responders and public safety officials to communicate with one another within and across jurisdictions. The secure and interoperable network will also support cutting-edge applications – for example, enabling firefighters to download blueprints of burning buildings in order to plan their entry route, allowing emergency medical technicians to remotely access a victim’s medical records from an ambulance, or helping police to identify criminal suspects through facial recognition or iris scanning technologies.

**FUNDING:** Congress allocated \$7 billion of spectrum auction proceeds and valuable spectrum bandwidth toward deployment of the nationwide network. Congress also provided \$135 million for a new State and Local Implementation Grant Program administered by NTIA to support state, regional, tribal and local jurisdictions’ planning work with FirstNet to ensure the network meets their wireless public safety communications needs. FirstNet will also seek to leverage existing commercial and government infrastructure for the new network.

### QUICK FACTS

- First Responder Network Authority (FirstNet) is an independent authority within the U.S. Department of Commerce’s National Telecommunications and Information Administration, charged to create a nationwide interoperable wireless broadband network
- The purpose of the network is to enable police, firefighters, emergency medical service professionals and other public safety officials to more effectively communicate during emergencies and to use cutting-edge technologies
- Congress allocated \$7 billion of spectrum auction proceeds and valuable spectrum bandwidth towards deployment of the nationwide network and provided \$135 million for a new *State and Local Implementation Grant Program*
- As states begin to identify existing broadband and infrastructure assets to incorporate into the new first responder network, *it is imperative that counties engage in the consultation process and actively seek out the designated state coordinator(s) of those activities*

**FIRSTNET GOVERNANCE:** Congress directed that FirstNet be run by a 15-person Board of Directors who are responsible to make strategic decisions regarding FirstNet’s operations, with the Secretary of the U.S. Department of Homeland Security, the Attorney General and the Director of the White House Office of Management and Budget named as permanent members of the Board.

Congress charged the Secretary of Commerce to select the remaining 12 members with expertise in one or more of the following areas: knowledge and experience in public safety or emergency response; technical expertise and fluency regarding broadband communications; expertise in building, deploying and operating commercial telecommunications networks; or expertise in financing and funding telecommunications networks. The law also required the FirstNet Board to include members who have served as public safety professionals; have members who represent the collective interests of states, localities, tribes and territories; and reflect geographical and regional diversity, as well as rural and urban representation.

There are several individuals that serve on the FirstNet Board with either current or past ties to local government, including Sheriff Paul Fitzgerald (Story County, Iowa) who is a past president of the National Sheriffs’ Association, an affiliate member of the National Association of Counties.

The Act also required the FirstNet board to establish a standing public safety advisory committee to assist it in carrying out its duties and responsibilities. The FirstNet Board, at its inaugural meeting in September 2012, adopted a resolution designating a subgroup of the U.S. Department of Homeland Security’s SAFECOM to serve as this advisory committee.

**STATE AND LOCAL CONSULTATION:** The Act broadly directs FirstNet to “take all actions necessary” to ensure the building, deployment and operation of the network in consultation with federal, state, tribal and local public safety entities. More specifically, the Act requires FirstNet to consult with regional, state, tribal and local jurisdictions about the distribution and expenditures of any amounts required to carry out the network policies that it is charged with establishing, including:

1. Construction of a core network and any radio access network build out
2. Placement of towers
3. Coverage areas of the network, whether at the regional, State, tribal or local level
4. Adequacy of hardening, security, reliability and resiliency requirements
5. Assignment of priority of local users
6. Assignment of priority and selection of entities seeking access to or use of the nationwide public safety interoperable broadband network
7. Training needs of local users

The Act directs that this consultation should occur between FirstNet and the single officers or governmental bodies designated by each state. These coordination entities will be the coordinators for the funds distributed by NTIA’s State and Local Implementation Grant Program, which helps to support this aspect of the consultation process. The coordinators must be specifically identified in the grant applications.

Moving forward, FirstNet will need to balance its goal to develop nationwide public safety broadband network quickly against the need to conduct meaningful consultations with the regional, state, local, territorial and tribal jurisdictions. While the Act provides a basic framework for this process, *it does not specify how state and local consultation should occur.*

Involving the states, local and tribal jurisdictions early in the consultation process is critical to FirstNet’s ultimate success. These stakeholders will not merely be the end users and consumers of FirstNet’s services, but they can offer valuable input into the process to help ensure its success. These jurisdictions have a wealth of knowledge that FirstNet should leverage, including expert knowledge of specific topography and coverage issues within their state and local communities, public safety user density information and existing broadband infrastructure.

These jurisdictions have engaged for years in large, complex government procurements and their expertise should be used in future decision making.

***For further information, contact: Yejin Jang at 202.942.4239 or [yjang@naco.org](mailto:yjang@naco.org)***