

ONE HUNDRED THIRTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115  
Majority (202) 225-2927  
Minority (202) 225-3641

May 2, 2013

Mr. Chris McIntosh  
Statewide Interoperability Coordinator  
Office of Veterans Affairs and Homeland Security  
Office of the Governor  
Commonwealth of Virginia  
1111 E. Broad Street  
Richmond, VA 23219

Dear Mr. McIntosh:

Thank you for appearing before the Subcommittee on Communications and Technology on Thursday, March 14, 2013, to testify at the hearing entitled "Oversight of FirstNet and Emergency Communications."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions by the close of business on Thursday, May 16, 2013. Your responses should be e-mailed to the Legislative Clerk in Word format at [Charlotte.Savercool@mail.house.gov](mailto:Charlotte.Savercool@mail.house.gov) and mailed to Charlotte Savercool, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, D.C. 20515.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Greg Walden  
Chairman

Subcommittee on Communications and Technology

cc: Anna Eshoo, Ranking Member, Subcommittee on Communications and Technology

Attachment

## **Additional Questions for the Record**

### **The Honorable Greg Walden**

1. If FirstNet requires states to surrender state assets in order to participate in FirstNet, would Virginia be willing to do so?
2. States that opt-out will be subjected to spectrum lease fees and network user fees set by FirstNet. Given that FirstNet has unilateral authority to determine those fees, is there any set of circumstances that would lead you to recommend to your governor that you opt-out?

### **The Honorable Mike Rogers**

1. Mr. McIntosh, in response to questions from Mr. Walden and Mr. Welch on the challenges facing FirstNet, Mr. Ginn stated that the federal acquisition rule should be changed for FirstNet because it can take 18 months to get a contract in place. You stated in your testimony that states must be allowed to follow their codified procurement procedures that are designed to maximize competition. Apart from respecting existing state laws as opposed to changing federal laws, in your view, could most FirstNet-related procurements be done more efficiently and expeditiously at the state level? Don't states have pre-negotiated and cooperative purchasing vehicles that could be leveraged to meet FirstNet's implementation objectives?