

November 21, 2013

Mr. Chairman: Thank you for holding this important oversight hearing. I believe Mississippi's experience can be a useful example of the challenges facing FirstNet, especially when it comes to cost concerns. Mississippi could have been an early success for FirstNet, but instead the suspended BTOP project, which is approximately 80 percent complete, currently stands as a major missed opportunity for public safety and the state's medical patients.

Like six other recipients, Mississippi's BTOP/LTE grant was suspended in May 2012 by NTIA, through no fault of the State, in response to the passage of the Middle Class Tax Relief and Job Creation Act of 2012. The Act itself does not require any suspension or modification of the BTOP grants, but NTIA expressed concern the networks would not be interoperable. Mississippi agreed to NTIA's interoperable conditions but FirstNet continued to raise additional hurdles.

On September 17, 2013, nearly 18 months after Mississippi's BTOP project was suspended by NTIA and after countless hours of good faith negotiations, the entire bipartisan Mississippi Congressional Delegation hosted a meeting that I attended with Governor Bryant's Chief of Staff, NTIA Assistant Secretary Larry Strickling, FirstNet Deputy Director T. J. Kennedy, and a number of staff members from each organization. We asked for the meeting to give NTIA an opportunity to explain its prolonged suspension of Mississippi's BTOP grant and LTE project, and in hopes that we could help facilitate a resolution of the ongoing negotiations with FirstNet over a spectrum lease agreement.

I believe the state of Mississippi worked diligently to find a path forward that would protect the past and future investments of our taxpayers while immediately providing FirstNet access to a statewide system that would complement FirstNet's future nationwide deployment plans.

This past Friday, November 15, was the deadline for signing an agreement, and while some progress was made, no agreement was reached and therefore, negotiating authority has lapsed. I am very disappointed about this outcome because Mississippi provided FirstNet with infrastructure in place for a statewide deployment and an early success story. The original grant proposal approved by NTIA would have paid for ongoing operations and maintenance via public/private partnerships; thereby not requiring additional federal investments.

My understanding is the fundamental breakdown from the state's perspective was FirstNet's refusal to provide any guarantee that it would acquire Mississippi's entire network when it is ready to deploy in a few years. And FirstNet objected to any public private partnerships, insisting that costs be covered by user fees concerning public safety users. These added costs and lack of certainty put at risk tens of millions in state and federal tax-payer money that had been invested since the BTOP grant was awarded to Mississippi, just a few short years after the devastation of Katrina. The Governor decided he could not be forced to make a bad business decision that leaves our state's taxpayers on the hook while being so restricted by NTIA and FirstNet that no meaningful service can be provided to our first responders.

In my view the biggest loser in the failure of FirstNet to reach an agreement with Mississippi is patients. MEDCOM, a program within the University of Mississippi Medical Center, would have provided a platform where paramedics in rural Mississippi could have live, on-line discussions to ensure that the transport of a patient to the correct medical center was accomplished the first time. Over three hundred ambulances statewide would be able to transmit images, streaming video and patient telemetry to secure hospital portals, greatly improving the outcomes and quality of health care in Mississippi while reducing costs and saving lives.

Mississippi will now work with NTIA on a grant modification that will need approval before the end of this year.

Mr. Ginn, considering how supportive you have been in your public remarks concerning Mississippi's project, I ask that you personally communicate to NTIA the importance of getting Mississippi's project. Thank you.