

BRETT GUTHRIE, KENTUCKY
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RANKING MEMBER

ONE HUNDRED NINETEENTH 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) 225-3641
Minority (202) 225-2927

February 2, 2026

MEMORANDUM

To: Members, Energy and Commerce Committee
From: Majority Staff
Re: Communications and Technology Subcommittee Hearing

I. INTRODUCTION

On Wednesday, February 4, 2026, at 10:15am. (ET), the Subcommittee on Communications and Technology will hold a hearing in 2123 Rayburn House Office Building entitled, “Evaluating FirstNet: Performance, Accountability, and Reauthorization.”

II. WITNESSES

- Sheriff Michael Adkinson, Acting Board Chair, First Responder Network Authority, and Sheriff, Walton County, Florida
- Scott Agnew, President of FirstNet and Public Safety Mobility, AT&T
- Michael Dame, Associate Administrator, Office of Public Safety Communications, National Telecommunications and Information Administration

III. BACKGROUND

In 2002, Congress established the *National Commission on Terrorist Attacks Upon the United States* (9/11 Commission) to evaluate the circumstances surrounding the terrorist attacks in New York City, New York, on September 11, 2001, and provide recommendations to guard against future attacks.¹ The report found that on September 11, 2001, firefighters, police, and other first responders suffered severe communications failures that undermined their ability to coordinate and respond to the attacks. The Commission recommended increased coordination

¹ Intelligence Authorization Act for Fiscal Year 2003, Pub. L. No. 107-306, §§ 601-611, 116 Stat 2383.

among public safety communications networks and that Congress dedicate additional radio spectrum for public safety purposes.²

The First Responder Network Authority (FirstNet) was created in 2012 as an independent authority within the National Telecommunications and Information Administration (NTIA).³ FirstNet was charged with developing a dedicated, reliable, secure, and interoperable nationwide public safety broadband network (NPSBN) to support the communications needs of first responders and other public safety officials.⁴ FirstNet's authority expires on February 22, 2027.

IV. SELECTED ISSUES

A. Structure

FirstNet is led by a 15-person board (Board). It has three permanent members consisting of the Secretary of Homeland Security, the Attorney General of the United States, and the Director of the Office of Management and Budget. The remaining twelve individuals are appointed by the Secretary of Commerce, with varying professional qualifications related to commercial networks, emergency response, or public safety.⁵ A CEO and Executive Director is appointed by the Secretary of Commerce, who acts as a liaison between the Board and NTIA to ensure the duties and responsibilities of FirstNet are carried out.

Congress initially allocated \$7 billion from spectrum auction revenue as seed funding for the program; however, pursuant to the statute, the network is required to be completely self-funded through user fees. All fees must be approved by NTIA on an annual basis.⁶

B. Partnership with AT&T

In March 2017, FirstNet awarded AT&T a 25-year, \$6.5 billion contract and 20 megahertz (20 MHz) of spectrum to build, operate, and maintain the nationwide network for public safety.⁷ AT&T must meet buildout obligations as part of the contract, and shortly after being awarded the contract, AT&T offered priority and preemption service on its network nationwide for public safety users.⁸

In September 2017, FirstNet presented states with plans detailing how the network would be deployed in each state. Governors could opt to have AT&T deploy the network (i.e., opt in), or have the state assume responsibility for the deployment (i.e., opt out). By January 2018, all 50

² THE 9/11 COMM'N, 108th Cong., *The 9/11 Commission Report*, at 397 (Jul. 22, 2004), <https://govinfo.library.unt.edu/911/report/911Report.pdf>.

³ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6204.

⁴ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6206.

⁵ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6204.

⁶ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6208.

⁷ Jill C. Gallagher, *The First Responder Network (FirstNet) and Next-Generation Communications for Public Safety: Issues for Congress*, CONGRESSIONAL RESEARCH SERVICE (Apr. 27, 2018), <https://www.congress.gov/crs-product/R45179>.

⁸ *Id.*

states and 6 territories opted in.⁹ These plans detailed the six-phase approach that FirstNet took to deploy the network's capabilities and coverage, with each phase having rural and non-rural coverage, service, and adoption milestones that must be met. On December 20, 2023, the FirstNet Authority verified the initial nationwide buildout of the NPSBN.¹⁰

AT&T will pay FirstNet \$18 billion over the 25-year contract as sustainability payments for use of the exclusive spectrum. These funds will be reinvested into the NPSBN.¹¹ In February 2024, FirstNet announced an \$8 billion investment to work on expanding its services and evolving the existing infrastructure to support 5G over the next decade, with AT&T planning to build 1,000 new FirstNet sites across the US in 2024 and 2025.¹² In December 2025, FirstNet announced further strategic investments to deploy 135 more cell sites to increase coverage and further expand the network.¹³

C. Department of Commerce Office of the Inspector General Reports

Since 2014, the Department of Commerce Office of Inspector General (OIG) has issued 21 reports regarding significant concerns about FirstNet and the deployment of the NPSBN, its operational responses, and other administrative matters. Recent reports include:

- *FirstNet Authority Failed to Provide Adequate Contract Oversight for Its Initial Two Reinvestment Task Orders.*¹⁴
- *FirstNet Authority Did Not Ensure the Nation's First Responders' Needs Were Continuing to Be Met Timely When Modifying Key Objectives of the NPSBN Contract.*¹⁵
- *FirstNet Authority's Lack of NPSBN Contract Oversight for Coverage Puts at Risk First Responders' Ability to Serve the Public Effectively.*¹⁶

⁹ *Id.*

¹⁰ Joe Wassel, Jim Brugel, *FirstNet: Initial Buildout of Public Safety's Network Verified, Delivering for America's First Responders*, FIRST RESPONDER NETWORK AUTHORITY (Dec. 20, 2023), <https://firstnet.gov/newsroom/blog/firstnet-initial-buildout-public-safety-network-verified-delivering-americas-first>.

¹¹ UNITED STATES GOV'T ACCOUNTABILITY OFFICE, *Public-Safety Broadband Network: Congressional Action Required to Ensure Network Continuity* (Feb. 22, 2022), <https://www.gao.gov/products/gao-22-104915>.

¹² Press Release, AT&T, *FirstNet Authority, AT&T Announce 10-Year Investment to Transform America's Public Safety Broadband Network* (Feb. 13, 2024), <https://about.att.com/story/2024/firstnet-investment.html>.

¹³ Press Release, FIRST RESPONDER NETWORK AUTHORITY, *FirstNet Authority to Expand Network, Boost Coverage for Public Safety with More Sites, Satellite Connectivity* (Dec. 19, 2025), <https://www.firstnet.gov/newsroom/press-releases/firstnet-authority-expand-network-boost-coverage-public-safety-more-sites>.

¹⁴ DEP'T OF COM. OFFICE OF INSPECTOR GEN., *FirstNet Authority Failed to Provide Adequate Contract Oversight for Its Initial Two Reinvestment Task Orders*, OIG-23-012-A (Mar. 1, 2023).

¹⁵ DEP'T OF COM. OFFICE OF INSPECTOR GEN., *FirstNet Authority Did Not Ensure the Nation's First Responders' Needs Were Continuing to Be Met Timely When Modifying Key Objectives of the NPSBN Contract*, OIG-24-024-A (May 30, 2024).

¹⁶ DEP'T OF COM. OFFICE OF INSPECTOR GEN., *FirstNet Authority's Lack of NPSBN Contract Oversight for Coverage Puts at Risk First Responders' Ability to Serve the Public Effectively*, OIG-24-026-A (Jun. 5, 2024).

- *FirstNet Authority's Lack of Contract Oversight for Device Connection Targets Puts the NPSBN at Risk of Impacting First Responders' Use of the Network.*¹⁷
- *Management Alert: February 2024 FirstNet Authority's Nationwide Public Safety Broadband Network Outage Raised a Significant Risk to the Readiness of First Responders Across the Country.*¹⁸
- *Nationwide Public Safety Broadband Network Was Not Always Available to First Responders During the Catastrophic 2023 Maui Wildfires.*¹⁹
- *Investigation into Allegations that FirstNet Senior Officials Interfered with OIG Audits.*²⁰
- *Investigation into Allegation of Whistleblower Retaliation by a Senior FirstNet Authority Official.*²¹

These reports demonstrate significant concerns about contractor behavior as well as the oversight capabilities at the First Responder Network Authority.

D. Outages

Recent network outages have also negatively affected subscribers nationwide and hindered the ability of individuals to contact 911 services as well as use the NPSBN itself. On February 22, 2024, an improperly configured software update to AT&T's network triggered a nationwide outage, which affected FirstNet and AT&T customers' ability to contact 911 services. FirstNet services were out for almost 2 hours. FirstNet customers were not notified of the outage until 53 minutes after FirstNet services were restored.²²

E. Interoperability

Interoperability is the ability to communicate seamlessly between emergency response agencies when needed.²³ It is especially critical when communicating across boundaries, such as cities, counties, states, or other jurisdictions. Challenges to interoperability can include

¹⁷ DEP'T OF COM. OFFICE OF INSPECTOR GEN.L, *FirstNet Authority's Lack of Contract Oversight for Device Connection Targets Puts the NPSBN at Risk of Impacting First Responders' Use of the Network*, OIG-24-027-A (Jun. 12, 2024).

¹⁸ DEP'T OF COM. OFFICE OF INSPECTOR GEN., *Management Alert: February 2024 FirstNet Authority's Nationwide Public Safety Broadband Network Outage Raised a Significant Risk to the Readiness of First Responders Across the Country*, OIG-24-030-M (Jul. 18, 2024).

¹⁹ DEP'T OF COM. OFFICE OF INSPECTOR GEN., *Nationwide Public Safety Broadband Network Was Not Always Available to First Responders During the Catastrophic 2023 Maui Wildfires*, OIG-25-004-A (Dec. 5, 2024).

²⁰ DEP'T OF COM. OFFICE OF INSPECTOR GEN., *Investigation into Allegations that FirstNet Senior Officials Interfered with OIG Audits*, Case No. 24-0175 (Aug. 28, 2025).

²¹ DEP'T OF COM. OFFICE OF INSPECTOR GEN., *Investigation into Allegation of Whistleblower Retaliation by a Senior FirstNet Authority Official*, Case No. 24-0470 (Aug. 28, 2025).

²² FED. COMM'N. COMM'N., *AT&T Mobility Network Outage Report and Findings* (July 22, 2024), <https://docs.fcc.gov/public/attachments/DOC-404150A1.pdf>.

²³ DEP'T OF HOMELAND SEC., *Wireless Communications Interoperability Awareness Guide*, https://www.cisa.gov/sites/default/files/publications/Wireless_Communications_Interoperability_Awareness_Guide.pdf (last accessed, Jan. 22, 2026).

incompatible equipment.²⁴ In addition to FirstNet, other communications providers are offering similar services on their networks for public safety communications. Verizon's formal public safety offering, Frontline, provides a slice of their network for dedicated use by first responders and is currently utilized by more than 40,000 public safety agencies nationwide.²⁵ T-Mobile has recently begun offering public safety communications services with a dedicated network slice for first responders based on their 5G standalone core network.²⁶

As the marketplace for public safety communications continues to evolve, it is imperative that every first responder can communicate when they need to during times of crisis, regardless to which provider they are subscribed.

V. RELATED LEGISLATION

A. H.R. _____, the First Responder Network Authority Reauthorization Act (Reps. Dunn & McClellan)

This bill would reauthorize the First Responder Network Authority (FirstNet) for 10 years and would place it directly under control of the National Telecommunications and Information Administration. It would also make changes to leadership positions and components of the National Public Safety Broadband Network, and includes provisions to increase transparency, ensure accountability, and strengthen FirstNet.

VI. KEY QUESTIONS

- Has FirstNet served our nation's public safety communications needs?
- Has FirstNet solved the interoperability issues experienced by first responders on 9/11?
- Has FirstNet ensured the safety, security, and resiliency of the public safety broadband network?

VII. STAFF CONTACTS

If you have any questions regarding this hearing, please contact Michael Essington or Dylan Rogers of the Committee Staff at (202) 225-3641.

²⁴ DEP'T OF JUST., *Public Safety Communications and Interoperability*, <https://www.ojp.gov/pdffiles1/nij/214331.pdf> (last accessed Jan. 22, 2026).

²⁵ Press Release, *Verizon Frontline Network Slice launches coast-to-coast*, VERIZON (Apr. 24, 2025), <https://www.verizon.com/about/news/verizon-frontline-network-slice-launches>.

²⁶ Press Release, *T-Mobile Introduces 'T-Priority' Featuring the World's First Network Slice for First Responders*, T-MOBILE (Sep. 18, 2024), <https://www.t-mobile.com/news/business/t-priority-network-slice-for-first-responders>.