

Testimony of Jeffrey S. Cohen

Chief Counsel and Director of Government Relations

APCO International

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Subcommittee on Communications and Technology

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Chairman Blackburn and Ranking Member Doyle:

Thank you for the opportunity to appear before you today on behalf of APCO International. Founded in 1935, APCO is the nation's oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 31,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems – including 911 Emergency Communications Centers (ECCs), emergency operations centers, radio networks, and information technology – for law enforcement, fire, emergency medical, and other public safety agencies.

I serve as APCO's Chief Counsel and Director of Government Relations. It's a personal honor to be here having previously worked with this subcommittee on detail from the Federal Communications Commission. This included the opportunity of having worked with Ray Baum, who was a kind and consummate professional that I enjoyed knowing.

To start, and frame my testimony, I want to briefly describe the public safety professionals who work in ECCs. 911 is the most critical of our nation's critical infrastructure. That's largely due to the lifesaving work performed by 911 professionals. They work long hours behind the scenes, often saving lives or

improving the safety of the scene in advance of responding police, fire, and EMS units. For example, 911 professionals instruct callers through medical first aid, which can mean coaching a hysterical caller through CPR on a family member. They negotiate with suicidal and homicidal callers, warn responding police officers of potential threats, and can provide critical information during a firefighter's mayday or an officer down situation. Indeed, 911 professionals are often referred to as the first of the first responders. They deserve recognition and respect for the lifesaving work they perform, but unfortunately the federal government, through a classification system managed by the Office of Management and Budget, labels them as "office and administrative support occupations." This must be corrected.

In this regard, I'd like to take a brief moment to thank Representatives Shimkus and Eshoo for joining with their co-chairs of the NextGen 911 Caucus, Senators Burr and Klobuchar, to send a bipartisan letter to the Office of Management and Budget urging OMB to revise the Standard Occupational Classification to accurately represent the lifesaving nature of the work performed by 911 professionals. We remain grateful to Mr. Shimkus and Ms. Eshoo, their counterparts in the Senate, as well as the additional support that Representative Torres, the only former 911 professional in Congress, and FCC Commissioner Rosenworcel have provided.

I applaud the subcommittee for its work on RAY BAUM'S Act. From a public safety communications perspective, it has potential to be one of the most impactful pieces of federal legislation to have become law in years. In my testimony, I will explain why, and offer suggestions for how the industry and other stakeholders can build upon the direction of Congress and produce further improvements in public safety.

I'll begin with the provision on location accuracy for 911 calls, which has its roots in Ms. Eshoo's RESPONSE Act. APCO has long been advocating for Multi-Line Telephone Systems to convey actionable

location information with 911 calls. The law really hit the mark by directing the FCC to consider requiring the gold standard of a “dispatchable location,” meaning the door to kick down, and to extend this concept beyond MLTS to include other means used to contact 911 regardless of the technological platform. APCO’s position is that a dispatchable location should be delivered with every 911 call.

RAY BAUM’S Act also increased communications resiliency. Stemming from Mr. Pallone’s SANDy Act, the law’s sensible and necessary modernization of the definition of an “essential service provider” in the Stafford Act will lead to real improvements in the restoration efforts of a wide range of communications, Internet, and broadcast services. Also important is the study on the potential use of Wi-Fi to contact 911 during times of emergency when mobile service is unavailable. In responsive comments to the FCC, APCO expressed support for exploring Wi-Fi based methods of contacting 911, while noting it will be important to address any cybersecurity implications, methods of routing to the appropriate ECC, and accurate location and callback capabilities. The public’s ability to contact 911 and reliably receive assistance should be consistent, regardless of the technology used.

I want to now touch briefly on the spectrum-related provisions of RAY BAUM’S Act. We appreciate the interest in finding additional spectrum options for both unlicensed and licensed communications. When it comes to introducing new operations into bands used by public safety to protect and save lives, notably 4.9 GHz and 6 GHz, APCO has urged caution, favoring exploration of alternative bands. Our community is extremely wary of new spectrum use in bands used by public safety, given the long, difficult history of interference to mission critical communications. At the same time, we have expressed openness to modern spectrum sharing techniques, provided that any sharing mechanism is proven in advance to protect incumbent and future public safety operations.

I’d next like to turn to some suggestions for how we can make further improvements to emergency communications, particularly from the 911 perspective.

We need a confidential contact database for carriers and ECCs to use in the event of outages or other issues that could impact communications with 911. The original SANDy Act would have directed the FCC to create such a database, but unfortunately this provision did not become law. We appreciate that the wireless industry addressed the need to support this database in its Network Resiliency Cooperative Framework, and hope the carriers will establish the database soon. When a wireless network outage could prevent calls to 911, the ECC needs to know how to contact the carrier to gather information that will assist with mitigating the outage's impact.

Relatedly, ECCs require real-time situational awareness of communications network outages in a uniform, easily-accessible format that could be integrated into 911 center equipment. As a consumer, when my power is out, I can go online to find block-by-block maps of impacted areas, along with expected restoration times. Remarkably, ECCs do not have comparable information about communications network outages. The FCC's Disaster Information Reporting System (DIRS) and Network Outage Reporting System (NORS) are helpful, but ECCs need more timely, streamlined, granular information than these systems provide, and the information should be available whenever there's a potential impact on 911, not just during major disasters or outages. With effective situational awareness of network outages, ECCs will be able to take proactive measures such as pre-staging responders or advising the public of alternate means to seek emergency assistance.

Finally, if we really want to improve emergency communications – in terms of reliability, 911 location accuracy, supporting the public's use of modern communications options, and making sure police, fire, and EMS have the best information available – we need to modernize the nation's 911 systems. We need a one-time forklift to ensure ECCs have the resources they need to achieve Next Generation 911. While some areas are making progress on their own, there is not a single complete NG911 system anywhere in the country, and we are concerned that present efforts are not on track to provide the capabilities public safety needs, such as seamless interoperability. Without congressional support for

this most critical of the nation's critical infrastructure, bringing 911 into the 21st century with interoperable IP-based systems will take significantly more time, be more expensive, and likely will not happen at all in some parts of the United States.

Again, I thank you for the opportunity to present APCO's views. I look forward to any questions you may have. And Ms. Blackburn, thank you for your service on this subcommittee and best wishes as you transition to the Senate.