

Written Statement of  
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on behalf of the  
ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS  
(APCO) INTERNATIONAL

Before the  
UNITED STATES HOUSE COMMITTEE ON HOMELAND SECURITY'S  
SUBCOMMITTEE ON EMERGENCY COMMUNICATIONS,  
PREPAREDNESS, AND RESPONSE

Hearing on  
"Assessing the Framework and Coordination of the National Emergency  
Communication Plan"  
July 15, 2008

Thank you Chairman Cuellar, Ranking Member Dent, and members of the Subcommittee on Emergency Communications, Preparedness, and Response for this opportunity to appear before you today on behalf of the Association of Public-Safety Communications Officials (APCO) International.

My name is Richard Mirgon and I am the Director of Technology Services for Douglas County Emergency Communications Center in Minden, Nevada. I have over 30 years of public safety experience and I have worked as a police officer, emergency manager and department head overseeing public safety communications design and operation. I currently serve as the First Vice President of APCO International.

APCO International was established in 1935 and today it is the nation's largest public safety communications organization, representing nearly 15,000 members worldwide who build,

supply, manage and operate communications systems and facilities for police, fire, emergency medical services and other state and local government public safety agencies. APCO International also serves the needs of more than 100,000 professionals in the public safety communications industry by providing training, frequency coordination, engineering, licensing, advocacy and networking opportunities.

As an American National Standards Institute (ANSI)-accredited Standards Developer (ASD), APCO International is dedicated to ensuring public safety communications has a role in the development of standards that affect our industry. APCO International's standards development activities have a broad scope, ranging from the actual development of standards to the representation of public safety communications in other standards development areas.

APCO International represents its members and public safety communications on the following ANSI Standards Panels: Homeland Security Standards Panel (HSSP), Healthcare Information Technology Standards Panel (HITSP), and Identity Theft Prevention and Identity Management Standards Panel (IDSP).

In 2002, APCO International also established the Public Safety Foundation of America (PSFA), a 501(c)(3) charitable organization to engender cooperation among public and private groups to provide financial and technical support to the public safety communications community. Under the PSFA's original mission, five rounds of grants were completed and included the delivery of more than \$13 million to over 200 agencies in 40 states.

I am here to tell you that in the field of public safety communications there are five truths that we need to acknowledge.

1. Disasters will occur.
2. Public and private communications systems will fail.

3. There will be chaos after a major incident that could last of days.
4. The public will have an expectation that they will receive immediate and adequate emergency response no matter what the incident involves.
5. First responders will be deployed to the incident no matter what the conditions are on the ground and what communications systems may or may not be operating.

Today, the number one challenge to interoperability is funding. For more than 75 years, local police, fire, and emergency services have been building their own independent communications systems. These systems have cost local governments hundreds of millions of dollars and they are built using proprietary technology and equipment. The tragic events over the past two decades have begun to shift the paradigm of building stovepipe communications systems to building interoperable communications networks, but we still have a long way to go. Unfortunately, the cost of replacing and upgrading the thousands of communications systems around the country is in the billions of dollars.

To assist local and state governments in meeting this challenge, Congress passed the 9/11 Commission Recommendations Act (H.R. 1) which established the first ever dedicated interoperable emergency communications grant program. This Act authorized \$1.6 billion over the next several years for the grant program, but we are concerned that Congress will not appropriate the full authorized amount of \$400 million for FY 2009. If the goals of the National Emergency Communications Plan (NECP) are to be successful, the Administration and Congress must ensure the NECP and the interoperable emergency communications grant programs are fully funded.

There also needs to be increased federal funding for research and development of open-sourced standards-based communications technologies that would promote competition and

lower cost for emergency communications networks. Also, before any new technology is deployed, there has to be a nationally recognized testing and certification process to make sure the new technologies will meet the needs of first responders. Federal funding for research and development would reduce the potential of creating additional proprietary equipment that could limit interoperability and increase cost for public safety communications equipment.

APCO International appreciates the hard work that was done by the Department of Homeland Security (DHS) Office of Emergency Communications (OEC) in developing the NECP. We believe the plan provides a good first step in identifying the goals and objectives that could become the building blocks to improving local, state, and federal interoperable communications. The plan offers an aggressive time table from six months to three years to accomplish many of the recommended national milestones.

APCO International would like to thank and recognize the leadership of Chairman Bennie Thompson and all the members of House Homeland Security Committee, and the US Congress in its thoughtful legislation under Title XVIII in 2006, mandating the National Emergency Communications Plan (NECP) and the Office of Emergency Communications (OEC). Additionally, APCO International would like to recognize and thank the personal leadership within the US Department of Homeland Security for developing and delivering the NECP. Specifically, we would like to thank the Director of the Office of Emergency Communications, Chris Essid, the Assistant Secretary of Cybersecurity and Communications, Greg Garcia, the Deputy Undersecretary and Undersecretary for the National Protection and Programs Directorate, Scott Charbo and Robert Jamison, Deputy Secretary Schneider and Secretary Chertoff for their leadership in creating the NECP.

APCO International has long recognized the need to have effective emergency communications plans to improve interoperable communications. For many years, these plans have been developed at the local, state, and regional levels. The NECP is the first attempt to bring all plans under one national umbrella that also includes federal interoperable communications planning.

I would like to highlight four key principles that will be critical to the success of the plan.

**1. Local and state governments must buy in to the plan.**

The NECP must be flexible enough to accommodate special needs of local and state governments. Public safety agencies must be made aware of their role in meeting the national milestones of the plan. We believe there has to be considerable outreach by the OEC and other organizations to promote the NECP and educate local, state, and federal officials about the goals of the plan.

The plan should not create unreasonable expectations on public safety agencies or local governments that cannot be met. The plan should also provide adequate funding measures to ensure all local and state governments are able to contribute to the national goal of improving interoperable communications.

**2. The OEC must be funded so that it can provide the necessary resources to accelerate the development of technical and operational communications standards.**

There are a number of organizations, including APCO International, that are working on a variety of technical and operations standards. Many of these efforts are independent of each other and there is very little if any national coordination. We believe the OEC must take a lead role in cataloging current

standards and working with nationally accredited standards setting organizations to provide a clear road map for local public safety agencies to follow.

One of the key obstacles to interoperability is standards are not consistently or adequately shared with state and local agencies.

More has to be done by OEC to promote operational standards for emergency communications centers and encourage the use of standards by local, state, and federal agencies. OEC needs to work with local, state, and federal partners to develop requirements at federal, state, local and regional levels that would provide a national model for Standard Operating Procedures (SOP). The national model needs to be flexible enough to meet each agency's unique emergency communications requirements. Agencies that use the national SOP model could receive certification through a nationally recognized accreditation program for a public safety communications.

**3. Voice communications on current narrowband land mobile radio networks will continue to be the most mission-critical form of communication.**

Public safety agencies are looking to improve voice, video and data communications capabilities through new technologies that use broadband networks. However, these applications will continue to be secondary to mission-critical voice communications on current narrowband land mobile radio channels for many years to come. The current networks are built to provide extremely high levels of reliability and coverage, essential for "mission-critical" communications whenever and wherever emergencies occur. It is unlikely that new broadband

networks will provide comparable “mission-critical” capability for most first responders until far into the future.

There is still considerable work that needs to be done to create a national broadband network that can be used by public safety on the 700 MHz spectrum band. While the future promise of the national public safety broadband network is great, we cannot afford to divert our attention from improving our nation’s voice interoperable communications system in the narrowband channels. In particular, it is important that federal grant programs continue to focus on addressing this mission-critical voice interoperability problem.

APCO International continues to support the development of a national, interoperable, broadband network that is designed, maintained, and operated to meet the requirements of public safety communications to the maximum extent feasible. A national interoperable network is necessary to avoid a continuation of the current patchwork of public safety communications systems with greatly varying degrees of capability, inconsistent levels of interoperability, inefficient use of spectrum, and the lack of a competitive, open marketplace for radio equipment. The network must also meet public safety requirements and expectations regarding coverage, reliability, capability, and control to the maximum extent feasible. Otherwise the network will not become a useful, dependable tool for first responders and it will not meet expectation.

Ideally, a national public safety broadband network could be deployed entirely by public safety entities using only spectrum allocated for public safety use. However, the enormous cost of such a network requires either unprecedented

levels of federal funding or some form of public-private partnership funding. The required levels of federal funding that would be in the tens of billions of dollars are not likely to materialize nor should federal funding of current interoperable emergency communications grants be diverted to fund such a network.

The public private partnership proposal that is currently being considered by the Federal Communications Commission (FCC) creates the opportunity for a commercial enterprise, the D-Block auction winner, to build a national broadband network that spans both public safety allocated spectrum and the D-Block spectrum. The challenge is to develop rules that encourage potential bidders to take on such a task while still ensuring that the network will meet the special communications needs of public safety agencies.

**4. To mitigate the potential failure in emergency communications networks agencies should develop strategies that assess vulnerabilities and develop continuity of operations plans at all levels.**

We acknowledge the fact that communications systems might fail during a large scale incident. Failures could occur at multiple points in a network and may include human error, system overload, and destroyed equipment resulting from a terrorist attack or natural disaster. It is important that all plans, including the NECP provide the necessary framework to require situational analysis, disaster planning, training, exercises and other preparedness activities that include all level of communications operations. These plans must also include 9-1-1 systems and public safety answering points (PSAPs).

PSAPs are the primary conduit between the general public and first responders. They provide the initial life line to the public during an incident. With the exception of a very few 9-1-1 systems, most are owned by local exchange carriers (LECs). It is critical that vulnerability assessment also take in to consideration the life line between the public and the PSAPs.

In conclusion, the NECP is a good first step, but a great deal of work still has to be done to meet the goals of the plan. The primary concerns we have about the NECP is that the OEC may not have the necessary funding and resources to accomplish the objectives of the plan. The federal government has developed many “plans” over the past several years, but no matter how good a plan is, unless it gets the full backing of Congress to appropriate the necessary funds the plan will most likely collect dust and wither away. On behalf of our 15,000 members I ask that you not let that happen.