STATEMENT OF
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BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEE ON TELECOMMUNICATIONS AND THE INTERNET

Wireless E9-1-1 Implementation:
Progress and Remaining Hurdles
"A Call to Action"

June 4, 2003

Mr. Chairman, members of the Committee, Congressman Upton, thank you very much for providing me with this opportunity to appear before you today. My name is John Melcher, and I serve as the President of the National Emergency Number Association (NENA) and Deputy Executive Director of the Greater Harris County, Texas 9-1-1 District.

It gives me great pleasure to appear before the Subcommittee today. Three months ago I had the honor of testifying before the Senate Committee on Commerce, Science, and Transportation Subcommittee on Communications. That day, like today, was an opportunity for those of us on the frontlines of 9-1-1 to update the Congress on our progress and activity to deploy wireless E9-1-1. We appreciate your keen interest and great willingness to help make America and its residents and visitors safer.

In that spirit Mr. Chairman, I would like to acknowledge and thank you and a few of your colleagues for their dedicated leadership to improve our nation's 9-1-1 systems.

First, Mr. Chairman, I would like to recognize two of the founding Members of the Congressional E9-1-1 Caucus, Congressman John Shimkus and Congresswoman, Ann Eshoo. Both have demonstrated a strong commitment to advancing the goals of public safety and the importance of 9-1-1 in every device, everywhere. I thank them for their leadership and tireless advocacy.

I would also like to acknowledge Congressman Gene Green, a great Texan and strong advocate on these issues before your Committee. Congressman's Green dedication goes beyond Washington, as he has been a great friend to the Greater Harris County 9-1-1 District for many years. I would add that many of our advancements in Greater Harris County would not be possible without the likes of Gene Green.

And finally, Mr. Chairman I would like to acknowledge you and your staff for the work all of you do each and everyday to better understand and advance these issues. Just a couple of weeks ago, I found myself in your home state, at the Michigan National Emergency Number Association state chapter conference. The conference, which is similar to conferences that occur in almost every state in the Union, brings together local and state 9-1-1 officials to learn, listen and interact with national experts. I was delighted to see that one such expert, Mr. Will Nordwind, came from your staff. Upon further inquiry, I found out that you had attended the conference the year before, visiting a local

PSAP, riding along on an emergency call and seeing first hand the challenges we face in wireless and wireline 9-1-1.

I applaud your leadership and commitment to further educate your staff and yourself about the issues E9-1-1 presents us all. In these many efforts, you have been a passionate supporter of technology, communications, first responders and 9-1-1. I extend my personal gratitude and the thanks of the 9-1-1 industry and nation for your work and dedication.

We encourage your colleagues in the Committee to follow your lead and work closely with the 9-1-1 community, scheduling visits to local PSAPs and your state NENA chapters to keep current on the issues facing us all, and the many opportunities to improve our citizen-activated emergency response capabilities.

Progress

We are delighted to see the participation of Mr. Dale Hatfield at today's hearing. As an independent expert, Mr. Hatfield was able to identify some of the myriad of technical and operational challenges impeding progress. His evaluation, submitted to the FCC last fall and commonly referred to as the "Hatfield Report," has proven to be an important roadmap to progress in wireless E9-1-1 and a prescription for improving the dialogue among all parties.

The FCC's E9-1-1 Coordination Initiative, on April 29, provided additional illustration of the need for all of us to come together to better understand what can be achieved in E9-1-1 implementation.

This activity is both consistent and vital to serving the goals and objectives of the Wireless Communications Public Safety Communications Act of 1999, an important foundation for improving emergency communications, and specifically for deploying wireless E9-1-1.

In the short time between the Senate and House hearing, our nation has defeated a tyrannical dictator, raised Homeland Security threat levels several times, and unfortunately experienced several 9-1-1 failure-related tragedies, demonstrating further the need for a dependable E9-1-1 phone system.

Three months ago, in my testimony before the Senate, I stated my organization's focus on solutions, progress and implementation. I added that, to the extent that barriers exist, we must work together in a committed and coordinated way to overcome them. I brought forward NENA's most recent effort to keep all the parties at the table, to address specific institutional barriers, challenges in technology, PSAP readiness and the funding of our nation's 9-1-1 system. At that time, I shared the first "chapter" of the NENA Strategic Wireless Action Team (SWAT) process, to examine and address the global and systemic challenges affecting E9-1-1 implementation.

Understanding that we as a nation and community are still at a crossroads of implementation, NENA has convened national leaders and technical and operational experts to identify priorities, and determine the systemic changes needed to improve our nation's 9-1-1 system. Specifically, we are bringing together all the relevant constituents — wireless and wireline telecommunications companies, state and local organizations, and the nations leading Public Safety groups: NENA, APCO and NASNA — in a cooperative effort to address — *and resolve* — the critical barriers to ubiquitous E9-1-1 implementation.

Focused on solutions and results-based outcomes, SWAT is interjecting new dialogue, energy, and resources where others have become exhausted. Moreover, SWAT is recognizing the necessity for a comprehensive public/private cooperative effort to address the many issues that are affecting the 9-1-1 system — one dealing with solutions, not barriers and contention.

While the nation's 9-1-1 service providers struggle with deploying location technology for wireless telephone sets, nearly 400 counties do not even have basic 9-1-1. SWAT recognizes the disparity and diversity our nation's emergency response capabilities and is working with individuals as well as communities to address the most basic to the most complex requests.

As segments of our nation rely more on two-way messaging devices, automatic crash notification services, etc., NENA SWAT recognizes that the 9-1-1 system must be

modernized to accommodate emerging technologies and interconnected to accommodate the transfer of digital information across the country. More than anything, SWAT is an approach to resolve the coordination and funding issues systemically by increasing the alignment of all critical stakeholders involved in deploying E9-1-1.

SWAT is our opportunity to do it right. (1) Organize leaders on a national level, (2) get the right experts in a room apply appropriate resources and guidance and (3) identify technologies, tools, and expertise needed to assure the consistent delivery of 9-1-1 systems throughout the U.S. SWAT is designed to look at the components of wireless E9-1-1, along with the environment in which it operates, and identify and deploy the kind of focused resources necessary to truly foster wireless deployment. It's about getting the right people, the right information to solve wireless E9-1-1 problems.

Stakeholders Initiative

Building from the findings of Dale Hatfield in his FCC-commissioned report on E9-1-1, NENA SWAT recognized a need to bring all parties together in a special undertaking to examine the possibility for a new consensus, the *E9-1-1 Stakeholders' Initiative*. This initiative joins all the relevant stakeholders – including the front-line companies in the wireless and wireline telecommunications industry, and the relevant state and local bodies and organizations -- in a cooperative effort to address and resolve the critical issues facing E9-1-1 deployment. In the interest of third party objectivity, this effort is being organized and facilitated with support from the Monitor Group, a preeminent management consultant firm, and the PSAP Readiness Fund.

Next week, on June 12th here in Washington, public safety advocates and leaders will join with representatives of wireline E9-1-1 system service providers and wireless companies in a "Call to Action," a press briefing affirming the need for this collaborative process, to keep all parties at the table, in an open dialogue, and to truly make our nation's 9-1-1 system a top public policy priority.

A key area of progress thus far, is the establishment of a platform for exploring consensus. Through ongoing dialogue, countless interviews and serious debate we have identified a wide range of potential options and solutions to improve deployment. In March 2003 and again in May 2003, we held "Constituent Roundtables" – meetings of the executive leadership of the SWAT Stakeholders Initiative constituents – to discuss the most contentious and complex issues involved with potential solutions. At these Roundtables, several important areas of consensus have begun to emerge, allowing us to focus on several key areas of ongoing debate.

The first complex challenge is the lack of coordinated resources, funding and incentives shared among all the fragmented stakeholders in the E9-1-1 equation. The second challenge is pure diversity. Our nation's 5,300 PSAPs are highly decentralized, while our nation's telecommunications providers are increasingly national. This makes cost models difficult to construct. Consistent follow-though between parties has become a challenge in itself. Third, but not least, it comes down to pure political will. In

communities where there is strong political will around E9-1-1 issues and the deployment of location based services we see more favorable results.

In fact, some of the survey results from the Stakeholders Initiative suggest that the people may be ahead of their local and state elected and appointed officials in recognizing the importance of identifying and locating emergency callers. For example, nearly *60 percent* of Americans feel that the focus on homeland security has increased the importance of 9-1-1. Upon hearing a description of enhanced 9-1-1 for wireless callers, *99 percent* said it was important that this technology be provided as rapidly as possible. In other words, that's *unanimous* public support for this vital public safety and anti-terrorism measure. The majority of survey respondents (59%) rate 9-1-1 as "Much or somewhat more important" than other public safety priorities such as "more police and fire patrols," or more "training for police" or more "police and fire equipment." The American public also views 9-1-1 issues as at least as important as a number of other policy issues, including education (59% say 9-1-1 is more important), universal health insurance (65%), highway maintenance (75%), and homeland security (75%). And the vast majority of the surveyed public is willing to pay for it, quoting acceptable consumer user costs for improving their ability to call for help, and improve the safety and security of all Americans.

Remaining Hurdles

Making 9-1-1 one of our nation's top public policy priorities is responsible policy for today and tomorrow.

While there is increased public and government awareness for the need to accelerate the deployment of E9-1-1, ubiquitous E9-1-1 service unfortunately remains elusive. Large hurdles need to be overcome in addressing "PSAP readiness," funding and resources of our nation's E9-1-1 system, and the ability to plan for the future.

One of the hurdles most often cited by wireless carriers is the issue of "PSAP readiness" and the FCC - mandated implementation deadlines that affect the timing and pace of deployment. In fact, some of my colleagues in the wireless industry have made comments and observations that their industry will be ready to deliver E9-1-1 well before the entire public safety community will be ready to receive this information.

While it's true that there are PSAPs that are not "ready," and some may take a long time to become "ready," there are a growing number that are prepared. It should also be emphasized that PSAP readiness is not just a direct PSAP concern. E9-1-1 implementation depends upon the timely and coordinated production and availability of Phase II capable handsets, other location technology, appropriate network infrastructure upgrades, PSAP support technologies and other technical enhancements.

Product development and infrastructure upgrades presumably depend upon timely orders from customers, as well as the willingness and understanding of the supplier of what is expected and what is needed in project management expertise. In the interest of emergency services for wireless customers and the public in general, best efforts by all parties should always be the expectation. Sadly this is often not the case, and in some instances we are confronted with a conspicuous absence of engagement.

Ultimately wireless 9-1-1 calls must be routed to a PSAP on the network infrastructure of a landline telephone company. This "9-1-1 System Service Provider" is usually an incumbent local exchange telephone company (ILEC). A critical stakeholder in the process, ILEC's have been for the most part absent from both the original planning and FCC rule making on this subject. Subsequent regulatory actions have considered the ILEC simply a vendor to the PSAP, in spite of their central position in the interconnection/interface complexities uniquely generated in wireless E9-1-1. This is untenable for the public safety community. That is why our Stakeholder Dialogue and the NENA SWAT project have given ILECs an important seat at the table.

In this environment, PSAP readiness is more of an issue of leadership with equal recognition of diversity of PSAPs. It requires productive, timely and efficient relationships between the wireless carrier, ILEC and PSAP, along with other vendors and decision makers. Constant communication among the parties, project management, and forecasting of needs are critical. Landline trunking must be ordered and provisioned, technical interface issues addressed, and overlapping database functions coordinated.

Much of this must occur within a diverse and complicated regulatory environment at the federal and state levels. And it needs to be paid for. If all of this doesn't work well, the pace of deployment can be materially impacted.

Without a doubt, it's easy to point fingers and lay blame, but all parties can and should agree that PSAP readiness is an issue that reaches beyond the bricks and mortar of the PSAP. It's a systemic issue for all parties to address in a sense of common purpose, the public interest, frequent communications and cooperative spirit.

PSAP readiness is about keeping all the parties at the table, communicating on a regular basis, so that we can better address and prepare for challenges as they arise, not as they pass us by.

Resources and Funding

Closely linked to the issues of technology and PSAP readiness is the availability of sustained resources and funding to deploy wireless E9-1-1.

FCC Docket 94-102, requires that wireless carriers provide location information from wireless phones by December 31, 2005 in any case where a valid PSAP request has been received. In order to do such, many PSAPs require sustained resources to be able to first accept, and then process Automatic Number Identification and Automatic Location Information (ANI/ALI) from wireless phones, through upgrades of technology and recovery of basic costs. Unfortunately, in far too many of our nation's communities,

these E9-1-1 needs are not being met simply because 9-1-1 funds and resources are not being allocated for 9-1-1 use.

The costs of maintaining and operating a 9-1-1 system are significant and necessary. Technical, operational and financial resources are required from both the public and private sector. Reliability, redundancy, innovations and challenges in modern communications are constantly re-defining 9-1-1 costs and economies of scale.

Training of dispatchers and turnover of highly skilled employees remains a challenge and obstacle for most PSAPs. Tight budgets and scarce resources makes it that much more difficult to retain highly skilled employees. New technologies require more focus on education and training, while simultaneously creating a more skilled work force that requires additional resources for wages, training and employee retention. Dispatchers and call takers are dedicated public servants, but they need resources and skills to appropriately answer the call for help. .

In the days of the Bell monopoly many of these costs were included in a consumer's basic service. Early 9-1-1 cost recovery mechanisms relied on costs being passed directly to the consumer in the form of surcharges and fees on phone bills. Understanding that 9-1-1 is a benefit to the public as a whole, these fees and surcharges were to be used for direct 9-1-1 expenditures for both the public and private sector. As new communications technologies emerged, such as mobile telephony, similar surcharges

were adopted for wireless phone bills. However, these new surcharges, implemented for wireless E9-1-1, haven't always stayed with 9-1-1.

Boosting revenues for strained government budgets and programs, 9-1-1 funding has become an easy target. Subsequently, without appropriate funding and resources our 9-1-1 systems become antiquated, obsolete and unable to handle new communications technologies being used by the public. This results in missed deadlines, under-funded systems or no deployments at all.

While I'm not questioning the right of state policy makers to make critical public policy decisions regarding their budgetary needs, this alarming trend is, at best, slowing our progress towards truly universal 9-1-1 service, and, at worst, outright endangering its implementation. While the nature of emergency services will always be local, the access to those services is a national expectation. This expectation and need was acknowledged in the Wireless Communications and Public Safety Act of 1999.

We would ask the Members of Congress to do everything in their collective and individual power to protect and support 9-1-1 monies for 9-1-1 purposes.   This is a principle and policy agenda that federal, state and local governments can and should all agree on.

Future Path Planning

Our collective job today is also about planning for our future. While this hearing specifically speaks to wireless E9-1-1 implementation and progress, I can not overemphasize the importance of future proofing our nation's 9-1-1 infrastructure. I say this with a word of caution and concern, because if we don't, we'll be back here year after year, dealing with the challenges of new and emerging forms of communications.

Earlier this year, the FCC sought comment on a notice of proposed rulemaking, asking whether its regulations on access to emergency service communications networks and systems should be expanded to address a variety of other devices and services, including mobile satellite service ("MSS"), telematics (in-vehicle) services, multi-line telephone systems ("MLTS"), resold cellular and PCS services; pre-paid calling services; "disposable" phones; automated maritime telecommunications systems ("AMTS"); and "emerging voice services and devices." This is an important and necessary first step. Much more will need to be done.

Preparing for our next challenge, NENA's Future Path Plan is integrating the growing variety of non-traditional ways to access 9-1-1 by adding components and functions to the overall 9-1-1 system to ensure that new methods are more effective, more dependable, and/or more economical than what we have, or than other alternatives. This technical plan for future 9-1-1 systems is providing a long-term direction for development to support new call sources and needs. VoIP is already here. Who knows what the future will bring.

Final Thoughts

The deployment of E9-1-1 services, coupled with new technologies, has dramatically improved personal safety and security and given new promise to what is possible. What was once a dream is now a reality in 643 jurisdictions nation wide.

In these jurisdictions, wireless 9-1-1 callers are being located, new technologies are being introduced, lives and resources are being saved.

Earlier this week, NENA sent individual wireless E9-1-1 state deployment profiles to each committee member. The profiles, which have been made possible by the United States Department of Transportation (USDOT)/NENA Wireless Implementation Program; as we are presently surveying State and County 9-1-1 coordinators to provide national information on readiness of states, counties and PSAPs for wireless E9-1-1. In the coming weeks, as you and your colleagues return home for recess, I would ask that you review the status of E9-1-1 implementation in your state, share the information with your colleagues, local leaders and constituents. [This information can be found on the NENA website at the following: *http://dot.nena.org/*]

The 9-1-1 Call to Action is simple, help us make wireless E9-1-1 a top public policy priority in your community, state and our nation.