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Transcript

FirstNet Board of Directors Webcast, Salt Lake City, Utah, December 9-10, 2014 ***Part 5 – Board Meeting Part 1***

SUE SWENSON: I think we're ready to go this morning. Good morning everybody.

AUDIENCE: Good morning.

SUE SWENSON: Welcome to our December 2014 FirstNet board meeting. Terrific weather, huh? I didn't even know I was in Salt Lake City. Thanks, Chris, for arranging it.

CHRIS BURBANK: Not a problem.

I really appreciate it. It's pretty nice here. I don't know how many of you have had a chance to look around this facility, but Tim and I, as he mentioned yesterday in the finance committee meeting, had an opportunity to go on a tour of the facility, and I think for the people involved in this, Chris, it's just a terrific accomplishment. Not only is it significantly technologically advanced - I mean it's just amazing what you could see in terms of how the offices are set up and there are no wires anywhere - you've gone completely wireless. And then just architecturally it's just a real landmark for Salt Lake City, so I think it's something certainly to be proud of. And I must say your office's view is pretty spectacular.

CHRIS BURBANK: They let you in there?

SUE SWENSON: Yes.

JEFF JOHNSON: We were all in there, Chief.

CHRIS BURBANK: All right. Don't tell anyone, all right? It's horrible.

SUE SWENSON: So it's just great to be here. Like I said yesterday, it's great to be here amongst the people for whom we're building this network. This is obviously not only the police department but the fire folks as well. I want to give them due consideration because they obviously share this facility, right, chief?

JEFF JOHNSON: Yes, they do.

SUE SWENSON: They're very, very fortunate. In fact, we were saying wouldn't it be great if FirstNet could have a facility like this? I mean it's just really, really terrific. So we're delighted to be here. We're going to turn to the business of today. Most of the topics will be what we discussed in the committee meetings yesterday, but we have a couple of new topics that we'll have on the agenda. We hope to have

a special guest but, as you know, folks have busy schedules, so we'll see how that goes. As you can see, the meetings are open. We started of course, that in June I think. All the meetings were completely open yesterday.

We do have a matter that will require us to close the meeting at the end of the meeting today to discuss some legal matters, so I just wanted to advise you of that before the meeting started. And we expect that closed session to take probably about an hour. So just for your planning purposes, I just thought it would be helpful for you to know that. We have some legal matters to discuss. And I think we're ready to go over the conflicts notification and the logistics of the meeting. Uzoma, will you take care of that?

UZOMA ONYEIJE: Good morning everyone. I'm going to just go over the conflicts notification. In advance of FirstNet's December board meeting, FirstNet's Office of Chief Counsel, in coordination with the Department's Office of General Counsel Ethics Law and Programs Division, has provided each board member with a summary outlining each of the material agenda items that will be discussed and decided during this meeting, and reminded them about their obligations under applicable law. Providing this document in advance to the board members allows them to identify any potential conflicts of interest and/or seek the advice of counsel regarding identification of any potential conflicts of interest and recuse themselves from consideration of any relevant matters, as necessary.

We note that each board member has been provided the opportunity to review the agenda and no board member, at this time, has indicated that they have any conflicts. At this time, we ask any board members that may believe that he or she has any conflicts to note that for the record. Hearing none, we are ready to proceed for the day.

I think as most people know, and as our chair has mentioned, we keep an open meeting now. We have the public in our meetings with us, and the one request that we make is during the board meeting to try to limit your movements so it's not a distraction for the viewing public or the board. The other thing is if you could please take a moment now to turn off your phones, and turn off your devices so there won't be any noise. We are anticipating a board meeting of approximately two-and-a-half hours, but, depending on how the flow of the conversation goes, it could be a little bit shorter. With that, I think we're ready to call the roll.

SUE SWENSON: Take the roll please.

UZOMA ONYEIJE: Sue Swenson?

SUE SWENSON: Here.

UZOMA ONYEIJE: Barry Boniface?

BARRY BONIFACE: Here.

UZOMA ONYEIJE: Chris Burbank?

CHRIS BURBANK: Here.

UZOMA ONYEIJE: Tim Bryan?

TIM BRYAN: Here.

UZOMA ONYEIJE: Ron Davis?

UZOMA ONYEIJE: Brian Deese?

UZOMA ONYEIJE: James Douglas?

JAMES DOUGLAS: Here

UZOMA ONYEIJE: Jeff Johnson?

JEFF JOHNSON: Here.

UZOMA ONYEIJE: Kevin McGinnis?

KEVIN MCGINNIS: Here.

UZOMA ONYEIJE: Annise Parker?

ANNISE PARKER: Here.

UZOMA ONYEIJE: Frank Plastina?

FRANK PLASTINA: Here.

UZOMA ONYEIJE: Ed Reynolds?

ED REYNOLDS: Here.

UZOMA ONYEIJE: Suzanne Spaulding?

UZOMA ONYEIJE: Rich Stanek?

RICH STANEK: Here.

UZOMA ONYEIJE: And Teri Takai?

TERI TAKAI: Here.

UZOMA ONYEIJE: Madam Chair, we have a quorum.

SUE SWENSON: Great. Thanks so much. I believe the board has before it the minutes from the September board meeting. Does everyone have those minutes before them? Oh, you have them before you - great. Are there any comments or questions about the minutes? I entertain a motion to approve those minutes.

TERI TAKAI: So moved.

SUE SWENSON: Thanks, Teri.

ED REYNOLDS: Second.

SUE SWENSON: Thanks, Ed. Any further discussion? All those in favor, please signify by saying aye.

BOARD MEMBERS: Aye.

SUE SWENSON: Opposed? Same sign.

SUE SWENSON: Thank you. Minutes approved.

SUZANNE SPAULDING: Sue, I'm sorry this is Suzanne Spaulding.

SUE SWENSON: Great.

SUZANNE SPAULDING: I just want to make clear that I was on and was on for the vote.

SUE SWENSON: Okay, great. Thank you, Suzanne. Glad to have you with us. Chris, I think what we were going to do at this particular point in time is introduce the Salt Lake County Mayor, and I'm sorry I said city mayor yesterday. I'm not as familiar with county mayors as I am with city mayors. Obviously it would be great to have City Mayor, Ben McAdams, today, but I know both the city mayor and the county mayor have kind of busy schedules. So you said you would be willing to pitch in his absence.

CHRIS BURBANK: I will fill in briefly for the mayor. He sends his regrets and apologizes that he had something come up as he was planning to address the board. A little bit has been talked about this building. And interesting enough, this building was built with FirstNet in mind. It is designed for an LTE capability for our police department and for our fire department, Jeff. Only about 35 of them are in this building, compared to a couple hundred police officers.

JEFF JOHNSON: It does take less of us to get it done.

CHRIS BURBANK: Moving right along, Ben should have been here. And so it is really a privilege for not only the police department but the entire city and the county to host you all here in Salt Lake City. And the weather is very unusual for Salt Lake. One of the nice things that we do enjoy is we have all the seasons in Salt Lake, and you never know when those are going to come. And so you certainly hit at a right time as far as no snow. But we're missing a little in the mountains right now.

One of the things that I would also just like to extend, and it's not only to the board members but anyone else in the audience that is following the meeting this afternoon when it concludes, is that I would be happy to host a tour for anyone who would like to see the building. It is an amazing accomplishment. One of the things that I am most proud of is the design of the building as far as the openness to the public and the accessibility with all the glass and the ability for people to come and go without going through high levels of security and layers. It really represents an openness that I think is important for Salt Lake and where policing should be in the future. And so with that, I will conclude again by saying thank you all for coming, I hope you've enjoyed your stay, and travel safely.

SUE SWENSON: Great. Well thank you. And if I were you, I would take you up on the tour. It's pretty phenomenal to see the facility. I was particularly interested in the 9-1-1 center and also your ability to do back up to PSAPs, I mean you can actually transfer if there's a problem with a PSAP. You're actually set to take that transfer here; so it's pretty impressive the way you've set that up.

All right, I think we're ready to move on to the committee readouts from yesterday. I chair, obviously, the Governance Committee, and it was a pretty brief meeting. We actually just talked about a couple of items. One was the bylaws, and we'll have a further presentation in today's board meeting about those bylaws for board review input and approval. Uzoma, I think, will be handling that. And then our Acting General Manager, TJ, gave us a report to Congress in terms of its status, and then I think the best part of the meeting was the appointment of Jeff Johnson as the Vice Chair. It's nice to have somebody like Jeff to my right, to my left, behind me, and supporting everything, so I'm delighted that he's in that role. Jeff, we're going to do some good work together as we move ahead, so thank you.

JEFF JOHNSON: Thank you, Sue.

SUE SWENSON: So that was the Governance Committee, and like I said, it was pretty brief. The other meetings, I think, went into more of the public notice and comment and the RFI. So I think, Barry, we'll go with you on the Technology Committee next.

BARRY BONIFACE: Sure, Sue. Thank you. So our meeting was not as brief, but it was efficient, and so we, after approving the minutes, had a good update from our acting CTO, Jeff Bratcher, on the activities of the technology group, which I think was very informative for the committee members. We also had a presentation from Eli Veenendaal on the early findings from the public notice and comment process, and then Michael Landry walked us through the summary of the 3,000-page analysis of the RFI responses, and I think we were all impressed with the quality and the depth of the response, frankly, on both fronts.

And Frank Plastina, a member of the committee, pointed out and actually thanked management for drafting those two activities in a way that delivered that kind of result. So we had a really, you know, pretty active discussion about some of those things. I think an important point that my buddy here, Ed Reynolds, laid out was the need for this network to be better than what's commercially available today in the areas of coverage, reliability, and systems hardening. I think that was an important point to make, and Ed did a good job in that regard. So that was the grand synopsis of what we covered in the Technology Committee.

SUE SWENSON: Great. Thank you very much. And we're moving on to Outreach. Jeff, I think you went over some of the same topics but really focused on the issues related to outreach, which are very different from technology. So what was the outcome of that?

JEFF JOHNSON: We did, Madam Chair and members of the board. I think the first thing I talked about yesterday was just thanking Chief McEwen for the work he's done with the PSAC. We just wrapped up a very productive meeting of the PSAC in Norman, Oklahoma, and I thought it was really the best session we've ever had. You know, we received an excellent briefing on priority and preemption and public safety hardening, and we have more discussions to go there. But the feedback we got was tremendous.

Also yesterday in the Outreach Committee, we talked about consultation. Staff gave us a briefing of how consultation is going. I think we have 25 scheduled for the next iteration of consultation. The team has

been doing an excellent job of getting that kicked off. We also talked about our findings on the public notice interpretations and just kind of get a picture of our summary to date on what's happening there. We also talked about the preliminary findings as it related to the comprehensive RFI. And, again, we have more work to do, but we're starting to give the board a picture of what that listening produced. And I know that's something the board is very interested in.

And then one of the other things I think we're going to do is I think it's very important to the Outreach Committee that we add consultation to the title of consultation and outreach because, really, that's the two ways we're going to listen. We're going to listen through consultation, and we're going to listen through outreach and the conversation that happens between us and the users of the network we're building for public safety. So that pretty much wraps it up, Madam Chair.

SUE SWENSON: Great. Yeah, I know these are all quick summaries of all the work. I mean, I think, Barry, as you indicated, the staff did a tremendous amount of work. But I think I also want to comment that in addition to just putting the material together, I really appreciate the way in which you made it consumable. Because sometimes you can get a lot of information - or a lot of data and not much information - so I appreciate the way you framed it up. I think it was easy for not only us but hopefully for the audience to understand the feedback we received. So, Tim, I think you kind of round it out always, so what did the Finance Committee do?

TIM BRYAN: Sure, Sue. Well, we did a variety of things. We started off approving some minutes. We had a meeting between the September and December board meeting, which we conducted telephonically, where we approved the budget for fiscal 15. So we approved those minutes, and then we transitioned to Randy who gave us an update on the budget figures for fiscal 15 in somewhat higher level than what we did on the telephone call. We went through 14 numbers, and had some idea of what our timeframe is for putting some numbers in the window for fiscal year 16. So we reviewed that.

We also reviewed presentations on the public notice and inquiry, as well as the comprehensive RFI. Ed and Barry, you'll be happy to know it was very consistent across committees when we talked about things like pricing and what the propensity to consume the service and based on premium services being available. We also talked a lot about priority, hardening, and about having the capacity and preemption, so that was a big topic of discussion.

The other big topic, particularly around the comprehensive RFI, turned on this notion of how are we going to set up and evaluate the eventual responses to the RFP? That is, how will people get graded when we're not buying something as discrete as a widget but something as sort of amorphous as a partnership, a public/private partnership? So we engaged in a good bit of discussion around those two particular topics.

We, too, thank the management team for being able to synthesize the results and get them to the finance committee in a way that allowed us to make some sense out of them. So that's largely what we did at the Finance Committee, Sue.

SUE SWENSON: Great. Thank you, Tim. As I think you all know, we launched the strategic roadmap for FirstNet in March of this year, and it was actually at NYPD when we did that. I remember it vividly. And I think that's been very helpful, not only to management internally but also to the public, because I think it gives people a sense of the road we're on and what to expect. And we think it's important at every meeting to take time out to talk about where we are relative to the milestones and the roadmap that

we set out to give you a sense of what I consider to be significant progress on the roadmap. Obviously, accomplishing that roadmap is ultimately going to result in a network for public safety. So I think, TJ, you have a quick update for us today on the roadmap?

TJ KENNEDY: So, over the last year, we've really focused very much on implementing what we talked about in March, like you said, and really, as part of this, the public notice and comment and the RFI that we spent most of yesterday briefing out on are key elements that are going to help get us to a final RFP, a draft RFP before that, and allow us to have the evaluation criteria, like Tim mentioned, so that at the end of the day we get to the far right-hand side of this picture, which is a network build out.

As you can see along the roadmap that we put out in front of us today - you can see the important role of consultation and, much like Chief Johnson mentioned a little bit earlier, that consultation is such a key part of our interactions day in and day out right now, with states, with public safety, with all different elements of city, county, tribal, and federal government and state government that all come together to make sure that we're listening to them.

You'll see along this - we have a couple of other items that are more detailed, such as the environmental impact statements, the industry days that will be coming up, a second public notice and comment, and then leading into our release draft RFP. We're continuing to put a lot more meat on the bones, so to speak, as far as the details as we get into this, and we're also able to take all the information that came out of the RFI responses and the comments on our Statement of Objectives to refine our approach. So this is really important for us because it continues us forward to getting to a network and, more importantly, getting to that state plan that we can give to a governor that will allow us to get through the opt-in/opt-out process and then go build the network.

As we move forward, we've really focused on two major elements, and we talked a lot about this yesterday in the committee meetings. And it's that we're going to be really focused on the consultation and the draft RFP. Almost everything else that we do in FirstNet supports these two efforts, so you'll see this in our staffing and you'll see this in our efforts. You'll see this in all the key focus that's done, whether it's in the office each day or the teams that are out in the field, it's consultation and the acquisition process. Everything we're doing is focused on this, and I think you'll see over the next 12 months that these two efforts are very much working together. There's information coming out of consultation that drives into the RFP, and there's also key results from the RFP that drives into consultation. And so the two must go hand in hand, and they go together at the same time as they work through this next year to be able to deliver results on both sides.

SUE SWENSON: There you go. Let me turn your mic on for you.

JEFF JOHNSON: TJ, I think early on, you know, one of the beautiful things we did when we did our regional meetings was we said about half of what we're telling you will change because we've never built a nationwide public safety broadband network and we're learning. One of those learnings, I think, and I'd like you to address it and help clear up any confusion there is - one of those early thinkings was that we were going to do consultation and get done, then do an RFP, and then away we go. And I think we've learned some things between how we thought it was going to work and how now it appears in this slide is an excellent example. Could you speak to what changed in there and why now they're actually going to kind of be concurrent? Would you mind speaking to that?

TJ KENNEDY: Absolutely.

JEFF JOHNSON: Thanks.

TJ KENNEDY: We definitely have learned, and we're probably going to continue to learn as we work through this. But what we've learned is that the consultation process has a lot of elements that drive into the RFP, but we also need some answers that come out of the RFP. And I think the biggest conclusion that we've come to is consultation needs to happen now. It needs to happen after the RFP process is started, and we are evaluating proposals. It also has to happen after the RFP is done and we have results that help us lock down our costs, as well as the revenues that could come in, so that we could present that final plan to a governor. And if you don't have those results of the RFP, you really can't get to that final state plan. And I think that's the most definitive thing that we've learned over the past six to nine months is we have to do it in that order.

And then also, even after we get a plan and get an opt-in/opt-out decision, we have to continue to consult. We're going to consult on building out the network in that state. We're going to consult on continuing to get to, you know, a live system and making sure that the key needs of public safety are being met. And I think Rich Reed in his consultation efforts when he's out in the field has really said consultation is an ongoing effort. It's something that's going to continue for a very long time. It's going to change as far as what we're talking about and what phase we're kind of in, but it's definitely an ongoing process.

So one of the important things we talked about yesterday and some of the good dialogue was sustainability and how when we look at all of the key features that we need and the coverage and important things we do, that we have to do it in a sustainable way. One of the key elements we talk about when we look at the financials of building out the network is obviously the value of the auctions and getting our initial \$7 billion for the construction funding. The AWS recent auctions have been very positive in that regard. Lots of vigorous bidding, the auctions continue to go forward, and currently the results give us great confidence that we're now going to be funded for our initial \$7 billion worth of funding.

The other effect on this is when we look at the excess capacity on our network, we know that this will drive some different factors that go into the value that's there, and hopefully this will allow us to build out a network that can leverage the value that's in our network to help keep costs low for public safety. There's no one-for-one comparison, but certainly these are important factors as we look at our modeling, and we look at how we can leverage this into our business model and into our RFP. So we're taking this very seriously - it's good recent data that we can leverage, and it certainly bodes well for sustainability of FirstNet as we move forward.

I'm going to talk now a little bit about the RFI and the Statement of Objectives, and I'll have Stuart talk more about the public notice in just a few moments. On the RFI and the SOO, we had a significant amount of responses - 122 - a very big uptick from previous RFIs that we've had that were much more focused in smaller areas. But even when we had the original partner RFI, we had in the neighborhood of about 50 responses, so I think as we've gotten more detailed, industry and states and others have come forward and really engaged with us in this process.

As you can see by the breakdown in this slide, 83 of the responses were industry. We definitely feel we received enough responses and enough valid very strong responses that we're going to have good competition and that we're going to have industry engaging to bid on our effort as we move forward,

which is a critical part of any RFI, and even a draft Statement of Objectives and putting that out to industry. We also feel that we had a great response from states and consortiums and associations who are very interested in the outcome of what we're doing and are very much partners when it comes to working on state plans and doing consultation. And we received great feedback from them on the RFI, as well as the public notice. So we felt that the RFI and the Statement of Objectives were very much a success, and we'll talk more about that.

As far as the responses coming from different associations and others, it was great to get the varied perspectives because everybody looks at this a little bit differently. The private sector and industry often is focused on how they can respond and provide input while, at the same point, states and others are looking at how will that service be delivered. And so those different perspectives coming together at one time and the responses to similar questions, I think, really helped us as far as understanding what we need to make sure we're thinking of and not just looking at it from just an industry perspective but also an implementation perspective. A lot of responses from rural and smaller carriers, as well as larger, and a very good cross section of vendors across the spectrum, system integrators, different folks who responded to that.

Extensive feedback on our overall acquisition strategy also came in, and a lot of support for the need to leverage how we can do things, not just within a state but also across state lines and some synergies on scale and being able to have those economies of scale as we move forward. The public notice and comment received 63 responses. I think there were actually even 64, but one of them was turned in twice, so it was kind of ironic, but Stuart will jump through them.

STUART KUPINSKY: Heavy emphasis.

TJ KENNEDY: Heavy emphasis, make sure you get it. As far as consultation, I'm going to jump to the next subject now so we don't dive too long into just the RFI. On consultation, like Chief Johnson just mentioned, you know, we continue to learn and we put out the 45-step process last year as a starting point for consultation and knowing that we were going to have to continue to evolve.

One of the things we've done as we've evolved is try to simplify this as a higher level for these discussions. And you can see that both the acquisition process across the top of this slide and the middle part, with consultation, they very much feed each other every step of the way. So whether we're looking at users, whether we're looking at coverage out in the states, whether we're looking at outreach in general, all of that feeds into our RFP development, and then the RFP development and even answers we get from requests for information or from responses to our Statement of Objectives feeds back into the consultation discussions that happen. So what we've learned with putting out our Statement of Objectives and getting a lot of feedback on what made a lot of sense to states and what didn't. We've been now able to work with the consultation team so they're able to go out and engage on that as part of the ongoing consultation process.

Also, when we get into proposal evaluations and working our way to a draft plan and to a final state plan, we feel this same back and forth between consultation and the RFP process is going to be really, really important. Much like Jeff mentioned at the beginning, our discussions with the PSAC also feed into this, and the great meetings we had last week in Norman, Oklahoma, with Chief McEwen and the team. There's a lot of important things - priority, presumption, public safety grade - that we've been working back and forth on. And we're also working closely with the FCC and with NIST in our Public Safety Communications Research Center to look at all of the elements we have, whether it comes to modeling,

or whether it comes to our priority and preemption testing. You heard about that in the technical update yesterday and the technical committee. And we also put together some key staff that are focused on federal and tribal inputs, and you can see this coming together on this particular slide and that all of these had need to work in concert as we move forward.

SUE SWENSON: Hey, TJ, can I just ask you a question? You kind of jumped over it on the roadmap that you were showing. This issue of engagement with vendors - I mean, you've gotten out of the RFI responses, which are confidential, and our process now, I mean, prior to issuing the RFI, you were having market research meetings with procurement and yourselves to understand a vendor's capability. Could you kind of describe where we are today? And there was a little spot on the map that says "Industry days," and I think perhaps the people in the audience may be interested in hearing a little bit more about that before you go too much further into the RFI consultation.

TJ KENNEDY: Sure. So one of things that has changed is as we get closer to an RFP, our contracting officer, along with our internal compliance, we have a number of additional things they could put on the team for how we can meet with vendors and so forth. And so we've done two things: one, we've updated our vendor page on the FirstNet website. So if folks are looking to meet with FirstNet, we direct them all to that firstnet.gov website, and to go to the vendor page and to submit both a form on their company that gives the background for where they think they want to play within the FirstNet RFPs that are coming up. And that's a really important step in any large acquisition or agency that is doing acquisitions.

And then second of all, we now are driving towards having bigger public events that will allow all vendors who might be interested to participate, and that's really the industry-day efforts. And so what looking at is in the new calendar year, putting together a series of industry days where we will do regular updates to industry, and whoever wants to attend. We'll make sure we have a big enough facility to do that and have a time, whether it's a few hours or even all day where we update on all the latest information. And it's going to get more and more precise and also more and more structured as we get closer to the draft RFP and the final RFP. So it's really important for those vendors who want to interact with FirstNet. You know, in the past some may have sent an e-mail to a particular person, now we very much have a business liaison who monitors the website daily and responds and follows up to any of those requests, and we really want to try to drive folks to that website.

SUE SWENSON: Yeah, I think that's helpful, because we were kind of in the mode of meeting with people, and then we got out of the mode of meeting the people. Now you're back in the mode but through procurement to do that. Is that kind of correct?

TJ KENNEDY: That's a good summary. And during the RFI process, you know, we couldn't, and now it's a matter of we have some limited ability to. It's a little bit more tied down than it would have been in the past. But it's really important for people to make those requests through the website.

SUE SWENSON: Yeah. And I'm just making a point of that, because obviously in non-government kind of procurement situations, that's not the normal process. And I know it's maybe a little offensive to people when we say "love to meet with you but can't", and not understand that. So I just want to really make sure to the public that they understand what frame we're in and why we're in it and that there's a way to get access, you know, to the FirstNet staff.

TJ KENNEDY: Absolutely.

SUE SWENSON: Thank you.

TJ KENNEDY: Any other questions on the updated consultation approach? Okay, well there's been a lot of consultation going on, and we're just going to highlight this at a high level over the next couple of slides here. You heard a very detailed discussion of this in the Outreach Committee meeting yesterday. We have now had eight initial consultation meetings that have been completed. As you can see, hundreds of participants have been coming to these events - some of them as large as a 170. Give a shout out to Washington State for the very strong participation. I was at that event, and you can see that on the lower left-hand corner of that slide actually.

These different consultations all have a very different look and feel, based upon the state. States are very, very different. I went to the Minnesota consultation with Sheriff Stanek, and great participation from the northern parts of the states, the southern parts of the states, very heavily populated, very rural, good input from even, you know, DOT, along with police, fire, EMS, and sheriff. And most importantly, some very detailed conversations that occur at those, and so the interactions have been, I think, extremely helpful for both public safety at the state and local level, as well as for FirstNet. And every one of these, I think, it helps us continue to add great input into the RFP process and also drives the process forward in the state for the governance and coordination that's going on at that state level. Right now we have 12 additional states scheduled in early 2015, and another 13 that I know are being scheduled at this time. So a lot of good work is being done here. We'll talk about the number of checklists and so forth that have also been brought in.

One of the efforts that was focused on in the consultation meeting yesterday and has been really productive have been the use-case discussions. Every state has had a number of big incidents. I know here in Salt Lake City, in the State of Utah, there has been as well. As we go to each state, there are mall shootings; there are natural disasters, mud slides, or other things that happen, the bridge collapse in Minnesota. And a number of these things are very much easy for public safety to get their head around because they're fresh in their mind and they were also large events that affected them, and they know what worked and didn't work for communications. And so they make really good use cases for discussion where public safety broadband and priority preemption could have made a difference or would make a difference in the future. And I think that's a great piece of how we can really walk through how would public safety utilize this network if it was in place, and what kinds of things should we think of when we're building a plan together for that state.

There are a number of topics that continue to come up, some more so than others, but I thought it would be important to note some of them here today as important to stakeholders when they've been coming to the consultation meetings. Affordability, which we talked a bit about yesterday; coverage, probably the top issue that is always brought up; issues related to rural and tribal coverage as well being something that is not where it needs to be today; coordination across the spectrum from state and local agencies to federal agencies; the network itself; priorities; bandwidth; cyber security - very important, obviously. When we put together an aggregated core network across the country, we will have a lot of additional applications and capabilities, but we also need to have a higher level of cybersecurity and how important that will be going forward. And then leveraging different type of assets, looking at both commercial, telecom, and government infrastructure, and how that will play into the overall plan, and making sure that we look at the broad swath of users. Volunteer firefighters and emergency medical service personnel are a large part of public safety across the country and how they fit in and how they're very important and they're served by FirstNet has been something that has been brought up as well.

SUE SWENSON: Hey, TJ, on that list, as you know, we had a recent discussion about identity management. We've had several discussions on that topic, and there are a variety of agencies that address this and there's some spending across many federal agencies to do this. How does that fit into this list of topics here? Where does that bucketize, so to speak?

TJ KENNEDY: It fits in in two areas: one is access and identity management is part of our security protocols, and it's an important piece. The second thing is looking at how do we validate users on the network. Since, you know, for instance we would have volunteers, in addition to departments and entities and agencies, how do we make sure we validate who are the right users and which priority bucket will they fit into based upon local governance and discussions on priority and preemption. And so with Chief McEwen and the PSAC, we're going to work very closely with them to try to work through both the priority discussion on one side and the identity and access management on the other. But the identity and the access management has been an issue for public safety for a very long time.

Most departments have had an individual identity scheme, whether it's creating ID cards, whether it's looking at access to buildings and structures. Not as many are quite as advanced as Salt Lake City police and fire departments here in this building. And so looking at how do you make sure you that you have good credentials, and that goes and validates the folks who are both responding to events, but in our case, accessing a network. And for many years the federal government and state and local agencies have spent a lot of time and energy on agency security procedures related to identification, not as much on cross agency security and identification. So it's a complex matter even without FirstNet. One of the things that's been discussed in some of the early discussions is that FirstNet could be a catalyst to help get people focused on the fact that their identity and access needs to be broader than just one agency.

SUE SWENSON: I mean I'm hoping we can make some progress on that. I mean one of the things that I thought from the very beginning, well obviously having the network that's available and, you know, you have the capacity and you have preemption and all those sorts of things is - and actually I talked with Chuck about it when I visited back at NYPD - is the myriad of databases that we have in the U.S. today and how great it would be if the first responders had better access to a lot of rich data. But I know that, you know, the owners of those databases are very concerned about who has access to that. So I think those two go hand in hand, but I think that could really improve, you know, first responder access to information if we could get that one solved. I think that's really critically important, and I hope we can do something as an organization to bring the focus on that together, because I think that would be a nice added benefit.

TJ KENNEDY: I do too. I think FirstNet will definitely help push this in the right direction, and I think getting more information out to public safety in the field where they need it most is also a critical aspect of being able to improve it.

TIM BRYAN: Hey, TJ, you just said, you know, push some of this information to the field. While you're doing this, are you - I mean - what's the awareness like of FirstNet? So people aware of it in the room and they're aware of it if they read some of the trade periodicals and things like that, but what are the boots-on-the-ground awareness of FirstNet? Are you taking these consultation meetings as an opportunity to sort of talk a little bit about the vision of FirstNet, how it's meant to serve the folks, you know, on the frontline, and nothing can sort of help you in your eventual state consultations as having some grass roots supports for the kinds of things you're offering. So tell me a little bit about, I'm sure you're listening, but hopefully you're talking a little bit too.

TJ KENNEDY: No it's definitely both, and you bring up a huge point, and I think this is an ongoing effort. When Jeff talks about how critical our outreach and consultation is, I think it's doing both of those things that's so important. Often when we go to different states for consultation, we actually even spend time trying to go meet with local police and fire agencies and sit down around a kitchen table in a fire station and talk to line personnel about what they do and don't know about FirstNet. And it doesn't always trickle down to the line personnel that are out on the streets every day - police, fire, and EMS. It's often very well known from the agency heads. It's discussed at a CIO in a radio shop and at an IT department level a lot.

And then there's certain operational command staff that have been involved in big incidents and deal with communications on a regular basis who are quite aware, but at the police officer, firefighter, EMT level every day, there's still a lot of folks who don't know a lot about FirstNet, and we have a lot more outreach and consultation to do, and we do this in two ways. Not just with the FirstNet team, but also with the SLIGP grants and what's been done early on with that funding going out to states and locals to do outreach.

Some states have done a tremendous job really getting out to trying to hit every county for instance in their state and to get police, fire, and EMS all in a room and talk about it. And you see a huge difference with those that are do with a very localized effort of outreach, where a lot of folks know what's coming with FirstNet in the future. Some states are still building that team and driving that outreach out, but for those that are doing a lot themselves and are leveraging material or sharing factsheets and presentations, and also some of them at the state level have created great presentations on FirstNet and shared them with FirstNet, so we could share with other states, and real kudos to those states that do that.

SUE SWENSON: You know, TJ, and maybe Chief Johnson can talk about this, but we've spent some time, and Chris and Rich maybe can make some comments as well, but we've been spending some time with the different associations involved with public safety, and maybe you can make a few comments on some of the requests we've gotten for information, because I think they can be huge catalysts in terms of getting information out to their membership, and maybe you can make a few comments on that.

JEFF JOHNSON: I will. Thank you Madam Chair. Well I think the first thing is to say, especially as we were building our team, we really didn't have the staff to create the conversation clear down at the boots level. So what we did is we prioritized it. Excuse me. So we started at the highest levels of the associations and with states' CIOs as we prepared for state consultation. So now that consultation is rolling, now we've engaged the associations, and so we've reached out to the public safety unions, to the associations that represent all the various groups within public safety. Sue and I held a call with the president and executive director of each of those. There was a couple that we didn't.

SUE SWENSON: Chris joined us on those.

JEFF JOHNSON: Yeah, Chris joined us. Chief Burbank and actually Sheriff Stanek joined us for some of those. So we tried to bring in whoever was the public safety discipline expert on this board to join us for those calls. And essentially we gave them a briefing and did an introduction, and then that will lead into us meeting with their boards, which we're scheduled for late January. We'll meet with each of their boards as they come around for the regular meetings. So once we get the leadership on a national basis plugged in, then we start to flow down.

We got a briefing from staff that we're already preloaded, and we'll actually start running articles in each of those associations' trade journals and digital products and start pushing that message down, and we'll continue to flow out from there. So I think it's been largely a resource and staffing issue. And we knew we had to hit the states first, and we knew we needed to hit leadership next, and now we'll start to flow down through those associations, and they've all been very gracious in offering their tools. Good question.

TJ KENNEDY: And one of the things we --

[Inaudible].

RICHARD STANEK: Sure. Just a brief, we did join on the conference call, as I represent or serve on the executive boards for the Major County Sheriffs and the National Sheriff's Associations. We did have a teleconference call with our executive committees and our board of directors. We are following up in January, the major city chiefs and major county sheriffs are meeting out in D.C. FirstNet will be there. In addition, you have my commitment, as others, that we will continue to inform our boards and our memberships in those two associations as to what's happening with FirstNet, so they have a better understanding how this is going to affect them.

Now, you are right, TJ, in terms of the line officer, the line deputy; the line trooper, across the country really don't understand. I'm not so sure at the end of the day they need to understand but rather, a little bit farther up the chain and be able to provide the services to them that they can use to provide safety for all of us across this country.

TJ KENNEDY: Great question, Tim, and I think it's something we continue to strive with every day, looking at things like webinars to get out to more folks, sharing of information. One of things we've done besides even the association leadership is we've put together some association executive director updates where we've been able to start giving them information now, and I think it will continue to roll to get more information out there.

As far as the consultation activities -- and we talked about these in good depth yesterday, so I'll cover it at a high level today -- you can see we regularly update this map and we shared this with the single point of contacts with the states as well. We send a weekly update out to them. We right now have 34 states that returned their initial consultation checklist. We've had calls with many of the others, trying to move that forward as well. And, really, the consultation meetings, as you can see with the schedule here, we're continuing to fill in, and we're going to fill in more that are available in the New Year to go out and start finishing this round of consultation efforts. So a lot of work is being done. Currently we've been focused on sending out, you know, an individual team each week, and as we bring on more staff, we'll be doubling that to do more than one in a particular week as well, so that we can hit more states.

SUE SWENSON: Hey, TJ, just a question on -- maybe say a little bit about the role of the SPOC in each of the states. I'm not sure that everybody clearly understand who gets to attend these meetings, because I think there would be a lot of interest and a lot of people attending, so maybe you could say a little bit about who those people are and what their purview is on this.

TJ KENNEDY: Sure.

SUE SWENSON: And it was in the legislation, so it's pretty clear.

TJ KENNEDY: The legislation called out for a single point of contact appointed by the governor in each state to be the FirstNet single point of contact, or what we affectionately call the SPOC. Those SPOCs are from different backgrounds. Some of them are statewide state police or public safety leader. Sometimes they are the SWIC, the interoperability coordinator, statewide as well. Sometimes they are the state CIO in many cases, and so they have different backgrounds. Some are more public safety purely focused, some are more technical. Some are actually National Guard or Homeland Security Advisors, so there's a very good mix of different folks.

What we do on the lead-up calls getting ready for a consultation is really encourage states to invite a very broad swath of personnel, and we give them lots of hints and suggestions, whether it's making sure tribal public safety is involved, whether it's looking at state and federal users in that state, making sure city, county, police, fire, EMS, emergency management, all the important disciplines are there. In different states there's a little bit of politics sometimes that gets mixed into this, but I think the staff does a really good job of heavily encouraging and being suggestive. But, at the end of the day, the SPOCs typically pick the location, the facilities, and the final invite list. It's hard to invite everybody and so there's a little bit that goes into that.

The biggest thing I would encourage public safety leaders to do, and folks that are very much engaging on the FirstNet issue, is to reach out to your SPOC. They're on our website. We have their contact information. There's no secret of who these individuals are, and to get involved, because that participation is really what make consultation so important. And it really comes up to the more you participate, I think the better results we're going to have at the end of consultation, which is an ongoing effort, but the more participation the better.

On outreach and communications, we've touched on a number of these issues but I'm just going to highlight a few. We continue to go out and make sure that FirstNet is represented and supporting all of the different public safety and industry events that happen, because there's so many public safety communications leaders that go to many of these events. It's also important for industry to know where FirstNet is going. But more importantly is the amount of public safety contact that we can have that is focused on success of public safety broadband. Last year we had over 130 events that we attended. We expect that number to go up greatly this year. We engaged over 20,000 stakeholders last year at different events. I'm sure that number will continue to go up this year. We're already over 5,000 stakeholders in just the last two months, so a very large focus on making sure that we hit police, fire, EMS, emergency management and technical conferences that are very focused on broadband and what we're bringing.

FRANK PLASTINA: TJ, just a question actually. Given that we discussed FirstNet's sustainability and viability yesterday, a lot of that has to do with pricing of service that people want to buy, in whatever form it comes. What you're doing here, obviously with this outreach and consultation, is basic selling and demand generation. Are you putting those sales disciplines as part of the bundle when you do consultation? Obviously these are going to be your customers. They're not necessarily decision-makers on your services. So are you including the decision-makers that will actually make that IT decision when FirstNet is ready to go in the consultation process?

TJ KENNEDY: We definitely are inviting them to the consultation process. And at every agency it's a little bit different. Sometimes it's the head of the agency who is the decision-maker. Oftentimes, in larger

departments, it's focused on the CIO or even in the budget and finance office. So it's a little bit different in different agencies. Sometimes you have a decision-maker and a budget authority that are different, and because they are customers and because we do need to engage with them when it comes to buying actual service when the system is up and running, it's an effort we need to continue to grow. We have a very small team today that's focused on that, and so there's more work to do as we move forward.

JEFF JOHNSON: Madam Chair, if I might?

TJ KENNEDY: Go ahead.

JEFF JOHNSON: Frank, a little bit on that, I mean part of the challenge is, in terms of how it's tiered, is we have to wait to deliver the majority of our communication to an audience based on when we have something to say. So today it's kind of like at the street level, it's kind of an awareness, here's what it is. Here's the functionality it represents. Here's the kind of way it will make a difference in your professional life. But beyond that, until we have an RFP award and we have a partner and we have an offering, we really don't have a lot specifically to tell them; right?

I mean, we can get it in the ballpark but we can't be profoundly specific; so that's A. B, it's even more complex in that -- let's just take my home State of Oregon. The State of Oregon could opt in to our network, but that doesn't mean that the City of Portland, Oregon's largest community is going to buy our services. That's a separate story to tell, and that's a separate offering to explain. So not only do you deal with the state structurally, but we have each of those public safety entities which are independent verticals that are going to make a separate decision. I mean your point is right on the money. It's a complex story to tell. It has multiple levels. There is no single portal from which we get a pass with this story.

TJ KENNEDY: And one of the things I think is important that Frank brought up is we're identifying decision-makers, because part of that is just in the identification process, because it is so localized. And based upon an earlier question from Tim at a previous meeting, you know, we are right now in the procurement process of a CRM system so that we can go ahead and make sure that we're tracking that and we have good ways to communicate as we move forward.

FRANK PLASTINA: And I agree with you, Jeff. I'm on, really, the very fundamental sales point of when a decision-maker feels that they have been heard, it's much easier than when you are ready to go to go back and in and say, we heard you, here is what we're providing. So to the extent that you can document who these people are so that you have the chance to reengage when you do have the full-blown network up and running is always helpful. It would just be faster to get FirstNet to where it needs to be.

TJ KENNEDY: Great advice, Frank. One of the other things we continue to grow since we first put up our FirstNet webpage is the different tools and capabilities that we can share. As part of our transparency efforts and communication efforts, we continue to grow what we're doing on our webpage. We put in a number of other social media elements, not just on our webpage but also LinkedIn and YouTube and Flickr and Google+. So that we're hitting different elements that will hit line personnel as well.

And this goes a little bit to Tim's question. A lot of public safety out there does engage in social media and is another way for us to be able to be constantly sharing with every police officer, firefighter, or paramedic in the field, because they have access to the same information. Our board information, we post all these slides and all of our data up there. I've gotten a lot of feedback from both public safety

and industry. It's really nice that we can go, even if we can't be at a meeting and we can just download all the information, we can listen in to a meeting and hear about it as well. And so we've really tried to leverage what we can social media-wise, and others, to get information out.

It also allows us to share real presentations and information, factsheets that can be used by states, and as we get new information, either built by our team or built by states that have great ideas, we just continue to try to share that, as well as to blog about the good ideas that have come forward to help highlight good ways to share what's going on at FirstNet on a regular basis. We've also done a lot with the public comment process, so having that information out there really helps us as we move forward, and because -- to Chief Johnson's point earlier -- things will continue to change, we'll continue to learn, we'll continue to update our information as we have it out there.

TJ KENNEDY: Any questions on that? Teri?

TERI TAKAI: TJ, just to make one other comment, I think the Governor or Mayor may want to comment on this as well. Back to Frank's point about stakeholders, I think it's fair to say we haven't actually fully crafted the messages around those who hold the budgets, which is our sort of legislative bodies. I think we're not quite to that point. I think to Jeff's point, around needing to have specific messages. But, you know, while we're talking about stakeholders and while we haven't necessarily crafted those messages, I think it's important to note that they're going to be a key component. You know, Governor and Mayor, I'm sure you have faced those challenges, so you have a comment on that?

JAMES DOUGLAS: Well a few thoughts. As I mentioned to the Outreach Committee, I met with the governors-elect last month and had a chance to at least raise the issue of FirstNet with them. I'm not sure everyone was completely familiar with it. And obviously when a new chief executive is assuming his or her responsibility, that may not be paramount on the agenda. But I'm working with the staff, the National Governor's Association, to follow up at subsequent meetings. And, secondly, as I think we've discussed at a committee or board level in the past, there may be some states where the governor doesn't have the authority to make the opt-in/opt-out decision. There may be some states where that authority is unclear, and so we have to make sure who the constituency is. And obviously both of them are involved in the appropriations process, both branches. So I think there's a lot of continued sensitizing to do in all the states, and we'll, with our outreach staff, have a plan to accomplish that.

ANNISE PARKER: I'm going to agree with the governor, and to say also that in most states the vast majority of the end users are going to be at the local government level, I think. I chair the Criminal Social Justice Committee of the U.S. Conference of Mayors, and there is a certain level of awareness there, and I'm looking forward to having a full presentation at one of my upcoming committee meetings so that the mayors know what to ask for when they go lobby in their state capitals.

TJ KENNEDY: These were all extremely helpful and dead on, and, really, what we need to do as we move forward into coverage and pricing and state plans is making sure we're sharing that at the city, the county, the special district, the state level, because there's actually a myriad of decision-makers that will be coming into this. That's what I have for today, Sue.

SUE SWENSON: Yeah, I think next on the agenda, I think we're going to have -- Stuart, I think you were going to talk about the public notice and comment, and the RFI responses if I understand it correctly.

STUART KUPINSKY: I'm going to do the public notice and comment.

SUE SWENSON: Okay, great.

STUART KUPINSKY: So we went through in detail with each of the committees the relevant feedback that we got from the comments yesterday, and so I'm not going to go through in great detail. But for the board members that weren't present at each of the committee meetings, I'm going to give the highlights.

I think the most important thing at a hundred-thousand-foot level to understand is where we're at. So we're digesting the comments that we received. We got a very healthy response, with thoughtful comments. We're, today, hitting on just a couple of the -- a few of the key points of feedback that we got, and we're considering those, and then we're going to come back to the board and make recommendations on our final proposed interpretations.

As TJ pointed out, we're potentially recommending a second notice and comment process. That will be on additional items, not those covered in the first. But based on the discussions that we've had and the feedback we got on the first one, we may toss in some follow-up questions from the first notice and comment process. So this is the brief distribution of commenters that we got. Heavy participation by the states, which was terrific, along with associations and vendors.

We touched yesterday on the delineation between the RAN and the core, and one of the critical points being exactly what's subsumed within the definition of the core. And we talked about the preliminary finding that FirstNet's RAN would be operating any opt-out -- I'm sorry, FirstNet's core would be operating any opt-out RANs, and what that entailed in some respects, and we got a lot of support for that. And as I admonished the listeners yesterday, you know, this isn't a numbers game, it's not a majority-rule situation. We took even, you know, single dissenter comments to heart and are thinking through all of those.

The importance of being clear about the delineation includes both, you know, points of demarcation where an opt-out state would be responsible for bringing traffic to a certain point to hook up to the FirstNet core, and also what would happen to state and local databases, which, while not part, strictly speaking, of the FirstNet core, could be hooked directly thereto, and we're evaluating what types of functionality would be available to opt-out states, but, nevertheless, preserve, obviously the most important thing, which is the interoperability of the network, and the ability of traditional first responders to govern priority and preemption of users.

The definition of public safety entity was an important and a hot topic. We continue to examine both our proposals and maybe some refinements thereof. I think we got overwhelming support in general and it's a very complex topic, and the structure of the definition under the Act makes it a bit complicated. Sue, you asked a hard question, as you are wont to do yesterday, about, you know, the dimensions of when users can actually access the network, and it's multidimensional puzzle, it's not just you're either on or you're off. There are different aspects of it. So we're looking into those aspects.

We talked about some of the nuances of individuals versus entities being on the network, some picayune lawyer issues associated with what a secondary user is relative to covered leasing agreements, and I think the definition of rural, I'll pause on for a second and mention. We discussed that -- the definition that we proposed was really just one of many potential definitions that are familiar territory in the federal frameworks. And it's really just the basis for the consultation with states and local entities on

coverage. So it's not, in and of itself, a definition of who is getting or not getting coverage, it is really the vernacular, if you will, for the discussion with states and other local entities on coverage and the substantial milestones that are incident to rural build-outs.

We also talked about the overlapping nature of the fee structure that FirstNet is allowed to impose for sustainability under the Act, and there are multiple dimensions to those fees, and they could be mixed and matched and those kinds of things. So I'd be happy to answer any questions in general, particularly from those board members that may not have been present in one or the other of the committee meetings, but we are coming back to the board with our final determinations. It may be that we, interstitially, between now and the next regularly scheduled meeting, you know, do something along those lines. So I don't want anyone to be surprised when we move fairly quickly.

SUE SWENSON: Thank you for that summary, Stuart. And, again, I think the board really appreciates all the work, not only to issue the public notice and comment but also to do the analysis, because this is very understandable in term office the feedback, and appreciate all of those listening, for those who responded, because I think the comments were very thoughtful and very helpful to FirstNet. Teri, go ahead.

TERI TAKAI: Stuart, just one comment. I think that when we do make the final determination on the list from the first effort to go out, and then the second, particularly as it relates to ground rules around what constitutes opt-in, what couldn't constitutes opt-out, what does it mean to states in terms of still needing, if you will, to be part of the whole, that's going to have to be pretty explicit when we go out. And whether we do it in some kind of a special communication, or whether we get it out there through the state consultation side, I'd just encourage us to be as precise as possible, because I think the states and the local jurisdictions are somewhat waiting for what those definitions are going to be. So I would just encourage us to think about how to get that out in the most specific terms possible.

STUART KUPINSKY: Well, I agree a hundred percent, and one of the, I would say, overarching pieces of feedback we received across all the issues was this need to be fairly specific, right? And we think about this stuff 24-by-7. We wake up in the morning and we go to sleep at night trying to figure out this puzzle on behalf of traditional first responders and public safety. And so when we write these documents, sometimes, you know, we're communicating with people that aren't doing this 24-by-7. And we will take your advice and those of the commenters to heart and try and be very specific. I think one of the reasons why we might ask some follow-up questions is to get down to a little bit more specificity and make sure we get feedback on that specificity.

TERI TAKAI: Well, and I also understand there are some nuances, and as I say, for those that live and breathe it 24 hours, the nuances are obvious. For everyone else, it's a tad arcane, so.

STUART KUPINSKY: Understood.

SUE SWENSON: Thanks Stuart, appreciate that. And, thanks, Teri, I appreciate you emphasizing that, because, as you said, if you spend a little time on this, you start to think about all the intricacies of it, and when you go out and talk to people, it becomes really clear what's not clear, and, you know, things that you assume that everybody understands and that it becomes really important to understand what those components are. So I think the board engagement on this topic, particularly those who are close to some of the state things, I think, will be very helpful to us so that we don't send something out with a

different perception on those who are reading it than what we intended, and so I appreciate that comment, reinforce it.

TERI TAKAI: Or at least they'll sound like you, Stuart.

SUE SWENSON: Yeah. Then we're in trouble. Then we're in trouble.

STUART KUPINSKY: I take that as a compliment, and I will compliment you when you sound like me.

SUE SWENSON: So, TJ, I think you're going to spend a little bit of time just summarizing the RFI. Are you going to spend some time on that?

TJ KENNEDY: We actually, you know, just covered it at a high level.

SUEAN SWENSON: Okay.

TJ KENNEDY: But just one last thing, I think, on the RFI and the public notice. I mean, one of the things that I think the team really felt very good about was getting all of the feedback. And so when we look at those 122 responses and we look at the 63 responses on the public notice and comment and how much states engaged, how much public safety agencies put time forward, and industry, I think, as a whole, two major themes kind of came through. One, I think they learned from us and we learned from them, and that's really important, and I think we want to continue that through consultation, and we want to continue that through transparent dialogue and feedback, like with the public notice process.

Second of all, I think we continue to, to Teri's point, to get more specific and to be able to get more specific feedback so that we're improving our acquisition strategy, we're improving our consultation strategy, and at the end of the day, we'll have a better result for public safety. And the hard work that I think the team did to craft questions and to summarize and to put things together, also comes back with the hard work that we saw from states and we saw from industry to respond. And, to me, that's such a valuable process, and I guess I can't say it enough from what we've done is that that's been really important, I think, to FirstNet's success, and I think it will be important to FirstNet having a network that meets the needs of states and public safety because of that back and forth.

SUE SWENSON: Right. Good work. We're making some progress. I appreciate it so much.

TJ KENNEDY: Great.

SUE SWENSON: I think the next -- are you going to spend some time on this?

TJ KENNEDY: Yeah, I'm going to run through this.

SUE SWENSON: Okay.

TJ KENNEDY: And one of the things we want to do -- I don't know if Kyle's got the -- there you go. Terrific. As we hit on the high-level here, with the number of responses that go into this, yesterday we talked about 22 being state and local governments, 17 being associations, broad participations and what we just walked through.. 3,000 pages of information, actually more so. And so what we did is we broke up the organization into 16 cross-functional teams. And this isn't just something that just the technical

team or just the finance side of the team looked it at. We had our consultation team, we have our legal team, we have others that all participated in the efforts, and I think that's what's really important, as each of them takes stuff back and forth to the consultation process, our modeling and to get the greatest results out of that.

As far as the trends that we saw, and, I think, most importantly, is, we validated that we believe there are a number of firms that have the capability to build and operate the network, and this can be teams and consortiums. It doesn't necessarily have to be just one entity. But we saw that there's a marketplace that wants to build this network and that financially can build this network, and we think that that's a really important element.

We also looked at the different ways that this could come together. Whether it's the integration is done at a national level or a sub-national level, and we received different inputs to that, pros and cons to both sides and what kinds of things would make that more successful or less successful. Many of these came from different sized entities, different perspectives on where they were regionally in the country, and I think all of that, once again, fed into our ability to, as we move forward look at what's optimal for not just construction but operation and how to leverage the financial sustainability of the network as we move forward.

One of the elements that we definitely tested and put forward in the RFI and the Statement of Objectives is how do we make sure that we leverage the excess capacity of the network to help make it a sustainable network as we move forward, and do we do that at a national level, do we do that at a smaller regional, or breakdown sort of a level, and how do we take synergies that may come from either economies of scale or synergies of existing infrastructure? And these were the kinds of questions that we asked in the RFI and received a number of, I think, very thoughtful responses that will allow us to make sure that we have strong competition when we get into the RFP, that we leverage that excess capacity value, and that we also have participation through every step of the process, and get the synergy that might be there with either infrastructure or with operations that make the most sense. And so those are things that we really looked at, and how to look at cost avoidance when we're building a network, and time.

One of the things that's going to be important as we roll out this network is how can we do it in an efficient way to get it into the hands of public safety, and that's also looking at how do you leverage what's there, versus, say, a greenfield build, and definitely got a lot of validation into those kind of elements and key ideas that were very, very thoughtful.

SUE SWENSON: The famous chart.

TJ KENNEDY: Yeah, the famous chart from good discussion from yesterday.

JEFF JOHNSON: I like the houses.

TJ KENNEDY: Thanks, Jeff. I think the essence of this chart that's important is we know that there is a desire to have an affordability factor that's laid into how we bring forward a network that everybody in public safety can afford to purchase. We also know that the needs for hardening, for security, for coverage are greater than what exist in some commercial networks today. And to be able to do both of those, the sustainability question, going back to the previous slide about leveraging the excess capacity, while at the same point, making sure we have public safety's needs met first, are so critical. And to do

that it doesn't mean that you can't have higher levels of coverage or higher levels of premium services. You can. But we have to balance that with being sustainable going forward. And I think we had a really good fruitful conversation in multiple committee meetings yesterday about this.

And I think that, you know, this is what makes the FirstNet acquisition harder. This is what makes it a bit more complex. But at the end of the day, this will change how we provide national level and state-by-state operability from day one, by having a network that can be upgraded, that can be recapitalized and have the ability to move as technology changes as well. And so when we look at this, both sustainability, day one, but it's also that ongoing ability to continue to have a network that grows with technology and innovation as it moves forward.

We talked a lot on the Technology Committee yesterday on some of the questions about standards. And certainly in the RFI we received a lot of positive feedback to sticking with open standards and making sure that we leverage, from an international perspective, what's going on in 3GPP. We heard from Jeff's comments yesterday, the international public safety community and a number of other countries are looking at doing this as well, and making that sure we continue to push to do things in a similar standards-based fashion as we move forward and have an application and a device ecosystem that can continue to grow and not be too locked down when it comes to providing devices to public safety.

SUE SWENSON: I just have to ask this question. I just noticed this. That 3GPP, is that their logo?

JEFF JOHNSON: Yes, that's their official logo.

SUE SWENSON: I mean it looks like something you use to validate your pass code.

TJ KENNEDY: It's a test of whether you can type it in and see it without having a computer to do it for you.

FRANK PLASTINA: It should have changed to 4GPP if it was following the right...

TJ KENNEDY: Yeah. One of the importance, as you can see on here also, is the backward compatibility. So as we talk about upgrading in the future, it's certainly a huge issue for public safety that costs a lot today. One of the things in the questions in the RFI that we walked through was having the ability to have Band-14 devices that are affordable and are available across the country in different forms. We received a lot of feedback on ways to increase the adoptability of Band-14 devices, and how to make sure that we make sure that cost containment and availability of commercial devices that aren't all specialized is also important. There will definitely be hardened public safety devices that are very specific, but there are also a lot of personnel and public safety that can leverage more commercial-like devices at times, depending on their particular role, and they would like to make sure that they can do that in a cost effective way.

Also, this comes into our RFP and into the respondents of that RFP and how important it will be for them to make sure that they come forward with a plan for having Band 14 in a very large ecosystem of devices that will help public safety do this. So as we're building our RFP and our strategy, this is something that those inputs that came in through the RFI were, I think, very, very helpful, and we're going to leverage them.

Similar to what we saw in the public notice side and the RFI, we saw near unanimous support for the nationwide core, much like the legislation calls for. We had a number of additional ideas that were brought forward, whether it was around security or it was around specific features for public safety. There was a little concern just making sure that the distribution and nationwide core wasn't necessarily just a one- or two-location core, and obviously those are things that we're planning when we look at a distributed network architecture across the country and how important that is for reliability and resilience.

JEFF JOHNSON: TJ, you know one of the things I hear, as you know, but maybe everyone doesn't, in my role as CEO of the Western Fire Chief, we serve the territories from essentially the eastern border of Montana through Saipan, Guam, et cetera. And I spent a lot of time in Hawaii and other places, professionally engaging.

TJ KENNEDY: I feel bad for you.

JEFF JOHNSON: Yeah. But one of the things that I constantly hear from what they call themselves, you know, the 11th zone to us, but the discontinuous states, but they're very worried that we're not hearing their message on they're worried about being disconnected from our core when they're part of FirstNet. You know, so we talk in terms of distributed cores and et cetera. It isn't just I'm making the statement; I want you to shoot it down or validate it with your own observations. But our perspective on distributed core isn't just to hold down latency of the network. We are taking into account, correct, in our considerations issues such as being discontinuous, and fiber lines and whether they have one fiber approach to their island or four, et cetera, et cetera. Maybe it's a question for Jeff or TJ, but could you reflect on that please?

TJ KENNEDY: Yeah, I'll start, and then I will pass it over to Jeff. I think your point is extremely critical. And as we have gone out to talk to consultation, we had a great meeting in Hawaii with all of the different territories coming together, and also Alaska. They have some different needs and they have some different elements when it comes to their long-haul and their backhaul networks, and also just some of their own weather and other considerations that play into resiliency in those particular islands or areas.

Also, just being a territory, the amount of, you know, distance from them from the mainland and other resources, it takes a long time to get additional help. It's not like driving from, you know, Utah into Colorado, or vice versa, and so they have to do a lot more on their own, just from an operational perspective. So one of the things we've done is we've certainly done some additional outreach and consultation that brings those unique entities together. As you've suggested in the past, we've looked at making sure that we have unique and additional communications to the OCONUS territories and states, and I think those conversations have been really helpful to both the consultation and the technical team as we look at laying out the network. And I'd love Jeff to just talk about a few of those.

JEFF BRATCHER: Sure. Great question. We are definitely taking that into account as we develop our approaches for the RFP. It's also related to redundancy and how we keep them operational, as you mentioned, when they get disconnected from the mainland. The outreach team has visited several of the areas to understand how they operate today with commercial cellular networks and others when they have those types of events. But we definitely see that, and we're looking to one of the early builder projects, New Jersey, which is going to have system on wheels and remote satellite capabilities and how we can leverage those to a larger scale for the network, for those areas that are not part of the

contiguous United States. So we're definitely taking that into account as we develop our approaches into the RFP.

JEFF JOHNSON: Thank you. I mean, it makes me feel better to know our staff has heard it. They are different. You know, this country is very diverse. When you're on those islands, the corrosion factor of the salt air is a challenge. The fact that many of their emergencies occur in the water, and we can't put towers in the water, that's a challenge. The fact that they're volcanic and you can't bury your fiber optic, and you can't have mission critical kind of towers packing every fiber cable, so there's fiber on poles. I mean they are so different in so many regards. And Alaska is no exception either with the Brooks Range in the north, and their look-angle satellites. There are so many differences, and I think it helps them to hear us air it at a board, and to hear you articulate that you're getting it, listening it, and imputing it into our considerations, so thank you.

TJ KENNEDY: And to your point, I think every time we talk with Dave, Amanda, Rich and our consultation teams, and they come back from talking with the territories or any of the OCONUS states, I think one of the things we hear is just another series of anecdotal and specific data from past incidents. And so when they have a hurricane come through and hit an island and they have to reconstitute service, the amount of time it takes to do that and to have the resources and the hardware to be able to make that happen, it's a totally different situation than driving it in from a nearby state. They just don't have those same capabilities. So to your point, Chief, we have to plan for that now, and we need to plan that into how we build the network and how we bring it back up when there's issues.

SUE SWENSON: I'm hearing in the future budget some plans for some aircraft.

TJ KENNEDY: Tim just, like, hit me over here, but that's beside the point. One of the things that we looked at as well in the RFI, and received a fair amount of feedback, was on infrastructure. We talk a little bit about, in consultation, how we've heard people want to leverage both commercial infrastructure, rural telecom infrastructure, government infrastructure. We received a lot of feedback on how this will be helpful, and, in some cases, at different times during the process of building out a network, not all of it necessarily at the beginning, and so those kinds of feedback, I think, are really important as we bring this forward. And some things being faster and some things being slower, they're not all going to be brought to bear in the same speed, and so those are things that I think we received a lot of feedback.

One thing we did not get a lot of feedback on was some of the cost models that would make that better and how to do that. We received some. We wish we would have received a little more. And so I think we'll continue to push on that and try to get additional feedback.

We did get a good amount of feedback on the economic desirability question and what are FirstNet's roles versus others'. The legislation calls for when we look at this infrastructure, that there's this economic desirability quotient. It's not just use the infrastructure because it's there; it has to be very cost effective and economically desirable to the solution. And this plays into everything we've talked about with sustainability. We can't necessarily just take a site because it's available if it's not necessarily cost effective, not just in dollars and cents, but also the administrative cost to be able to implement that, and that's an important piece as we move forward.

As far as the feedback, because this is hard, I think one of the things we've heard is that people would prefer that FirstNet make that determination. At the same point, we proffered that, at times too, a

bidder on the comprehensive RFP could make that in some cases, where it made sense. And we want to try to leverage what's best with both of those, because there's a lot of time and effort that could go into these determinations and how we can do that efficiently.

As far as in between the September board meeting and now, we've actually, you know, had a lot of activity on the RFI and the Statement of Objectives, and this moves fairly quickly when you look at that right after the board meeting we released the RFI and the SOO. But then we had the time for the proposals to be responded to. We then extended that because of a number of requests to have more time. And so if you think about this, these actually came in in very late October, October 27th, I believe, off the top of my head. And so, in the last four weeks, they have been digested and sliced and diced into something that's digestible in the analysis by the team so far, to be able to have this good conversation, both at the committee meetings and today at the board meeting. There's still more to be done, because that is fairly quick when you look at it in now moving into December to be able to move through it. But a lot of data was received; we'll continue to analyze that. But it's being built now into what we do in consultation and what we're doing in the acquisition.

I always think it's important to keep coming back to this slide. We talked about this a bit in the consultation yesterday and it's a slide that we've used at previous board meetings, and I think it's important for us to note that these consultation efforts, whether it's across local, state consultations that we're doing, outreach elements that we're handling, specific things we're doing to reach out to federal agencies and the Tribal public safety community as well, that all of these feed into our RFP. Our public notice and comment, that Stuart gave a highlight and update on today, also feeds into our RFP.

And all these RFI responses, the 122 responses, feed into the RFP, and eventually too, an RFP release that will then drive back into consultation. So as we talk through this, it's something that's being done in parallel. It's something that has to happen side by side as we move forward, as well as our consultation that continues with the Public Safety Advisory Committee and what we're doing with PSCR and NIST. All these things are side-by-side activity and not necessary just serially, and I think that's important because of the feedback that goes back and forth.

TERI TAKAI: TJ, I was going to mention, before we close today, just to focus, for a minute, on the fact that we talked a lot about sort of the state and other associations, but there is significant amount of work going on at the federal level as well. Suzanne Spaulding, I think, is on the line, and the ECPC is working with a number of federal agencies that will be significantly impacted, and also, you know, are quite eager to participate in the effort. So I think it's a good time to just mention that. I don't know, Suzanne, if you had anything to add.

TJ KENNEDY: I'll jump in for a minute. I mean one of the things that Suzanne and Admiral Hewett, who is also in the room with us here today, both DHS and the Office of Emergency Communications has been very active with the ECPC in helping us get a single point of contact for each federal department, and also setting up a number of follow-on discussions that dive into a department and the many agencies that are often in one department that have a need for FirstNet in the future, and there is significant number of users of the future network, and so it's very important that we fold that in, just like we're folding in state, county, city, tribal, and other elements that are just as important. And so we're listening to them and we're really pushing that through with the ECPC. But also, now that we have Chris onboard, he's focused full time on making sure that we're reaching out and consulting with federal agencies.

TERI TAKAI: Just to add to that, I'm sure, I think, one of the things that TJ said there that I think is extremely important is that we understand the number of federal users, because, you know, clearly, the more usage of the network is going to help us economically in terms of the overall pricing. So I just want to make sure we're looking at that totality, because, actually, you know, as much as, you know, this challenge in any organization, the more we can increase the volume, I think, is going to help from the user perspective, and then also from an economic perspective.

TJ KENNEDY: So, I think, too, to kind of wrap up where we're at on both the RFI and the public notice, which, by the way, are key elements of our strategic roadmap, it kind of goes hand in hand with my initial update on the road map itself. I believe we have been doing what we said we were going to do. We're going to continue to go down the path to work on consultation and the RFP and help drive us to a definitive solution that will help bring state plans to bear, and then bring a successful public safety network.

SUE SWENSON: Hey, TJ, I'm not going to interpret the snake-looking like roadmap to be meandering.

TJ KENNEDY: It's definitely not meandering. It was funny, as we negotiated with the communications team, we could have a straight line but we couldn't fit as much detail as what we were doing.

SUE SWENSON: Yeah, I know. I just had to say. And you know that I understand how much you guys are doing and how quickly you're moving, but I just wanted to make sure that those looking at this don't misinterpret it as a meandering to the finish line.

[Inaudible].

TJ KENNEDY: There's definitely a lot of back and forth, which is good too.

SUE SWENSON: Yeah. Well, good. I appreciate that. And, again, great responses from those who took the time to do that, and thank you for that. Again, those responses are confidential, and, in fact, we haven't even seen the details of that, just to make it clear. We've only seen the information that you've seen, so we've seen it as a very high level, and we have not seen the details from the RFI.

TJ KENNEDY: One last thing, I would be remiss if I didn't thank the team that has worked hard to review both the RFIs and the public notice and comment and pull this together. You see a small portion of the team at the board meetings.

SUE SWENSON: That's true.

TJ KENNEDY: But this team is working extremely hard. They have public safety and their needs in mind every single day, all day. And when they focus on really driving through and getting as much value as we can out of our RFI responses, corrections to a statement of objectives, driving the public notice information, they know that this is critical to our nation and critical to what police, fire, and EMS agencies do every day, and they take it very seriously.

SUE SWENSON: I appreciate you saying that. I understand that but I never think it hurts to say that. And I appreciate not only the people here but all the people back home who have worked extremely hard on this as well.

Yesterday we talked about our bylaws. We obviously came into existence in 2012, and like any organization, we've evolved, and so it was time to relook at our bylaws, and so, Uzoma, I think you have a few comments to make, and then a board resolution for consideration.

UZOMA ONYEIJE: That's correct. I think, as our chair just mentioned, and I mentioned yesterday to the Governance Committee, over time, we just needed to make modifications to our bylaws, and we have a provision in their for how we modify our bylaws over time, so we looked at it coming into this board meeting, recognized that there are some changes that needed to be made, and I'll just highlight those for you. The Outreach Committee made a -- sorry, I should say the Governance Committee made a recommendation to the board for a vote today, and there's two modifications, so that recommendation that was circulated to you, that I'll highlight for each of the board members as I go through this.

So, as I mentioned yesterday, the reason why we are now incorporating the charters of each of the committees into the bylaws is simply because the bylaws were created before we had charters, and we wanted to reconcile that to make sure that they were incorporated into that document. The same is true with the PSAC charter. The PSAC charter was developed about this time last year, and we wanted to incorporate that as well. So that's a change that everyone will see in the bylaws.

The frequency of the committee meetings, again, this was something where the legislation is silent on this, and the legislation indicates that for the board, the board will meet on a quarterly basis at a minimum. We expect that committees will meet at least quarterly because the work of the committees then feeds into the work of the board. However, to the extent that committee chairs want to do additional meetings, that's left to their own discretion. And that also feeds into the next change, which is that the committee chairs are free to call special meetings at any time; for example, the Finance Committee had a special meeting on November 17th of last month, and all the committee chairs will also have that explicitly in the bylaws as a provision that they can leverage when necessary.

The next thing was when we conduct committee meetings, we want it to just be clear in the bylaws that a quorum is a simple majority of the committee members present, which we've always had. We've never had any quorum problems to date, Madam Chair.

Again, the next change is the change of the General Manager language to our new title for Executive Director, which we felt was a much more fitting title for what the Executive Director does. And we made that change in the bylaws as well.

Now this is one I wanted to highlight for the board, where there's just a small change in this. Previously, we had a committee that's called the Outreach Committee, and with the vote today, we would be recommending that that name get changed. Now, initially, when we circulated this around to the board, it indicated that it was going to change from the Outreach Committee to the Consultation Committee, and as, I think, the board and the public is well aware, the Outreach Committee deals with our-outreach team. We had Amanda Hilliard that presented to the Outreach Committee yesterday. Our consultation teams as well have a lot of work with this committee. And Dave Buchanan was able to share with the committee. And so what we're recommending is that the name get changed but to incorporate both of those concepts of those really important work of FirstNet. So instead of just simply being the Outreach Committee the name would change to Consultation and Outreach Committee.

Again, I mentioned this. One of the changes is that our bylaws will become effective within ten days, absent any objections from the Office of General Counsel at Commerce. We put this provision in simply

because what we wanted to prevent was -- we wanted to sort of balance two things, which was FirstNet acts independently, but we don't want to necessarily tread on any of the powers of the Secretary of Commerce, who also has powers that have been delineated by statute. So we wanted to make sure that we had at least a negative option or something like that so we can move forward but make sure that we are coordinating those efforts as well.

The last part that I put in there was there was just some general cleanup to the bylaws, those things I think we mentioned yesterday, that we are going to follow the statutory language, so where the statute says "board members," we will refer to them as board members instead of directors in the bylaws.

The second change that I mentioned was there is a provision, 4.03, of the bylaws, and that one simply deals with federal members and how we do delegation of authority there. We were tinkering with changing that language, but we're recommending now that we leave it the way it was. So that's the second change. But with those changes we would propose that we move forward with a resolution to make those changes to the bylaws.

SUE SWENSON: Great. Any questions from the board members about the slight tweaks that we made from yesterday's discussion on the bylaws? I think everybody has the resolution in front of them, so I don't think I need to read it to you because it's pretty clear. Can I get a motion to move the resolution?

UNIDENTIFIED MALE: Motion

SUE SWENSON: Thank you. Second, is there a second? Thank you. All those in favor signify by saying "Aye."

ALL: Aye.

SUE SWENSON: Opposed? Abstentions? Resolution is passed. Thank you, Uzoma. Thank you.

SUE SWENSON: Well, you know, we talked earlier about the special requirements that FirstNet has, and one of them, of course, is NEPA. And, you know, for those of you who are not familiar with federal regulations, I mean, that's one area that we talked about, I think it was six months ago. Another one is a requirement for historic preservation. And so we think it's important to highlight that for the board and the listening audience. So with us today is Christopher Eck, our federal preservation officer. So, Christopher, welcome to the FirstNet board meeting, and the floor is yours to update us on this.

CHRISTOPHER ECK: Thank you, Madame Chair. I've been participating in our NEPA scoping meetings over the last week-and-a-half, two weeks, and I've been on ten flights in about ten days, and I think for a while there I thought I had been mixed up with TJ's schedule.

As many of you know, I work under Genevieve Walker, the Director of Environmental Compliance, and we work within Stuart's group, the legal Office of Chief Counsel. The National Historic Preservation Act is one of the acts that falls under the broad NEPA process which we've initiated. And it's one of the many laws that gets subsumed under the National Environmental Policy Act process that we're going through. We've started the National Programmatic Environmental Impact Statement scoping meetings in the last two weeks, and those are going to be going forward over the next two. And today I'm just going to provide you just the background on what NHPA is. Thankfully, it's been shortened from a longer presentation I had, in the interest of both time and keeping people from falling asleep.

NHPA was passed in 1966. It's one of those acts that requires the federal government, for any federal action, to look into what the effect is on historic preservation and historic properties. It was something that was actually pushed by the National Conference of Mayors back in 1966, and a broad array of public entities. And it's not a new act; it's been around for nearly 50 years, so a lot of people don't have a lot of familiarity with it.

What compliance with section 106 of NHPA has, is that federal agencies, including independent agencies such as FirstNet, are required to look at what is the effect of their actions on historic properties. And what an historic property is, are those properties that are either listed on or eligible for listing on the National Register of Historic Places. And if, during the process of looking at the action, such as what FirstNet is planning to do with the build-out of the nationwide network, if there is an action that's proposed to put in a new tower or something of that nature where there's construction and there's a physical effect or there is an effect on the aesthetics of an area, the view-scape and view-shed of a sensitive area, then FirstNet, as a federal agency, has to look at what the potential effects are of that action and whether they're considered adverse or not.

And a lot of what NHPA tries to do is get agencies to look at the potential effects of their actions early so that they can address it before it becomes something that slows down the process of what is being planned. So what NHPA does is it requires the federal agencies, such as FirstNet, to look at what the action is, to define what that agency action is, and to consult with state historic preservation officers, as well as tribal historic preservation officers and other interested entities, which can include, say, a local government or a group that's in the area where, say, some construction is going to take place for the build-out.

And what we try to do as a federal agency is anticipate what those actions could be, and the adverse effect, and if there is something that we can avoid or we can mitigate or we can change and alter to a point that we can satisfy that we lessen or actually avoid completely the adverse effect that's proposed. Then we often enter into what's considered some type of agreement, usually a memorandum of agreement, both with the State Historic Preservation Office or, say, a Tribal Historic Preservation Office or something of that nature.

What NHPA does is a process-oriented statute. It requires that federal agencies follow particular process of notification, of reaching out to tribes, of reaching out to the states, reaching out to interested parties, and following certain steps to make sure that certain things take place in terms of listening to what the potential effects are, considering what the public's interest is in the matter, and looking at some of the things that could be proposed how to make the project better and mitigate the harm that it could potentially be caused by whatever the action is, particularly in terms if you think of tower placement and things of that nature going into sensitive areas.

What the key provision of the act is that it requires a reasonable and good faith effort on behalf of the federal agency in undertaking its section 106 process. And section 106 is just a portion of the Act that requires the federal agency to go through this step and also to meet with and consider the potential interest on the Advisory Council on Historic Preservation in Washington, which issues and promulgates regulations.

It's been described by federal courts as kind of a "stop, look, and listen" type of bag. It doesn't require a particular outcome. What it requires is that federal agencies follow the process and make that

reasonable and good faith effort to take into consideration the potential effects of what it's planning to do, and then make a good faith effort to reasonably address those. It looks to promote partnerships. It looks to put the federal government as a leader in stewardship of historic resources for the nation. And it requires that you look at the interests of tribes and Native Hawaiian organizations and other entities and take those considerations that they may have, and particularly with cultural sensitivities, into consideration in doing the planning for the act. So.

If the act is improperly followed, if something is skipped or if it's believed that the agency hasn't taken into consideration the needs and concerns of tribes or Native Hawaiian organizations or the state, then what potentially can happen is an injunction, and that would be something that would cause delays to the project and which we would try to avoid. And that's part of what we're doing now with the NEPA process is looking to address those things early so that they don't become a problem in the long run. If there's any questions?

SUE SWENSON: Yeah, Christopher, I'm just trying to think about it from a practical perspective. I mean, obviously we just actually dealt with this out of Los Angeles, right, Jeff? And it takes a while to get this work done. Is it common that we as the construction, you know, group that's going to construct something would make alternative arrangements to something that looked like it might be a problem from the SHPO review? I mean, we would make modifications to our plan to accommodate these things generally, is that the?

CHRISTOPHER ECK: That's generally it. It happens all the time. In fact, that's the good thing about getting out while the plan is in development. We can anticipate the kind of issues that may arise in particular places. If you know that you have to go into an area that's sensitive, say the Navajo tribe, and you have to look at what the Navajo or another Indian Nation might consider something of sacred or cultural importance, then you would do your best to try to avoid that. And then you'd work with the tribe and with the state to look at what their needs are and try to find a workaround. And that's the good thing about getting out in front of it early on, and it's fairly common. I mean, that's the typical process. You don't want to be going in later in the game, and that's why understanding what the plans are and what the needs of the build-out will be, having a good understanding of what those are early helps in terms of planning, because you don't want to go late in the game and then try to work around something because of potential for delays.

SUE SWENSON: So, today you're looking at general things, because obviously we don't have specifics?

CHRISTOPHER ECK: That's correct.

SUE SWENSON: Right, I mean?

CHRISTOPHER ECK: Yeah, a lot of what we're doing now, and, in fact, I was down at the National Congress of American Indian Annual Meeting recently in Atlanta. I was down there with Carl Rebstock, and a lot of it is getting the word out that we are, as a federal agency, as FirstNet, we are going to be doing those things that will be necessary in letting them know that we plan on fulfilling our mandate to do these things and to meet their concerns in advance.

SUE SWENSON: Great. So it's really more about getting out and telling people that this is what our intention is, and when we have more specifics, we'd obviously be reviewing those for review and approval.

CHRISTOPHER ECK: That's true. Most of the actions that FirstNet will undertake will be nothing of great concern.

SUE SWENSON: Okay. Stuart, did you have something?

STUART KUPINSKY: Just to say that we've now presented -- you know, Genevieve presented the NEPA aspects, in particular the overarching plan. Chris has now presented these National Historic Preservation aspects. The reason we brought them to the board is because, while we've been giving brief presentations, these are very serious requirements for FirstNet, and this is one of the delineation items that we talked about yesterday, where, unlike just a general procurement of network equipment or partner or partners across the country, this is where the federal overlay has some very important differences, both for our requirements and requirements of the folks that we contract with.

SUE SWENSON: Right.

STUART KUPINSKY: And so we're very lucky, because of the seriousness of these requirements, we have attracted a small team, including Chris and Genevieve and Amanda, that are thinking out of the box and getting out ahead of these requirements, so that we have a win-win scenario where we can fulfill our obligations as a federal agency but also get the network up and running as fast as humanly possible. So this is a very serious intersection of federal law and trying to achieve the goal for first responders.

SUE SWENSON: Right.

STUART KUPINSKY: And not to be taken lightly. And we're lucky to have a great team working on it.

SUE SWENSON: Well, it kind of goes to Teri's point earlier, I mean, understanding some of the specificities about what requirements are. I mean, this is a very unique one and it was a real surprise, you know, to those of us who haven't had to particularly deal with that in the past. So, Chris, I appreciate the update, and not only the update to us with the work that you're doing to get out ahead of this, because, as Stuart said, the goal here is to do this as quickly as humanly possible. So doing this proactively should work well for us. Great.

CHRISTOPHER ECK: Sure. That's our hope.

SUE SWENSON: Any other questions or comments from the board on that? Thanks, Chris. I appreciate it.

CHRISTOPHER ECK: You're welcome.

SUE SWENSON: I'm sure you'll be back on the road again soon, right?

CHRISTOPHER ECK: Yes, this afternoon.

SUE SWENSON: Oh, okay. Well, great. I think we've reached the point of the agenda that I mentioned in my opening remarks, where we're going to go into closed session, but I'm going to have Uzoma just take a little bit of time to explain what we're going to be doing in closed session.

UZOMA ONYEIJE: So, yeah, we wanted to just clarify to everyone who's in the room with us, and everyone who's watching, that our enabling legislation allows FirstNet to close its meetings in a very limited amount of circumstances. One in particular is when the legal team is giving legal advice to the board. That's what's going to be taking place today. And the legal advice is going to be covering two different areas. We're going to be talking about potential interpretations as it relates to our enabling legislation. We'll also be talking about roles and responsibilities as it relates to the acquisition. So we wanted to make sure, particularly with our open format, that we save this until the end of the meeting so folks understand that we're going to be breaking for at least an hour.

We're going to be doing some legal advice. So, to the extent that there's additional questions, it could be much longer than that. So we wanted to preserve this until the end of the meeting. At the end of that, we'll be doing a very short readout and then we'll be closing the meeting. But we wanted people to understand that so you could make your own decision about what you're going to be doing over the next hour or so. But, with that, I think we're ready to take a vote to close the meeting.

SUE SWENSON: Great. Thank you. That's helpful. That way you can plan accordingly. So if you're feeling like a little early lunch, this might be a good time to take it. May I have a motion to close the meeting?

ED REYNOLDS: So moved.

SUE SWENSON: Thanks, Ed. Thank you, Teri. All those in favor?

ALL Aye.

SUE SWENSON: All those opposed? Any abstentions? Thank you. We'll be back in an hour or so.