

THE FCC AND HOMELAND SECURITY
STATEMENT OF FCC COMMISSIONER MICHAEL J. COPPS

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Thank you for this report and for the hard work that so many people in this Commission are doing on homeland security. We have made some progress since 9/11—and all progress is welcomed. But so much remains to be done. I hope that today's report is received more as a reminder of how much there is still to do than as a catalogue of accomplishments.

The 9/11 Commission Report—which ought to be required reading for each of us—lays out in chilling detail a state of communications unreadiness that seriously inhibited the country's ability to respond on that terrible day. Our challenge now is to make sure that we are ready next time by enabling our citizens—particularly our first responders—to communicate through a reliable, interoperable and redundant communications system. This is clearly the FCC's job. This agency has the specific national security responsibility, stipulated in Title I of our statute, to ensure the safety of our people through the communications networks.

It has been three years since 9/11. In that time, the FCC has allocated spectrum to public safety; begun the process of bringing tools like RFIDs and ITS to the country; struggled with issues like CALEA and 800 MHz; and begun to implement E911. We have convened councils with industry. Advisory committees have had meetings and our government partners have begun to reorganize. But it's all still very much a work in progress, and time is no friend when it comes to terrorism. Reorganization tomorrow is not enough. Voluntary best practices, if implemented quickly, are fine, but untimely implementation may be no protection at all. So when voluntary efforts fail, mandatory implementation may best serve the public interest. The *9/11 Commission Report* minces no words about the lack today of public and private sector readiness for another attack. Homeland security is not business-as-usual or government-as-usual. Meetings, NOIs and draft best practices can only take us so far. We must be focused on implementing integrated solutions. And our actions need to be part of an overall strategic plan.

Don't misunderstand me. The FCC is working hard. And we have the best people and expertise in the government on communications issues. But the government still lacks a well-understood, aggressive, nation-wide plan to ensure that *every* public safety organization has access to a reliable system that they can use *anywhere*, to talk to *any* other first responder, in *any* emergency. That just doesn't exist today, but it can and it should. Such a plan would have specific deliverables and timetables. And it would provide absolute clarity on where the FCC fits in. I think we fit in at the forefront in developing communications solutions. The country has waited, and we have waited, too long for others to get moving. The GAO states that “a fundamental barrier to successfully addressing interoperable communications problems for public safety has been the lack of effective collaborative, interdisciplinary, and intergovernmental planning.” House Government Reform Subcommittee Chairman Christopher Shays has

called on the FCC to take a more active role and says it's going to be costly if we don't. There is a void out there to fill, and I believe this agency needs to fill it.

No entity can resolve the public safety and interoperability problems alone—not the private sector, not the federal government, not local public safety organizations which are generally starved for funding. We need a collaborative approach, and I think we have to consider having the FCC step into the breach. One approach might be for the Commission to create an office that focuses exclusively on helping local public safety organizations to share ideas, vet proposals, prepare plans and coordinate them with both government and industry. If we lack the resources to do this, I am for going to Congress and asking for them.

More generally, wherever we lack authority to make homeland security improvements, or wherever we see a way that Congress can make improvements through new legislation, we should step up to the plate with legislative recommendations. Speaking of Congress, the Hill is now considering *The 9/11 Commission Report*. This *Report* repeatedly catalogues communications breakdowns and examples of poorly protected critical infrastructures. It recommends legislation to increase the assignment of spectrum for public safety. The Commission can help make sure it's done right by giving Congress a clear understanding of what spectrum deficiencies public safety confronts, exactly how much spectrum public safety requires, and what frequencies will serve it best. The *Report* is strong on recommending efforts to protect both government and private communications facilities. The FCC is the expert on these issues. But amazingly, in my reading, the *Report* never mentions the FCC. So we have to get ourselves more front-and-center on these issues.

Another initiative—among many that we could take—is to integrate our hospitals, health centers, and doctors much more closely into the emergency response communications system. I have visited hospitals and emergency responders in big cities and small towns, and I have visited the CDC in Atlanta. They all recognize the importance of fast and reliable communications, especially in the event of a biological attack. But I don't see that many hospitals, especially in rural America, have a reliable two-way communications system that allows them to communicate with local and federal law enforcement and emergency personnel in a crisis. When they do have dedicated systems, they are seldom redundant, and most are based on the public network, which is unreliable in emergencies, as 9/11 and the more recent East Coast black-out proved. The FCC should address this problem and help find a solution, and while have done good work in updating the rural healthcare funding mechanism, it's going to take more than that to get this larger problem solved.

The events of recent days—publication of *The 9/11 Commission Report* and the elevated terror alerts—should bring home to all of us the urgency of moving quickly. I know that Chairman Powell feels his homeland security responsibilities deeply, as do all my colleagues. And I want him and them to know that I will do everything I can to support putting this Commission out-front where it should be when it comes to safeguarding our nation's communications security.