

**STATEMENT OF  
COMMISSIONER MIGNON L. CLYBURN**

Re: *Procedures for Commission Review of State Opt-Out Requests from the FirstNet Radio Access Network*, PS Docket 16-269

Nearly 16 years ago, we were frozen in disbelief as four coordinated attacks undermined our nation's sense of security and robbed nearly 3,000 people of their lives. Though we were stunned and are still grieving, among the many actions to follow were recommendations from the 9/11 Commission, and the Congressional creation of FirstNet, which would establish and oversee a nationwide, interoperable broadband network solely dedicated to public safety.

Earlier this week, FirstNet and AT&T achieved a key milestone by delivering individual plans to the states. In doing so, they initiated the soft start of the official opt-in/opt-out process for states, which will commence once FirstNet and AT&T deliver their final plans to the states in the fall.

FirstNet's success depends on there being true interoperability across this nation, and the decision – whether to opt-in or not, is a momentous one that no governor – or any of us – will take lightly. The FCC, NTIA, and the states will embark on a deliberate, informed process, on what is best for individual states and this nation. According to press reports, 49 states sought follow-up meetings on the very day the plans were delivered,<sup>1</sup> which affirms to me and should provide comfort to you, that each party is taking its role seriously.

Now to be completely transparent, I fully believe in FirstNet's mission and personally hope that each state will elect to opt-in. But Congress expressly and rightly afforded each state the ability to opt-out of FirstNet, and this option is what we sought to capture in today's *Order*. If some say that opting out is an impossible feat, my answer is that was not Congress' intent. Congress intended to give states a meaningful, if difficult, opportunity to decide if it is in their best interest to submit an alternate plan to the Commission.

And for any state wishing to opt-out, once the plan is submitted, the Commission is committed to working diligently to review the submission within the targeted 90 day shot clock timeframe and our technical review of a state's alternate plan will align with our statutory mandate. And that is a promise we intend to keep.

On more than one occasion, for those who follow us on a regular basis, you have witnessed sometimes heated disagreements on this side of the bench. But when it comes to public safety, there is no debate. We will work to do everything in our power to pave the way for the expeditious deployment of a truly nationwide, interoperable public safety network for our country. First responders put their lives on the line each and every day to keep us safe. They deserve the very best in communications technologies, the American people deserve the very best network, and the FCC will do everything in its power to deliver.

My thanks to Lisa Fowlkes and the staff of the Public Safety and Homeland Security Bureau for your work on this item of national import and local impact.

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<sup>1</sup> Lynn Stanton, *FirstNet, AT&T Deliver State Plans, Starting Clock on Reviews, Opt-in/OptOut Decisions*, TRDaily (Jun. 20, 2017).