

**STATEMENT OF
CHAIRMAN AJIT PAI**

Re: *Review of Rules and Requirements for Priority Services, National Security Emergency Preparedness Telecommunications Service Priority System, NTIA Petition for Rulemaking to Revise the Rules for Wireless Priority Service, NTIA Petition for Rulemaking to Revise the Rules for the Telecommunications Service Priority System, PS Docket No. 20-187.*

“It’s an older code, sir, but it checks out.”¹ These fateful words allowed a band of rebels to reach the forest moon of Endor, and ultimately presaged the demise of the second Death Star. No one knows better than those who’ve studied the Galactic Empire’s fate the dangers of relying on outdated procedures in times of emergency. That may have been a long time ago in a galaxy far, far away, but keeping our own such procedures up to date is no less important.

So in this Notice of Proposed Rulemaking, we begin the process of updating and streamlining our priority service rules. Telecommunications Service Priority, or TSP, is a program that directs telecommunications service providers to give preferential treatment to enrolled users, like police and firefighters, when they need to add new communications lines or have their lines restored following a disruption of service. Priority Access Service, more commonly known as Wireless Priority Service, or WPS, involves mobile carriers giving priority to individual devices used by emergency personnel. And the Government Emergency Telecommunications Service, or GETS, is a voluntary program that enables priority access to calls by government and emergency personnel. Now these programs are not the only ways for service providers to prioritize emergency communications, and they do not limit voluntary contractual arrangements that some providers have already established with emergency personnel. But these programs are popular options for prioritization, so it’s important that they be up to date.

This effort is timely indeed, for the current rules governing these priority services are woefully outdated. The Commission established rules for WPS in 2000, and for TPS in 1988—in era marked by copper wire and circuit-switched networks. These rules need a makeover. That we do.

First and foremost, the Notice proposes several rules for expanding the scope of certain priority service rules to include data, video, and IP-based voice services when requested under the TSP and WPS programs. For example, it proposes to replace certain references to “telecommunications services” to ensure our priority service rules encompass both telecommunications and IP-based services.

The Notice also proposes to streamline cumbersome administrative hurdles in the TSP program. For example, under current rules, only a specified senior official, such as the director or head of a federal agency, can invoke the use of priority services (a perk, I hasten to add, that I have not yet enjoyed). But that doesn’t provide sufficient flexibility during an emergency. So instead, we propose to modify the rules to allow invocation by a federal employee acting on behalf of the user’s organization who can attest to the need for TSP and authorize payment.

The Notice also proposes several measures to streamline WPS. For example, it seeks comment on clarifying priority levels to make clear that Level 1, reserved for Executive Leadership and Policy Makers, exceeds all other priority services offered by WPS participants. It also proposes to expand the scope of eligible users of WPS to include eligible hospitals and financial service providers. And it proposes a priority signaling method so that networks can detect when a handset is being prioritized. It also proposes to make WPS easier to use by eliminating a requirement that it be invoked on a per call basis.

¹ Admiral Piett to Darth Vader, *Star Wars: Episode VI – Return of the Jedi* (1983), <https://www.youtube.com/watch?v=4HJ-Y8YTo8Q>.

We also seek comment on other rule changes requested by the Department of Homeland Security and the National Telecommunications and Information Administration on ways to better secure data while maintaining flexibility, how to articulate the required timeframe for the provisioning and restoration of service, and whether to require increased reporting of performance data.

Finally, the Notice seeks comment on a possible alternative model that would apply the GETS governance structure to TSP and WPS. Under this approach, all service providers could voluntarily offer prioritized restoration and provisioning—as well as access and use—of voice, data, and video services to emergency personnel and other authorized users.

That we've reached this point is due to our hardworking staff, who have my gratitude: Kenneth Burnley, Justin Cain, Rochelle Cohen, Michael Connelly, David Furth, Deb Jordan, Erika Olsen, Tim Perrier, and Chris Smeenk of the Public Safety and Homeland Security Bureau; David Horowitz, Marcus Maher, Keith McCrickard, Linda Oliver, and Bill Richardson of the Office of General Counsel; Alex Espinoza, Chuck Needy, and Emily Talaga of the Office of Economics and Analytics; Bill Andrlle, Pam Arluk, Annick Banoun, Michele Berlove, Justin Faulb, Janice Gourin, Jesse Jachman, Daniel Kahn, Melissa Droller Kirkel, and Terri Natoli of the Wireline Competition Bureau; Sean Spivey and Becky Tangren of the Wireless Telecommunications Bureau; Leslie Barnes, Chris Killion, Kathy Harvey, Shannon Lipp, Jeremy Marcus, and Elizabeth Mumaw of the Enforcement Bureau; and Chana Wilkerson of the Office of Communications Business Opportunities. Indeed they are powerful, as the Commission has foreseen.