



NOTICE



Public Law 117-263 requires the Office of Inspector General to post written responses received within 30 days of publication from nongovernmental organizations or business entities specifically identified in an OIG report.

To comply with this statute, this attachment includes written responses in their entirety. The content of each response is the sole responsibility of the submitting organization and their inclusion here does not imply our endorsement or agreement. Questions regarding the content of the attached responses should be directed to the respective nongovernmental organization or business entity. We reaffirm the findings and recommendations in our report.

As required by generally accepted government auditing standards, Department of Commerce management's official response to our evaluation is included in the report, along with OIG's assessment of their response.

May 19, 2024

Roderick Anderson, Acting Inspector General
Office of Inspector General
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, DC 20230

Dear Mr. Anderson:

The First Responder Network Authority (FirstNet Authority) selected AT&T through a full and open competition under Federal Acquisition Regulation Part 15 to deliver the Nationwide Public Safety Broadband Network (FirstNet). As such, AT&T responds to the May 16, 2024, Management Alert, published by the U.S. Department of Commerce Office of the Inspector General (OIG), to provide crucial, missing context and to address inaccuracies.

The initial phase of the FirstNet network buildout resulted in significant expansion of wireless broadband, including the launch of more than 1,000 new, purpose-built FirstNet cell sites across the country. These sites were identified by Governors and public safety stakeholders and address longstanding public safety coverage priorities in each state, D.C., and the five territories. Additionally, AT&T added Band 14 to tens of thousands of existing cell towers and collaborated with small and rural wireless providers to further extend FirstNet coverage. Notably, FirstNet coverage on Tribal lands has expanded by 64 percent since 2018, with the launch of more than 550 new towers in just five years. In December 2023, the FirstNet Authority validated that the initial network buildout was completed on time, on budget and on task.

It is essential FirstNet continues to evolve in response to Public Safety's needs. As such, AT&T welcomes the rigorous oversight and accountability applied to the program. No other wireless network is subject to this robust level of scrutiny and accountability, and no other wireless network has delivered more for Public Safety in the last six years since the nationwide buildout began in 2018 – reliably connecting more first responders than any other network in the country.

For oversight to truly drive improvements and benefit Public Safety, OIG audits and their outcomes should be fair, accurate, and complete. We are concerned this Management Alert lacks essential context and reaches unsubstantiated conclusions. For example, the Management Alert:

1. **Erroneously implies Band 14 signal strength measurements represented in coverage maps affect service availability and quality.** This association leads to the faulty conclusion that merely adjusting the contract's signal strength measurement would affect service. Rather, it would only result in a modified visual representation of coverage propagation on a map based on an alternate signal level.
 - As part of our commitment to transparency, we consistently represent the signal strength measurement in all public-facing maps. Furthermore, during the FirstNet opt-in process in 2017, each state, D.C., and the five territories had access to a portal to inform their assessment of the proposed FirstNet Band 14 buildout for their 56 jurisdictions. This provided decisionmakers the ability to toggle between the contractual signal measurement and an alternative signal level to understand coverage propagation scenarios. Ultimately, all 56 jurisdictions opted into FirstNet.

2. **Neglects recognition that AT&T met and exceeded Band 14 contractual compliance, and ignores the function of the dedicated FirstNet deployable network assets, available to public safety, to further extend FirstNet coverage – when and where public safety needs it.** The Alert fails to acknowledge the significant expansion of coverage that occurred because of the initial phase of FirstNet Band 14 coverage buildout, which has been validated by the FirstNet Authority as complete.
 - Band 14 coverage is compliant with the contract requirements, and it far exceeds the original contract commitment. In fact, AT&T deployed Band 14 to reach several hundred thousand additional square miles for public safety’s dedicated use when needed.
 - FirstNet has the largest geographic coverage of any network available to Public Safety.¹ As Public Safety requested, FirstNet significantly expanded network coverage and capacity in urban, suburban, rural, and tribal communities, including in previously underserved areas. It provides Quality of Service (QoS), Priority, and Preemption on Public Safety’s Band 14, as well as across AT&T’s commercial spectrum to further expand the coverage and capacity for first responders.
 - Beyond the permanent network infrastructure, FirstNet has 180+ deployable network assets exclusively available to Public Safety.² Recognizing emergencies can occur anywhere, Public Safety identified the fleet as a "must have" solution when creating FirstNet. Unlike commercial wireless networks, there are contractual response time requirements to ensure FirstNet effectively supports Public Safety’s mission response. The Alert does not mention the FirstNet deployable program and its critical function to further extend FirstNet coverage – when and where it’s needed during emergencies and large crowd events.

3. **Uses overly broad language, incorrectly insinuating conclusions about network edge coverage and applying findings to the entire network.** In the Key Issues section, the Alert does not clearly state the OIG’s review is limited to the area on the very edge of cellular coverage.
 - The FirstNet Authority’s mission is to oversee the buildout, deployment, and operation of FirstNet. As such, the FirstNet Authority independently validates the edge signal strength measurement methodology. The independent drive test data referenced in the Alert intentionally focused on the edge of the cellular network. The data collected during those drive tests validated contract compliance at the fringe of network coverage and are not indicative of experience throughout the network’s coverage area.

With significant investment in FirstNet and the development of purpose-built Public Safety solutions, FirstNet is effectively serving America’s first responders – approximately 28,000 public safety agencies and direct-support organizations have subscribed, representing nearly 5.9 million connections. We appreciate and welcome the oversight and accountability that comes with the responsibility of being Public Safety’s network partner. We look forward to continuing to work with the FirstNet Authority and the Public Safety community as we grow and evolve the network for America’s first responders.

Sincerely,



Jim Bugel, President
FirstNet Program at AT&T

¹ Today, FirstNet covers more than 2.97 million square miles – 250,000 square miles more than commercial networks available to Public Safety. This comparison is based upon third-party coverage analysis.

² Available 24/7 at the request of and at no additional charge to public safety, FirstNet assets are portable cell sites that provide additional coverage and capacity as needed and do not rely on commercial power availability.