

**Written Statement of  
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**Before the U.S. House Committee on Energy and Commerce’s  
Subcommittee on Communications and Technology  
*“Evaluating FirstNet: Performance, Accountability, and Reauthorization”***

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Chairman Hudson, Ranking Member Matsui, Chairman Guthrie, Ranking Member Pallone and distinguished Members of this Subcommittee, my name is Mike Dame, and I am the Associate Administrator for Public Safety Communications with the National Telecommunications and Information Administration (NTIA). My portfolio includes NTIA’s statutory and delegated responsibilities related to the FirstNet Authority, Next Generation 9-1-1 activities, and executive management over the Public Wireless Supply Chain Innovation Fund. I am honored to appear before you today to provide testimony regarding the reauthorization of FirstNet.

**Introduction**

Fourteen years ago, this Committee pioneered, and Congress passed, landmark legislation with the Middle Class Tax Relief and Job Creation Act of 2012 (or 2012 Act), which established the First Responder Network Authority (FirstNet) and provided first responders with a much needed nationwide, interoperable public safety broadband network. For decades prior to FirstNet, there were far too many instances of major communications failures that cost lives or impeded emergency response. The tragic events of September 11, 2001, and subsequent findings of the 9/11 Commission are but one of many such examples. Before Congress created FirstNet, first responders lacked dedicated access to spectrum and the ability to connect regardless of congestion; public safety users instead relied on commercial telecommunications networks that treated them no differently than everyday consumer traffic. This gap highlighted the need for a dedicated network, not just a market solution, to ensure public safety communications are prioritized even when commercial incentives do not. Because of the 2012 Act, first responders now have dedicated spectrum, priority, preemption, and a nationwide network for their communications needs as they perform lifesaving work in communities across the country.

## **FirstNet's Success**

As Sheriff Adkinson notes in his statement, the establishment of FirstNet triggered a competitive market whereby wireless telecommunications companies now view public safety as a viable niche customer, given their specific needs and requirements associated with performing life-saving, mission critical duties. Simply put, in 2012 there was no marketplace for public safety. Today, other providers have entered the market with competitive offerings, benefiting first responders by expanding choice, incentivizing innovation and service quality, and placing downward pressure on costs—outcomes that ultimately strengthen public safety communications.

When I started at NTIA in late 2012, FirstNet was nothing more than a PowerPoint presentation. Five short years later, FirstNet had a major telecommunications carrier as its network provider. Only six years after that, FirstNet had completed its initial buildout of the Band 14 network—comprised of over 60,000 cell sites. Now, in time for the 2012 Act's 14<sup>th</sup> anniversary later this month, FirstNet has over 30,000 public safety agencies as subscribers, and 7.8 million device connections.

From a concept debated in this very hearing room to a nationwide network, FirstNet has transformed public safety communications. Reauthorization of the First Responder Network Authority is an opportunity to reinforce the public safety broadband market and bolster the current competitive climate.

## **Office of Inspector General Oversight**

FirstNet has achieved major successes and accomplishments, however rigorous oversight of the FirstNet Authority and the multibillion-dollar network contract is nonetheless critical to protect first responders and taxpayer dollars. As you know, the Department of Commerce Office of Inspector General (OIG) has performed significant review and evaluation of the FirstNet Authority. In 2024 alone, there were four audit reports addressing a range of issues, including contract modifications, coverage and device connection targets, and FirstNet's response to the Maui wildfires. The overarching theme across all these Inspector General audits is the need for stronger and more systematic contract oversight. Accordingly, the OIG previously elevated

responsibility for directing FirstNet’s implementation of audit recommendations from the FirstNet Executive Director to the NTIA Administrator, in response to challenges within the FirstNet Authority.

Based on dozens of these and similar OIG findings and my own experience, I believe that FirstNet—and by extension, first responders and taxpayers—would benefit from closer alignment with NTIA and the Department of Commerce. This is especially true with respect to how contract performance, compliance, and reinvestment decisions are reviewed. In particular, the chain of command for overseeing the network contract should run through NTIA and the Department of Commerce, with clear lines of authority and accountability. Over time, FirstNet’s operational “independence” has blurred those lines, making it more difficult to ensure consistent oversight, timely escalation of issues, and accountability for performance. Strengthening and clarifying these lines of accountability would better ensure that oversight of the network provider is consistent, transparent, and firmly grounded in FirstNet’s public safety mission.

Our obligation to the first responders who rely on FirstNet requires nothing less than clarity in governance and robust, disciplined oversight of the network provider. In addition to improving accountability, greater alignment within the Department would also create administrative efficiencies by reducing duplication and clarifying roles and responsibilities. Over time, those efficiencies would help ensure that more resources are directed toward improving network performance and public safety outcomes, rather than unnecessary bureaucracy.

### **Administration’s Reauthorization Priorities**

If Congress decides to reauthorize FirstNet, NTIA stands ready to support the Committee with key reforms to the law based on lessons learned from the past 14 years.

First, as I touched on earlier, I have witnessed how the FirstNet Authority’s independence has been a source of confusion and misunderstanding. Recent OIG reviews—and my own experience—illustrate how FirstNet’s unclear lines of authority blur responsibility and create friction between leadership, the Board, and NTIA. Legislation should reform the structure of the FirstNet Authority by making it an NTIA line office similar to NTIA’s other existing line offices.

This fix would clarify roles, align authority with responsibility, and reinforce accountability. This reform would strengthen FirstNet's mission by enabling clearer oversight and more efficient stewardship of resources in service of first responders. Importantly, this reform would not impact the roles and responsibilities of the FirstNet Board or Public Safety Advisory Committee (PSAC).

Second, I'd also like to echo the reform ideas highlighted by Sheriff Adkinson regarding the FirstNet Authority Board and investments in the network. The Board serves an essential function, blending experiences from public safety, telecommunications, broadband, financial, and business experts. Staggering the board's terms will increase continuity, preventing the simultaneous turnover of as many as half the board's members.

Third, updates to definitions in the law should provide flexibility that ensures FirstNet will be able to keep pace with technological innovation and provide new technological opportunities to first responders. Similarly, a technical correction to the statutory fee review requirement, which is currently limited to a review period of one fiscal year, would ensure that NTIA and the FirstNet Authority can better anticipate and plan investments over time. Making generational upgrades to telecommunications networks is a multi-year effort and performing the fee review analysis beyond a single fiscal year aligns with that reality.

Fourth, a 10-year reauthorization would provide important certainty for First Responders, while balancing the needs of Congress to conduct important oversight and make any necessary course corrections. The contract with AT&T expires in 2042, so a 10-year reauthorization would provide Congress time to reevaluate FirstNet one more time before any re-bid of the contract would take place.

Fifth and finally, any legislative changes should be consistent with maximizing the competitiveness of the recompetitiveness process at the end of the current 25-year contract.

I look forward to discussing these ideas today. I am happy to address any questions that the Subcommittee may have for me. Thank you.