

Appendix A

CHARTER

THE PUBLIC SAFETY NATIONAL COORDINATION COMMITTEE

A. Official Designation

The official designation of the advisory committee will be the "Public Safety National Coordination Committee" (National Coordination Committee or NCC).

The establishment of the NCC is pursuant to the action adopted by the Federal Communications Commission ("Commission") on August 6, 1998, and released on September 29, 1998. See The Development of Operational, Technical and Spectrum Requirements For Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010 and Establishment of Rules and Requirements For Priority Access Service, WT Docket No. 96-86, First Report and Order and Third Notice of Proposed Rule Making, FCC 98-191 (1998) ("First Report and Order").

The NCC will function as an advisory body according to procedures set forth in the Federal Advisory Committee Act, 5 U.S.C., App 2.

B. NCC Objectives and Scope of its Activity

In the First Report and Order, the Commission allocated spectrum in the 700 MHz band for public safety communications in an effort to meet the Nation's critical need for state-of-the-art communications systems and reliable interoperability between local, state and federal public safety authorities. The First Report and Order sought to provide a regulatory framework to (1) enable development of a national interoperability plan, (2) encourage intensive and efficient use of the frequencies 764-776/794-806 MHz (the 700 MHz band), (3) accommodate new and as yet unanticipated developments in technology and equipment; and (4) provide spectrum management and planning mechanisms necessary to develop multiple user public safety communications systems and local and regional interoperability systems that effectively incorporate all public safety services providers.

In accordance with the First Report and Order, the National Coordination Committee's major responsibilities will be to:

- 1) formulate and submit for Commission review and approval an operational plan to achieve national interoperability that includes a shared or priority system among users of the interoperability spectrum (i.e., spectrum in the 700 MHz band specifically designated for interoperability use as well as spectrum in other frequency bands so designated) for both day-to-day and emergency operations and, in this connection, recommendations regarding Federal Government users' access to the interoperability spectrum;

2) to recommend, no later than September 28, 2002, technical standards to achieve full interoperability and network integration, including digital modulation, trunking, and receiver standards, network redundancy/reliability and whatever other technical capabilities are found necessary to provide local, state and federal governments with an interoperable network to meet public safety needs into the next century. All technical standards recommendations are to be developed under the standard setting processes so accredited by the American National Standards Institute ("ANSI"). The NCC, or its designated subcommittee or working group, may incorporate proprietary data into such standards in accordance with ANSI procedures.

In developing its recommendations of voluntary technical standards for achieving interoperability, the NCC is required to monitor industry standard-setting activities, including those noted in paragraph 113 of the First Report and Order, and use the information learned in formulating its recommendation.

All NCC recommendations are advisory only and must be submitted to the Commission for review and approval. Because the NCC's recommendation will be developed through an ANSI-certified process, the Commission will not unnecessarily disturb technical standards recommended through this open and neutral process;

3) recommend to the Commission as soon as practicable, but in any event no later than one year of the date of filing this charter, whether the Commission should take action to require trunking on all or a portion of the nationwide interoperability spectrum is needed;

4) within one year of the date of filing this charter, formulate and submit for Commission review and approval a set of recommendations for the use of interoperability spectrum, including recommendations for Federal Government users' access, that will allow public safety licensees to make use of such spectrum until final rules are developed;

5) provide policy recommendations on an advisory basis to the regional planning committees in order to ensure the development of coordinated regional plans; and

6) provide recommendations on other technology, telecommunications and public policy matters that relate to the expedited planning and deployment of a nationwide interoperable and reliable public safety and emergency responsiveness network.

C. Period of Time Necessary for the NCC to Carry Out its Purposes

The NCC is expected to complete its work by September 28, 2002 unless the term of the Committee is expressly extended beyond that time by the Commission. The NCC will submit to the Commission quarterly reports on its progress toward the development of recommendations for technical and equipment standards and its other responsibilities within the scope set forth in Part B above. The first progress report must include the NCC's plan of

action and milestones for the development of each of its recommendations on standards within the four-year time frame, and will be due to the Commission within six months of the filing of this Charter. Subsequent updates will be due to the Commission every three months thereafter during the term of the NCC. All such reports will be routinely available for public inspection and duplicating unless the Commission, or the Chief of the Wireless Telecommunications Bureau acting on delegated authority, adopts an order to the contrary.

D. Official to Whom the NCC Reports

Chairman, Federal Communications Commission.

E. Agency Responsible for Providing Necessary Support to the NCC

The Federal Communications Commission will provide the necessary staff support for the NCC, including arranging the facilities needed for the conduct of the meetings of the NCC. Members of the NCC not employed by the Federal Government will serve without compensation from the Federal Government. However, per diem/subsistence reimbursement may be available to assist NCC participants in carrying out the tasks described in Part B.

F. Description of Duties for Which Committee is Responsible

The duties of the NCC will be to gather information and prepare analyses and recommendations concerning the matters listed in Part B above and provide them to the Commission according to the schedule submitted pursuant to Part C above, and within the time frame provided herein.

G. Estimated Annual Operating Costs in Staff Time and Dollars

The estimated annual staff time is four full-time employees for the Commission. The estimated annual operating costs to the Commission for support services provided to the NCC are \$48,600.00.

H. Estimated Number and Frequency of NCC Meetings

The NCC shall meet at least two times per year, and at such other times and at such intervals as the NCC decides. Work is authorized to be carried out by subcommittees, working groups, or task forces using correspondence, facsimile, and teleconferencing.

I. Organization

The NCC is authorized to create any subcommittees that may be necessary to fulfill the NCC's mission. In addition, the NCC is authorized to establish such operating procedures as required to support the group, consistent with the Federal Advisory Committee Act, as amended.

To obtain a broad range of representation, membership for the NCC will be solicited from

local, state and federal public safety agencies, including those individuals responsible for emergency responsiveness, planning, resource management and policy development. In addition, NCC membership also will be solicited from all elements of the manufacturing, technology, public policy, network reliability/design and service provider communities, including representatives with expertise in the planning and design of telecommunications networks that meet public safety and emergency responsiveness needs. Members will serve either as representatives of organizations or as experts in an individual capacity.

J. Charter Termination Date

This charter will terminate on December 24, 2000, prior to which date the Commission will review the work of the Committee and, if necessary seek renewal of this Charter for an additional two-year term. NCC business will be completed September 28, 2002 unless the term of the Committee is expressly extended beyond that time by the Commission.

K. Date Charter is Filed

December 24, 1998.

Please note: The NCC Charter is undergoing non substantive amendments which, among other things, will change the "Date Charter is Filed" to February 25, 1999, thereby to conform the date to that on which the General Services Administration recorded filing of the Charter.