

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendments to Part 4 of the Commission's	)	PS Docket No. 15-80
Rules	)	

**COMMENTS OF THE ALLIANCE FOR  
TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

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## Summary

ATIS supports the Commission's efforts to aid in restoral of communications services that help save lives. However, ATIS does not believe that the sharing of NORS reports will generally accomplish this purpose. Moreover, some NORS fields may contain confusing and/or sensitive information that should not be shared with states. ATIS agrees that eligible agencies should be able to obtain access to DIRS filings for personnel with a "need to know," but only under established, secure processes that ensure access to such information does not compromise the security of communications networks or pose a risk of competitive harm to the industry. A one-year trial is recommended for state access to test state access requirements and allow state agencies "hands-on" access to federal outage data.

ATIS strongly supports the Commission's proposals to condition a participating agency's direct access to such data on the agency agreeing to treat the filings as confidential and recommends that the Commission require participating agencies to notify the Commission within 14 calendar days of receiving: (1) requests from third parties for NORS and DIRS filings, or related records; and/or (2) requests to share NORS and DIRS data with local agencies. ATIS further recommends that, upon receipt of such notifications, the Commission should notify NORS or DIRS filers to allow them sufficient opportunity to provide input. To further enhance confidentiality, ATIS strongly supports the Commission's proposals that participating agencies be granted direct access to NORS and DIRS filings only in a read-only manner and recommends that the Commission, and not participating agencies, be responsible for producing aggregated reports that will be made available to the public.

ATIS does not believe that confidential federal outage reporting information should be shared "downstream" but should be limited to those in the participating agency that have been specifically identified by the agency and have received appropriate training. If the Commission nonetheless allows confidential data to be shared, it should require participating agencies to: (1) notify the Commission and affected service providers to whom and on what basis confidential data is to be shared; and (2) destroy all records when the public safety event that warrants their access to the information has concluded or within 12 months, whichever comes first.

Should an agency misuse or otherwise inappropriately share confidential outage data, ATIS recommends that it should be required to immediately notify the Commission. The Commission should, at a minimum, require the agency to recertify with the Commission that it has retaken the compliance training program and to describe what other measures the agency has taken to prevent recurrence. If any subsequent misuse occurs, more significant steps should be taken, including loss of access to federal outage data.

ATIS believes that state access should be limited to outage reports pertaining to events occurring within that state. Before access to these reports would be granted, ATIS would welcome the opportunity to work with the Commission to enhance how multistate events are reported. ATIS also does not believe that it is necessary to provide access to filings made before an agency has been granted access. However, should access to such reports be made available, reasonable limits on this access should be established (i.e., limiting access to final reports filed no earlier than 90 days prior).

Finally, ATIS supports the proposed training requirements and is willing assist with development of a training program. ATIS also supports the proposed procedures by which agencies could request access to federal outage data but recommends small changes to the proposed Certification Form.

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**COMMENTS OF THE ALLIANCE FOR  
TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS) hereby submits these comments in response to the *Second Further Notice of Proposed Rulemaking (Second FNPRM)* released March 2, 2020, in the above-referenced docket. ATIS urges the Commission to consider the clarifications and safeguards recommended below to protect sensitive outage data.

**I. BACKGROUND**

ATIS is a global standards development and technical planning organization that develops and promotes worldwide technical and operations standards for information, entertainment, and communications technologies. ATIS’ diverse membership includes key stakeholders from the Information and Communications Technologies (ICT) industry – wireless, wireline, and VoIP service providers, equipment manufacturers, broadband providers, software developers, consumer electronics companies, public safety agencies, and internet service providers. ATIS is also a founding partner and the North American Organizational Partner of the Third Generation Partnership Project (3GPP), the global collaborative effort that has developed the Long Term Evolution (LTE) and LTE-Advanced wireless specifications. Nearly 600 industry

subject matter experts work collaboratively in ATIS' open industry committees and incubator solutions programs.

ATIS' Network Reliability Steering Committee (NRSC) was formed in 1993 at the recommendation of the Commission's first Network Reliability and Interoperability Council. The NRSC strives to improve network reliability by providing timely consensus-based technical and operational expert guidance to all segments of the public communications industry. The NRSC addresses network reliability improvement opportunities in an open environment and advises the communications industry through the development of standards, technical requirements, reports, bulletins, best practices, and annual reports. The NRSC is comprised of industry experts with primary responsibility for examining, responding to, and mitigating service disruptions for communications companies. The NRSC also collaborates with public safety associations. NRSC participants are the industry subject matter experts on communications network reliability and outage reporting.

## **II. COMMENTS**

### **A. Sharing Network Outage Reporting System (NORS) and Disaster Information Reporting System (DIRS) Data**

In the *Second FNPRM*, the Commission notes its belief that subject to appropriate safeguards, giving qualified state and federal agencies NORS access would help restore affected communications and ultimately help save lives.<sup>1</sup> While ATIS NRSC supports efforts that aid in restoral of communications services and that help save lives, it believes that sharing of NORS reports will generally not serve such purposes. To the extent that specific NORS reports are not relevant to public safety, these reports should not be shared with state agencies. For example, sympathy reports, reports related to simplex events, and special offices and facilities

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<sup>1</sup> *Second FNPRM* ¶18.

Telecommunications Service Priorities (TSP) 1 and 2<sup>2</sup> provide no relevant public safety information and should therefore not be shared with state agencies. ATIS NRSC also believes that some fields in NORS contain information that should not be shared with agencies. For example, the data in the contact information field could cause confusion because this information likely will not reflect the appropriate contacts for state agency questions. Other fields that may contain sensitive or confusing information include:

- Cause codes;
- Contributing factors;
- Applicable best practices fields;
- Date and time determined reportable;
- Lack of diversity;
- Name and type of failed equipment; and
- Specific part of network involved.

Therefore, ATIS NRSC recommends that NORS reports released to state agencies exclude these fields.

The Commission also proposes sharing DIRS filings with eligible state and federal agencies, noting that it believes that the sharing of this data with these agencies would help them better direct limited resources to areas of greatest need, thereby enhancing communications response and recovery efforts.<sup>3</sup> ATIS NRSC agrees that eligible state and federal agencies may obtain access to DIRS filings for personnel with a “need to know” (*see infra* at 4-5), but only under established, secure processes that ensure access to such information does not compromise the security of communications networks or pose a risk of competitive harm to the industry.

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<sup>2</sup> Under Appendix A to Part 64 of the Commission’s rules, TSP priorities 1 and 2 apply only Essential TSP Subcategories A (National Security Leadership) and B (National Security Posture and U.S. Population Attack Warning). Appendix A to Part 64 - Telecommunications Service Priority (TSP) System for National Security Emergency Preparedness (NSEP), Section 12 (c)(1) and (2).

<sup>3</sup> *Second FNPRM* ¶19, 20.

## **B. Eligible Agencies**

The Commission proposes in the *Second FNPRM* that direct access to NORS and DIRS be limited to agencies acting on behalf of the federal government, the fifty states, the District of Columbia, Tribal Nation governments, and United States territories that “reasonably require” access to the information in order to prepare for, or respond to, an event that threatens public safety, pursuant to its official duties (i.e., agencies with a “need to know”).<sup>4</sup> ATIS recommends that the Commission provide greater clarity around what and how to determine when agencies “reasonably require” access to NORS or DIRS data.

Correctly defining who has a “need to know” is particularly important given this threshold will not only be used by the Commission in determining which agencies will be granted access but also by state agencies in determining which local agencies – and specific personnel within those agencies – will be granted access.<sup>5</sup> In addition to providing greater clarity about what would and would not qualify as a “need to know,” ATIS also believes that the Commission should receive notification when a state agency intends to share data with local agencies, an explanation of why the local agency has a “need to know” and whether the agencies intend to share all data with the local agencies or only a limited subset thereof. ATIS believes that the Commission should not leave it entirely in the hands of state agencies to determine whether a local agency has a “need to know” and should ensure that agencies are carefully targeting information-sharing to minimize the possibility of misuse or unauthorized access and distribution. Preferably, agencies with direct access to NORS and DIRS would inform the Commission with whom they may plan to share information well in advance of a NORS or DIRS event as part of their ongoing planning processes. The Commission could then seek input from

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<sup>4</sup> *Second FNPRM* ¶23.

<sup>5</sup> *Second FNPRM* ¶24.

filers and provide them with the chance to provide feedback, including the right to object, prior to any information sharing.

The Commission also proposes that agencies may only use NORS and DIRS data for public safety purposes.<sup>6</sup> ATIS NRSC strongly agrees with this proposal but urges the Commission to better define what public safety purposes would justify access to outage data. Without greater clarity, participating agencies may take an overly broad view of what constitutes public safety and impermissibly creep into other areas distinct from public safety. An acceptable public safety purpose also may depend on whether the agency is seeking access either to NORS or to DIRS data. It may be appropriate, for example, to limit access to NORS data to situations that impose a direct risk to public safety and security (i.e. saving lives) while access to DIRS data could be based on a showing of a need for situational awareness during a disaster. An acceptable public safety purpose would not be present, for example, for regulatory advocacy by state or local agencies or comparing of outage data among service providers.

ATIS NRSC suggests that the Commission first establish a trial for state access. A one-year trial would allow the Commission and the trial participants to test state access requirements and allow state agencies “hands-on” access to data from NORS and DIRS so that they may understand what data is reported, who may need access to the data, when it will be reported, and the difference between NORS and DIRS data. ATIS NRSC is concerned that, without concerted educational efforts, some states may not value or have appropriate expectations about what is and is not reported in NORS and DIRS. This creates a risk that efforts could be taken to either repurpose or expand NORS and DIRS. A trial will allow state agencies to determine if raw data will meet their needs, or if an aggregated view would be more useful.

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<sup>6</sup> *Second FNPRM* ¶23.

### C. Confidentiality

In the *Second FNPRM*, the Commission proposes to condition a participating agency's direct access to NORS and DIRS filings on the agency agreeing to treat the filings as confidential and not disclose them absent a finding by the Commission that allows them to do so.<sup>7</sup> The Commission further proposes that participating agencies that seek to disclose information would request the Commission's review, which would occur in the same manner that the Commission reviews requests for disclosure under the *Freedom of Information Act*.<sup>8</sup> ATIS NRSC strongly supports these proposals. Unauthorized sharing of this data raises the same concerns as it did when the Commission first mandated NORS submissions.<sup>9</sup>

ATIS also agrees with the Commission that the unauthorized disclosure of the NORS information, or of voluntarily submitted DIRS information, could make those who submit outage data less forthright in their submission, particularly if they believe that the unauthorized disclosure could create a likelihood of substantial competitive harm or harm to the nation's infrastructure.<sup>10</sup> ATIS recommends that the Commission share the agencies' requests for review with all service providers doing business in that state and allow these providers to provide input to the Commission about this request. This process could be similar to the process the Commission proposes for review of requests received by states for access to confidential data.<sup>11</sup> ATIS therefore recommends that the Commission require state and federal agencies to notify the

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<sup>7</sup> *Second FNPRM* ¶31.

<sup>8</sup> *Second FNPRM* ¶31.

<sup>9</sup> As the Commission noted in its *Report and Order* adopting its NORS reporting requirements, "[t]his data, though useful for the analysis of past and current outages in order to increase the reliability and security of telecommunications networks in the future, could be used by hostile parties to attack those networks, which are part of our Nation's critical information infrastructure. The disclosure of outage reporting information to the public could present an unacceptable risk of more effective terrorist activity." *Report and Order*, ET Docket No. 14-35 (released August 19, 2004) at ¶3.

<sup>10</sup> *Second FNPRM* ¶30.

<sup>11</sup> *Second FNPRM* ¶33.

Commission within 14 calendar days of receiving: (1) requests from third parties for NORS and DIRS filings, or related records; and/or (2) requests to share DIRS and NORS data with local agencies. ATIS NRSC further recommends that, upon receipt of such notifications, the Commission should notify NORS or DIRS filers to allow them sufficient opportunity (i.e., no less than 14 days) to object or provide other input.

The *Second FNPRM* also proposes that state and federal agencies notify the Commission at least 30 calendar days prior to the effective date of any change in relevant statutes or rules that would affect the agency's confidentiality protections so that the Commission has an opportunity to determine whether to terminate an agency's access to NORS or DIRS filings or take other appropriate steps as necessary.<sup>12</sup> ATIS NRSC supports this proposal but recommends that the Commission also require these agencies to notify service providers that have filed reports that may be affected by the change in law so that they can review and provide input as it is the service providers' confidential data that is being protected. Finally on this topic, ATIS NRSC members also urge the Commission to provide additional information about the minimum requirements of a state statute and how it will evaluate the adequacy of state statutes/regulations and any changes thereto, with the goal of ensuring that the nation's communications infrastructure is not compromised.

#### **D. Proposed Safeguards**

##### **i. Read only Access**

The Commission proposes that participating state and federal agencies be granted direct access to NORS and DIRS filings in a read-only manner.<sup>13</sup> ATIS NRSC supports this proposal and urges the Commission to further require that the data be displayed in a "read-only" format

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<sup>12</sup> *Second FNPRM* ¶33.

<sup>13</sup> *Second FNPRM* ¶34.

that cannot be easily copied. ATIS NRSC also recommends that the Commission consider using software that would limit opportunities to convert this data from the intended read-only manner. To further protect this confidential data, ATIS NRSC also recommends that authorized state agencies access this data only through unique logins and passwords.

The Commission proposes granting participating agencies access to NORS and DIRS filings made after the effective date of this proposed information sharing framework, even if the agency begins its participation at a later date.<sup>14</sup> While ATIS NRSC does not believe that it is necessary to provide access to filings made before a state has been granted access, should access to prior reports be made available, ATIS NRSC recommends that the Commission establish reasonable limits on access to past reports. ATIS NRSC believes that limiting access to past reports filed no earlier than 90 days prior would satisfy the Commission's objectives of: (1) preparing for a response to a disaster; (2) providing reliable and timely outage information; and (3) improving situational awareness to enhance their ability to respond more quickly to outages impacting their communities, and helping save lives, while also preserving the confidentiality of this data. Moreover, limiting access to past reports filed within a 90-day window would allow the agency to focus on more relevant issues while safeguarding sensitive information. Should additional NORS/DIRS data be needed, participating agencies may request access to historical reports from the Commission upon a showing of reasonable necessity. ATIS NRSC recommends that the Commission inform the industry when an agency has requested access so that the industry can be aware of what reports can be accessed by the states and provide an opportunity for industry to object to said access.

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<sup>14</sup> *Second FNPRM* ¶35.

ATIS NRSC also believes that the Commission should limit historical access to final reports. This will give agencies access to the final and most comprehensive data pertaining to recent incidents, while limiting access to data in notification and initial reports that may have been superseded or no longer accurate.

**ii. Sharing of Confidential Information**

The Commission proposes to allow individuals granted credentials for direct access to NORS and DIRS filings to share copies (e.g., printouts) of filings, in whole or part, and any confidential information derived from the filings, within or outside their participating agency, on a strict “need to know” basis and for public safety purposes only.<sup>15</sup> As noted above, ATIS NRSC supports limiting the sharing of federal outage data, in any form, to public safety purposes only. However, there are unique factors associated with the availability of printouts that must be considered before the Commission should permit the sharing of such documents. For example, the Commission should establish a time limit (maximum of 1 year) on how long a printout may be maintained. Moreover, to the extent that printouts are permitted, ATIS NRSC believes that the Commission should include notification in headers, footers and/or a watermark that would be visible on all NORS and DIRS printouts informing readers that the information in the document may be shared only with authorized users with a “need to know,” “only for public safety purposes,” and subject to compliance with relevant confidentiality laws and procedures. This notice should also note that any other distribution or use is prohibited, including sharing with the general public and/or with media outlets.

The Commission in the *Second FNPRM* proposes that the sharing of confidential NORS and DIRS information be allowed with others who also have a “need to know.”<sup>16</sup> ATIS NRSC

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<sup>15</sup> *Second FNPRM* ¶37.

<sup>16</sup> *Second FNPRM* ¶38.

does not believe that confidential federal outage reporting information should be shared “downstream” but should be limited to those in the participating agency that have been specifically identified by the agency and have received appropriate training.

If the Commission nonetheless allows confidential data to be shared, it should require participating agencies to: (1) notify the Commission and affected service providers to whom and on what basis confidential data is to be shared; and (2) destroy all records when the public safety event that warrants their access to the information has concluded or within 12 months, whichever comes first. ATIS NRSC notes that the Commission also proposes that participating agencies be responsible for inappropriate disclosures of NORS and DIRS information by the non-participating agencies with which they share it and expect that participating agencies will take all necessary steps to have assurance that confidentiality will be preserved.<sup>17</sup> ATIS NRSC supports this proposal, but recommends participating agencies be required to also notify the Commission of such breaches.

To ensure that non-participating agencies maintain the confidentiality of NORS and DIRS information, ATIS NRSC supports the Commission’s proposals to require participating agencies to: (1) condition access to this information on non-participating agencies’ certification that it will treat the information as confidential and not disclose it; and (2) securely destroy information when the public safety event that warrants their access to the information has concluded.<sup>18</sup>

### **iii. Disclosing Aggregated Information**

The Commission proposes to allow agencies to provide aggregated NORS and DIRS information to any entity including the broader public (e.g., by posting such information on a

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<sup>17</sup> *Second FNPRM* ¶38.

<sup>18</sup> *Second FNPRM* ¶38.

public website).<sup>19</sup> ATIS NRSC believes that the Commission should be responsible for producing aggregated reports that will be made available to the public, consistent with the Commission's existing practices. Under existing practices, the Commission produces quarterly reports on aggregated NORS data and makes available aggregated DIRS data during disasters as appropriate. The Commission's daily public reports during a DIRS activation provide aggregated information for all wireline providers in the state (including ILECs, CLECs, and cable providers) and separately for wireless carriers (i.e., the number of cell sites out of service in the relevant counties). To provide more useful information, ATIS NRSC recommends that the quarterly NORS reports be modified to give state-level analysis to the participating state agency.

The Commission asks whether it should adopt specific measures to ensure that, as a condition of access to NORS and DIRS filings and information, participating agencies adequately aggregate and anonymize the information in outage filings and information prior to disclosure, and what should be the consequences if these measures are not followed.<sup>20</sup> As noted above, aggregate NORS information should not be released to the public by a participating agency; if the agency wants to make aggregated DIRS information available, it should refer interested parties to the Commission's website that publishes this information during a DIRS event on a daily basis.

ATIS NRSC recommends that, should an agency misuse or otherwise inappropriately share confidential outage data, it should immediately notify the Commission and any provider whose confidential data was improperly used or released. If this is a first "violation," the Commission also should, at a minimum, require the agency to recertify with the Commission that it has retaken the compliance training program and to describe what other measures the agency

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<sup>19</sup> *Second FNPRM* ¶44.

<sup>20</sup> *Second FNPRM* ¶46.

has taken to prevent recurrence. For a second violation, more significant steps would be necessary to protect confidential data. ATIS NRSC proposes that, if a second instance occurs in which an agency misuses or inappropriately shares confidential data, the agency (and all representatives granted access by that agency) would lose access to NORS and DIRS data for a period of time. If the agency seeks to restore access, it should be required to explain in writing the steps it has taken to ensure and monitor future compliance and it must fully complete the registration process and training programs.

#### **iv. Jurisdictional Data**

In the *Second FNPRM*, the Commission proposes that a participating agency receive direct access to all NORS notifications, initial reports, and final reports and all DIRS filings for events reported to occur at least partially in their jurisdiction, explaining that, for state agencies, this would allow access to events reported to occur at least partially in the state's geographic boundaries.<sup>21</sup> Presently, NORS reporting for multistate events does not break out the specific states involved in a particular event. ATIS NRSC members would like to work with Commission to address this and enhance how multistate events are reported. This work could result in further changes to multistate outage reporting. Until that time, however, ATIS thinks it would be premature to permit the sharing of data from multistate events with state agencies.<sup>22</sup>

ATIS opposes the alternative approach suggested by the Commission that, instead of modifying the NORS form, it could require filers to submit several state-specific filings instead of submitting single aggregated filings for each outage that list all affected states.<sup>23</sup> ATIS is concerned about the additional burden this would create for filers, both from a resource and from

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<sup>21</sup> *Second FNPRM* ¶47.

<sup>22</sup> ATIS does not believe that notifications or initial reports will necessarily provide useful information. ATIS therefore would support limiting participating agency access to final reports.

<sup>23</sup> *Second FNPRM* ¶53.

a logistical perspective as automated systems would need to be updated to accommodate any changes.

The Commission proposes to change its NORS form to allow users to select more than one state when submitting a NORS filing.<sup>24</sup> ATIS supports this effort and notes that the Commission should also seek to enhance NORS and DIRS to incorporate read-only software and to include appropriate notices regarding use and confidentiality of printouts. ATIS NRSC would welcome the opportunity to review these changes in advance of their implementation.

**v. Limiting Number of Users**

The Commission proposes to presumptively limit the number of user accounts granted to a participating agency to five NORS and DIRS accounts per state or federal agency with additional accounts permitted on an agency's reasonable showing of need.<sup>25</sup> An agency would then assign each user account to a unique employee and manage the process of reassigning user accounts as its roster of employees changes.<sup>26</sup> ATIS supports these proposals but requests that the Commission require states to certify to and receive training on the need to appropriately manage their accounts to ensure that access is revoked once an individual leaves the agency or assumes a new position for which access is not necessary. ATIS further recommends that the Commission require states to conduct an internal audit every six months (perhaps April and November of each year to coincide with the beginning and end of hurricane season) of individuals with access to determine whether these accounts are still necessary and to require personnel to regularly update passwords;<sup>27</sup> the results of this audit should be shared with the Commission.

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<sup>24</sup> *Second FNPRM* ¶52.

<sup>25</sup> *Second FNPRM* ¶54.

<sup>26</sup> *Second FNPRM* ¶54.

<sup>27</sup> ATIS NRSC notes that many members are required to update passwords quarterly or more frequently.

The Commission notes that it will consider written requests to increase an agency's number of employees requiring access and to grant such requests upon an agency's reasonable showing of need.<sup>28</sup> ATIS NRSC believes that the Commission should better define what a "reasonable showing of need" would entail.

For each participating agency, the Commission proposes that each individual to be granted a user account for direct access to NORS and DIRS filings be required to complete, before initial access and then at least annually thereafter, security training on the proper access to, use of, and compliance with safeguards to protect these filings.<sup>29</sup> ATIS NRSC supports these proposals but, in light of the importance of protecting this data, would recommend that participating agencies be required to complete training every six months.

The Commission proposes to allow agencies to develop their own training program or rely on an outside training program that covers, at a minimum, each of the following topics or "program elements:" (a) procedures and requirements for accessing NORS and DIRS filings; (b) parameters by which agency employees may share confidential NORS and DIRS information; (c) initial and continuing requirements to receive trainings; (d) notification that failure to abide by the required program elements will result in personal or agency termination of access to NORS and DIRS filings and liability to service providers and third-parties under applicable state and federal law; and (e) notification to the Commission, at its designated e-mail address, concerning any questions, concerns, account management issues, reporting any known or reasonably suspected breach of protocol and, if needed, requesting service providers' contact information upon learning of a known or reasonably suspected breach.<sup>30</sup> ATIS NRSC supports

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<sup>28</sup> *Second FNPRM* ¶56.

<sup>29</sup> *Second FNPRM* ¶59.

<sup>30</sup> *Second FNPRM* ¶60.

the proposed training program and required program elements and recommends that the training specifically provide guidance on:

- (1) The purpose of NORS and DIRS;
- (2) Appropriate use of confidential and aggregated data;
- (3) Who would be deemed to have a “need to know;”
- (4) What would qualify as a public safety purpose;
- (5) Proper distribution and use of printouts, including a requirement that users not delete the notification proposed by ATIS informing readers that the information in the document may be shared only with authorized users with a “need to know,” only for public safety purposes, etc.; and
- (6) The requirement that, should there be a known or suspect breach as noted above, the party whose data was breached must be immediately notified.

ATIS also urges the Commission to consider reviewing and formally approving all training programs to ensure that they are effective and address all relevant issues.

The Commission proposes to direct PSHSB to identify one or more exemplar training programs that would satisfy the required program elements and notes that ATIS NRSC has offered to develop such a program in a matter of “months” once the Commission issues information sharing rules.<sup>31</sup> ATIS NRSC would be happy to assist with development of a training program. To accomplish this, ATIS NRSC would work collaboratively with other associations so that this training would be completed within a reasonable time after the release of the final rules. ATIS strongly recommends that no sharing of NORS or DIRS data be permitted until this training program has been developed and that anyone who receives confidential NORS and DIRS information, including downstream recipients, should be required to complete formal training.

#### **E. Procedures**

The Commission also proposed procedures by which agencies can request access to NORS and DIRS. As proposed in the *Second FNPRM*, eligible state and federal agencies

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<sup>31</sup> *Second FNPRM* ¶62.

requests must include: (1) a signed statement from an agency official, on the agency's official letterhead, including the official's full contact information and formally requesting access to NORS and DIRS filings; (2) a description of why the agency has a need to access NORS and DIRS filings and how it intends to use the information in practice; (3) if applicable, a request to exceed the proposed presumptive limits on the number of individuals (i.e., user accounts) permitted to access NORS and DIRS filings with an explanation of why this is necessary and (4) a completed copy of a Certification Form.<sup>32</sup> ATIS NRSC supports these procedures and urges the Commission to caution states that they must actively manage the process of reassigning user accounts<sup>33</sup> to ensure that access is disabled for any changes in personnel.

### III. CONCLUSION

ATIS appreciates the opportunity to provide its input to the *Second FNPRM* and urges the Commission to consider the recommendations above.

Respectfully submitted,



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<sup>32</sup> *Second FNPRM* ¶65.

<sup>33</sup> *Second FNPRM* ¶54. ATIS believes that the Certification Form should also be modified to specifically require agencies to certify that they have “need to know” this information and that they agree to use this information only for public safety purposes. The Certification Form should also be modified to avoid confusion by clarifying in the opening paragraph that state agencies may get access only to reports for that state and cannot request nationwide filings. One way to achieve this would be replace the bracketed language with “[for state agencies, name of state; for federal agencies, name of state or nationwide].”