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# **Audit of FirstNet Authority's Oversight of Service Availability for the Nationwide Public Safety Broadband Network**

REPORT NO. OIG-26-015-A

April 9, 2026

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U.S. Department of Commerce  
Office of Inspector General  
Office of Audit and Evaluation





April 9, 2026

**MEMORANDUM FOR:** Olivia J. Bradley  
Senior Procurement Executive and Director of Acquisition  
Management  
Office of the Secretary

Arielle Roth  
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Information Administrator  
National Telecommunications and Information Administration

Michael A. Cannon  
Executive Director and Chief Executive Officer  
First Responder Network Authority

*Arthur L. Scott, Jr.*

**FROM:** Arthur L. Scott, Jr.  
Assistant Inspector General for Audit and Evaluation

**SUBJECT:** *Audit of FirstNet Authority's Oversight of Service Availability for  
the Nationwide Public Safety Broadband Network*  
Report No. OIG-26-015-A

Attached is the final report on our audit of FirstNet Authority's ability to ensure that the Nationwide Public Safety Broadband Network achieved service availability requirements. FirstNet Authority reviewed a draft of this report and at its request, we have redacted certain business-sensitive information and/or information otherwise protected from disclosure from the public version of this report. When the attachment is removed, this document is Uncontrolled Unclassified Information. We will post the report on [our website](#) per the Inspector General Act of 1978, as amended (5 U.S.C. §§ 404, 420).

Within 60 calendar days, please provide an action plan addressing the report's recommendations, as required by Department Administrative Order 213-5.

We appreciate your staff's cooperation and professionalism during this audit.

Attachment





## Audit of FirstNet Authority's Oversight of Service Availability for the Nationwide Public Safety Broadband Network

Audit Report OIG-26-015-A

April 9, 2026

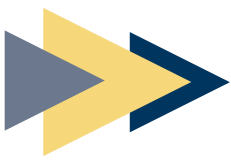
➤ **What We Audited** | Our objective was to determine whether the First Responder Network Authority (FirstNet Authority) is ensuring that the Nationwide Public Safety Broadband Network (NPSBN) is achieving service availability requirements.

➤ **Why This Matters** | The terrorist attacks of September 11, 2001, highlighted the communication challenges first responders face during emergencies. To address these challenges and improve coordination, the Middle Class Tax Relief and Job Creation Act of 2012 established FirstNet Authority within the National Telecommunications and Information Administration (NTIA). The act requires FirstNet Authority to establish a communication network (NPSBN) dedicated to first responders. Public safety users rely on the NPSBN to communicate with other emergency responders, dispatchers, and the public to respond to incidents. Without consistent service availability, public safety users may not be able to communicate or obtain information quickly to make timely mission-critical decisions.

➤ **What We Found** | Overall, FirstNet Authority did not ensure that the NPSBN met service availability requirements. We found that FirstNet Authority did not adequately assess contractor performance to ensure that AT&T achieved service availability requirements. Specifically,

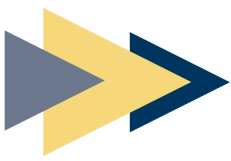
- FirstNet Authority's approach to measuring service availability fails to provide a comprehensive assessment, covering only a fraction of cell sites and of the NPSBN's approximately 3-million-square-mile coverage footprint.
- FirstNet Authority did not ensure that contractor-provided information was reliable and accurate and that contract requirements were met.
- FirstNet Authority did not verify that service availability requirements were met for the Pacific territories.

➤ **What We Recommend** | We made four recommendations to NTIA aimed at strengthening the assessment of service availability and improving oversight to ensure that contractor-provided information is accurate and reliable and that service availability contract requirements are met. NTIA concurred with our recommendations.



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## Introduction

The terrorist attacks of September 11, 2001, highlighted the communication challenges first responders face during emergencies. To address these challenges and improve coordination, the Middle Class Tax Relief and Job Creation Act of 2012 established the First Responder Network Authority (FirstNet Authority) as an independent authority within the National Telecommunications and Information Administration (NTIA).<sup>1</sup> The act requires FirstNet Authority to:

- Establish a communication network, called the Nationwide Public Safety Broadband Network (NPSBN), dedicated to first responders
- Ensure nationwide standards are met for use and access to the network
- Ensure the safety, security, and resiliency of the network
- Monitor the management and operation of the network<sup>2</sup>

In March 2017, FirstNet Authority signed a 25-year contract with AT&T to construct and operate the NPSBN. Through the contract, AT&T uses Band 14 to provide NPSBN services to public safety users. The NPSBN contract lists multiple objectives from the government’s perspective, and the objectives are nationwide in scope. These objectives ensure that the NPSBN operates as a nationwide, interoperable network, guaranteeing seamless interoperability for each of the 56 states and territories.

### ► Service Availability Requirements

One objective of the contract, “user service availability,”<sup>3</sup> is to provide a broadband service with 99.99 percent availability. Specifically, the contract requires the contractor to (1) implement a high-availability, high-performance NPSBN for FirstNet Authority that meets a 99.99 percent, end-to-end service availability nationwide standard for the continental United States, Hawaii, Puerto Rico and the U.S. Virgin Islands and (2) provide a service availability report quarterly that contains a metric that addresses when long-term evolution<sup>4</sup> (LTE) service is available nationally with an acceptable performance level of 99.99 percent. The service availability metric measures the percentage of successful LTE

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<sup>1</sup> See Pub. L. No. 112-96, §§ 6202, 6204 (codified at 47 U.S.C. §§ 1422, 1424).

<sup>2</sup> Pub. L. No. 112-96, § 6206 (codified at 47 U.S.C. § 1426).

<sup>3</sup> The contract defines “availability” as the degree to which a system, subsystem, or equipment is operable and in a committable state when needed, except for outages due to planned maintenance; a measure of how well a computer network can respond to the connectivity and performance demands placed on it.

<sup>4</sup> LTE is a standard for wireless communication commonly marketed as “4G LTE.”

attachment attempts or the successful usage of LTE service. The measurement is derived using [REDACTED] LTE probes, which are devices that attempt to connect and transmit data to and from the network on regular intervals, located in [REDACTED] in areas selected based on criteria in the quality assurance surveillance plan (QASP). A QASP describes how to identify and monitor acceptable levels of performance by establishing a framework for evaluating whether the contractor is properly managing quality control actions (including risk identification and mitigation) to meet contract terms. Within FirstNet Authority’s contract with AT&T, the QASP establishes guidelines for FirstNet Authority to assess and evaluate the contractor, based on performance metrics and standards.

For the three Pacific territories (American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands), the contract includes a service availability objective of [REDACTED] percent. To provide perspective, table 1 illustrates the maximum nationwide annual outage time for different levels of availability ranging from 99.999 percent to 90 percent.

Table 1. Examples of Maximum Allowable Annual Outage Times

<b>Service Availability</b>	<b>Days</b>	<b>Hours</b>	<b>Minutes</b>
99.999%	0	0	5
99.99%	0	0	53
99.9%	0	8	46
99%	3	15	36
95%	18	6	0
90%	36	12	0

Source: Office of Inspector General (OIG)-created based on allowable downtime for different levels of service availability

Note: This table is based on a 365-day year and 24-hour day, does not consider planned maintenance or other exclusions, and is rounded to the nearest minute.

Public safety users across the United States need a reliable communication network when responding to emergencies, and the long-term success of the NPSBN relies on FirstNet Authority’s oversight of the network to ensure it meets users’ needs effectively and efficiently.

## ➤ Ongoing Oversight Deficiencies from Our Prior Reports

We have reported on the NPSBN as a top management challenge for the U.S. Department of Commerce for fiscal years (FYs) 2017 through 2025.<sup>5</sup> Our prior audit reports have also identified issues with FirstNet Authority’s oversight of AT&T’s contract performance.<sup>6</sup> Deficiencies in FirstNet Authority’s contract administration, including weaknesses in contract oversight and inconsistent adherence to federal and departmental regulations, remain ongoing challenges. Many of these issues continue to exist and relate directly to our findings in this report. For example, in our recent assessment of FirstNet Authority’s NPSBN services during the August 2023 Maui wildfires, we found that FirstNet Authority did not have comprehensive oversight in place to identify data integrity issues and ensure accurate reporting.<sup>7</sup> In addition, several of our recent reports noted the contract’s guidelines for assessing contractor performance were insufficient.<sup>8</sup> Until FirstNet Authority puts in place a sufficient surveillance plan and appropriate performance measures for the contract, it will continue to put the NPSBN program—and the billions of dollars that fund it—at risk.

## ➤ Objective

Our audit objective was to determine whether FirstNet Authority is ensuring that the NPSBN is achieving service availability requirements. Appendix 1 provides a more detailed description of our scope and methodology.

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<sup>5</sup> See Commerce OIG’s *Top Management and Performance Challenges Facing the Department of Commerce* reports for (1) FY 2017: September 30, 2016, [OIG-16-049](#), 2-5; (2) FY 2018: September 29, 2017, [OIG-17-033](#), 17-20; (3) FY 2019: November 14, 2018, [OIG-19-004](#), 11-14; (4) FY 2020: October 16, 2019, [OIG-20-001](#), 11-14; (5) FY 2021: October 15, 2020, [OIG-21-003](#), 12-14; (6) FY 2022: October 14, 2021, [OIG-22-001](#), 36-38; (7) FY 2023: October 13, 2022, [OIG-23-001](#), 26-29; (8) FY 2024: October 12, 2023, [OIG-24-002](#), 32-34; and (9) FY 2025: October 16, 2024, [OIG-25-001](#), 22-23.

<sup>6</sup> Corrective action plans and recommendation closures related to reported deficiencies are subject to OIG’s audit resolution process. FirstNet Authority is actively working with NTIA and OIG to address unresolved recommendations.

<sup>7</sup> Commerce OIG. December 5, 2024. *Nationwide Public Safety Broadband Network Was Not Always Available to First Responders During the Catastrophic 2023 Maui Wildfires*, [OIG-25-004-A](#).

<sup>8</sup> Commerce OIG. March 1, 2023. *FirstNet Authority Failed to Provide Adequate Contract Oversight for Its Initial Two Reinvestment Task Orders*, [OIG-23-012-A](#). Commerce OIG. June 5, 2024. *FirstNet Authority’s Lack of NPSBN Contract Oversight for Coverage Puts at Risk First Responders’ Ability to Serve the Public Effectively*, [OIG-24-026-A](#). Commerce OIG. June 12, 2024. *FirstNet Authority’s Lack of Contract Oversight for Device Connection Targets Puts the NPSBN at Risk of Impacting First Responders’ Use of the Network*, [OIG-24-027-A](#).



## Findings and Recommendations

**Summary:** Overall, FirstNet Authority did not ensure that the NPSBN met service availability requirements. We found that FirstNet Authority did not adequately assess contractor performance to ensure that AT&T achieved service availability requirements. Specifically,

- FirstNet Authority’s approach to measuring service availability fails to provide a comprehensive assessment, covering only a fraction of cell sites and of the NPSBN’s approximately 3-million-square-mile coverage footprint.
- FirstNet Authority did not ensure that contractor-provided information was reliable and accurate and that contract requirements were met.
- FirstNet Authority did not verify that service availability requirements were met for the Pacific territories.

As a result, our nation’s first responders’ safety and ability to perform their critical mission could be jeopardized. For example, first responders may lack access to reliable data and voice services, affecting response times and coordination, and may face service disruptions, affecting real-time communication in crises. Additionally, the lack of reliable broadband access can hinder response coordination, particularly during natural disasters and security threats.

### ➤ **FirstNet Authority’s Approach to Measuring Service Availability Fails to Provide a Comprehensive Assessment, Covering Only a Fraction of Cell Sites and of the NPSBN’s Approximately 3-Million-Square-Mile Coverage Footprint**

The NPSBN contract states that the contractor must implement a high-availability, high-performance NPSBN for FirstNet Authority that meets a 99.99 percent end-to-end service availability standard. To provide a perspective on the magnitude of the communication network that must be assessed and evaluated, the contract requires a buildout of

approximately [REDACTED] Band 14 cell sites. AT&T states that the initial buildout provides coverage of over 2.97 million square miles.<sup>9</sup>

To measure the 99.99 percent service availability, FirstNet Authority uses [REDACTED] probes, which are devices that:

- Attempt to connect (test) and transmit data to and from the network on regular intervals
- Are placed in [REDACTED]
- Can be relocated without approval from FirstNet Authority<sup>10</sup>

However, we found that FirstNet Authority's approach for assessing service availability is not designed to validate that service availability requirements are met for the entire NPSBN. For instance, FirstNet Authority measures only a limited number of cell sites within a nationwide network as results are taken from [REDACTED] probes placed across the coverage footprint. This means that only a small portion of the approximately [REDACTED] cell sites that support the network are being tested because when a probe conducts each test, it attempts to connect to one individual cell site.

Consequently, we question the sufficiency of the number of probes used because FirstNet Authority could not demonstrate that it conducted an analysis to determine the sufficient number and placement of probes for measuring service availability. Additionally, when the network is updated to the 5th generation (5G) of wireless technology, FirstNet Authority plans to add an additional [REDACTED] probes<sup>11</sup> to perform testing, despite not conducting an analysis to determine the number of probes needed to sufficiently measure service availability.

### FirstNet Authority's Approach Does Not Result in an Accurate Depiction of Service Availability

An additional limitation to the current approach to measuring service availability is that it does not capture all network outages in the data reported to FirstNet Authority. Therefore, the outages are not factored into the availability of the network for compliance with contract requirements. For example, the service availability report for Hawaii did not

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<sup>9</sup> AT&T press release, February 13, 2024.

<sup>10</sup> The initial probe placement was established in accordance with the mutually agreed-upon (by FirstNet Authority and AT&T) criteria and a [REDACTED]. After the initial probe placement, if the contractor needs to move a probe, the contractor will make commercially reasonable efforts (i.e., a diligent, reasonable, and good faith effort) to place the probe in a location consistent with the criteria. The contractor must notify FirstNet Authority on a quarterly basis of any placement changes.

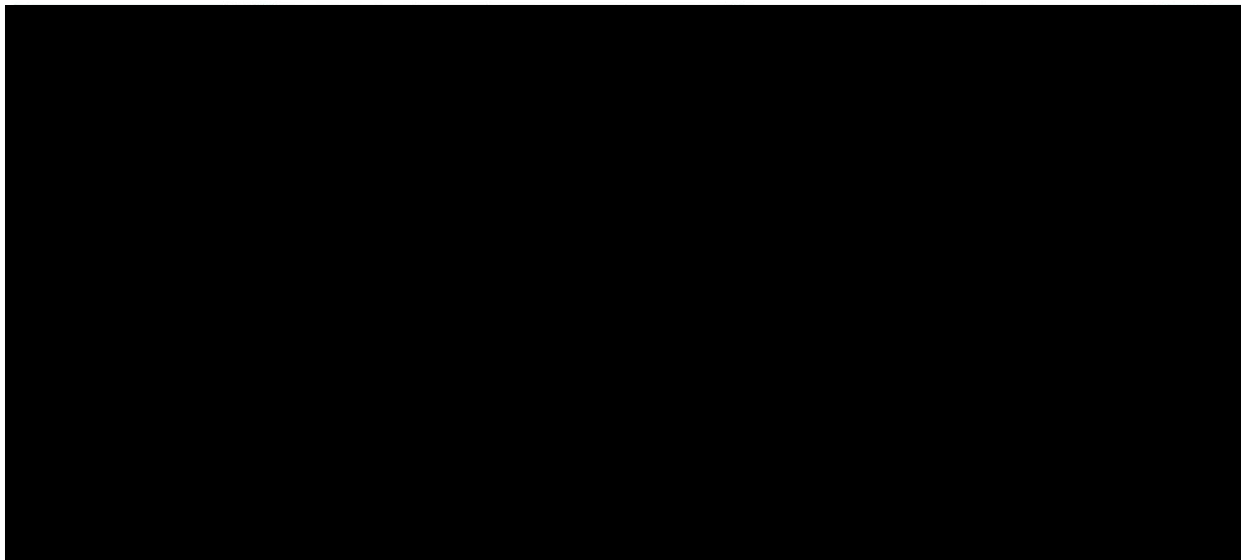
<sup>11</sup> FirstNet Authority. January 2024. *FirstNet Network Evolution, Volume I, Technical Quotation, Version V*.

capture that numerous cell sites were down in an 11-day network outage during the 2023 Maui Wildfire disaster because there were [REDACTED] probes placed on Maui. There were [REDACTED] probes placed on the island of Oahu, Hawaii, but those probes do not test for service availability outside of their location.

Additionally, a FirstNet Authority report<sup>12</sup> written by its Office of Public Safety Advocacy provided examples indicating that outages had occurred, and FirstNet Authority was unaware of the outages. The report notes that in March 2023, several states (Florida, North Carolina, and Tennessee) experienced widespread outages; however, FirstNet Authority learned of it only from engaging with attendees during a national conference. We reviewed the probe data and confirmed that these outages were not reflected in the service availability report.

Furthermore, results from probe testing may not provide a realistic assessment of end-user experience because the probes are placed in a controlled environment ([REDACTED]) and do not test the efficacy of the process of moving from one cell site to another. Therefore, FirstNet Authority has no assurance that the [REDACTED] probes are accurately reporting the availability of the approximately [REDACTED] cell sites in the network.<sup>13</sup> Figure 1 illustrates the approximate locations of probes used to measure service availability.

[REDACTED]



[REDACTED]

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<sup>12</sup> FirstNet Authority, Office of Public Safety Advocacy. November 2023. *2023 Annual Review Report*.

<sup>13</sup> This probe solution may provide results for service availability of only [REDACTED] cell sites.

Although FirstNet Authority is in the process of addressing its lack of situational awareness with respect to outages,<sup>14</sup> it has not revised how service availability is being measured. The lack of capturing significant outages in the probe data indicates that this method of measurement is not effective in ensuring that contract requirements are being met and that the NPSBN is available to public safety users nationwide 99.99 percent of the time.

### Contributing Factors to the Flawed Approach for Measuring Service Availability

The flawed approach to measuring service availability occurred primarily because FirstNet Authority awarded the NPSBN contract without defining how to measure service availability and then subsequently agreed to a flawed method of measurement. The original QASP listed the calculation and/or formula for service availability as “TBD [to be determined],” and the agreed-upon measurement was not established in the QASP until 4 years later. FirstNet Authority personnel explained that the measurement could not be established prior to awarding the contract because they would not have known which states were going to opt-in to the NPSBN, the network was not yet complete, and testing could not be performed until reaching final operational capability. We disagree with this rationale as the measurement for service availability could have been established prior to contract award just as many of the other network performance measures had been. By not establishing a sufficient measurement to ensure that service availability requirements were met and protecting the government’s interest, FirstNet Authority was likely in violation of the Federal Acquisition Regulation (FAR).<sup>15</sup>

The FAR also requires that performance-based contracts for services include “[m]easurable performance standards (i.e., in terms of quality, timeliness, quantity, etc.) and the method of assessing contractor performance against performance standards.”<sup>16</sup> A memorandum in the contract file did not reference the rationale mentioned previously but did state that a lengthy negotiation occurred to establish the agreed-upon measurement in the QASP due to:

- Ambiguities in the contract
- Disagreements between FirstNet Authority and AT&T regarding the service availability metric and associated key performance indicators

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<sup>14</sup> See the “Other Matter: FirstNet Authority Has Invested in Additional Oversight Tools, but Still Needs to Update the QASP” section of this report for additional details regarding situational awareness tools.

<sup>15</sup> FAR § 46.102.

<sup>16</sup> FAR § 37.601.

- FirstNet Authority’s lack of contractual leverage to unilaterally pursue this change (that is, the update to the QASP to establish the measurement for success)
- Inherent risk of requests for equitable adjustments

During negotiations, First Net Authority stated that the proposed [REDACTED] probes were not sufficient to measure service availability given the number of AT&T towers nationwide. Additionally, FirstNet Authority noted that service availability reporting lacked visibility over major weather events.<sup>17</sup> Subsequently, FirstNet Authority and AT&T agreed to increase the number of probes to [REDACTED]. However, as discussed previously, FirstNet Authority could not demonstrate that it had conducted an analysis to determine whether this was a sufficient number of probes to accurately measure service availability.

By agreeing to finalize the method of assessing contractor performance for service availability after contract award, FirstNet Authority assumed the risk of being unable to protect the government’s interest to ensure that contract requirements could be properly measured and enforced. The negotiations resulted in FirstNet Authority receiving a deliverable that provided additional network data. However, FirstNet Authority can use this data only for situational awareness, and the deliverable is not (1) tied to a performance metric, (2) listed in the QASP, or (3) considered when evaluating service availability requirements.<sup>18</sup>

In a prior report, we identified insufficient NPSBN contract QASP metrics that increased the risk of first responders not receiving the appropriate level of service.<sup>19</sup> Yet, FirstNet Authority continues to assume risk by awarding task orders without finalized requirements. In January 2024, task order 11 was awarded to upgrade the network to 5G, but the QASP was not updated at that time to reflect this contract requirement. Task order 11 stated that after award, AT&T was expected to propose—for some QASP metrics, including service availability—a methodology to measure contract compliance for FirstNet Authority concurrence. Additionally, the task order did not specify the requirement for AT&T to provide an additional [REDACTED] probes to test service availability for the 5G network. However, the task order did include a statement incorporating AT&T’s technical quote wherein the requirement for additional probes was documented. Subsequently, in July 2025 a modification was issued updating the QASP to monitor 5G service, which includes the use of [REDACTED] additional probes to measure service availability.

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<sup>17</sup> This information came from an internal document that FirstNet Authority made available to OIG.

<sup>18</sup> The contract specifies that service availability is measured using only probe data. Therefore, the additional network data found in the cell site availability deliverable can be used only for informational purposes.

<sup>19</sup> Commerce OIG, *FirstNet Authority’s Lack of NPSBN Contract Oversight for Coverage Puts at Risk First Responders’ Ability to Serve the Public Effectively*.

Because the service availability measurement was not adequately defined, FirstNet Authority was unable to protect the government’s interest and ensure service availability requirements were met. Additionally, without a proper method of measurement, FirstNet Authority cannot ensure that the contractor is providing a reliable communication network, potentially jeopardizing our nation’s first responders’ safety and ability to perform their critical mission.

➤ **FirstNet Authority Did Not Ensure That Contractor-Provided Information Was Reliable and Accurate and That Contract Requirements Were Met**

**FirstNet Authority Did Not Ensure That Service Availability Reports Were Reliable and Accurate**

We found that FirstNet Authority did not conduct sufficient oversight to ensure that service availability reports were reliable and accurate. Specifically, FirstNet Authority did not independently verify AT&T-provided service availability data and had not reviewed AT&T’s quality control review results or exercised its right to audit AT&T’s service availability records to ensure their accuracy and determine if they can be relied upon.<sup>20</sup> The U.S. Government Accountability Office’s (GAO’s) *Standards for Internal Control in the Federal Government* states that management should rely on internal and external data that is “reasonably free from error and bias” and that management should evaluate data for reliability.<sup>21</sup> The NPSBN contract requires that AT&T work products be accurate in presentation and technical content and that FirstNet Authority review each product for accuracy before determining whether to accept it.

The contractor submits the service availability report to FirstNet Authority on a quarterly basis, which contains [REDACTED] as well as an overall national metric.<sup>22</sup> We met with FirstNet Authority personnel to determine how they oversee service availability. They said that they reviewed service availability reports for trends and anomalies and created graphs and charts with the summarized values of the [REDACTED] probes; questions or concerns resulting from technical reviews were documented in performance assessment reports (PARs) and provided to AT&T. PARs are generated by the contracting

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<sup>20</sup> We have previously identified these findings in a prior report: Commerce OIG, *FirstNet Authority's Lack of Contract Oversight for Device Connection Targets Puts the NPSBN at Risk of Impacting First Responders' Use of the Network*.

<sup>21</sup> GAO. September 10, 2014. *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#), 59.

<sup>22</sup> Other contractually required deliverables outside of service availability reports are used for informational purposes only and cannot be used to determine compliance with contract requirements.

officer’s representative (COR)<sup>23</sup> at the conclusion of surveillance<sup>24</sup> to report discrepancies in contractual performance to the contractor. Service availability reports provide limited details, as shown in figure 2.

Figure 2. Nationwide Service Availability Report Example

Quarterly Report [REDACTED] at the National Level*				
QASP Metric	Month 1	Month 2	Month 3	[REDACTED]
Service Availability >99.99%	99.981%	99.991%	99.99%	[REDACTED]
Quarterly [REDACTED] Metrics				
[REDACTED]	[REDACTED]	Month 1	Month 2	Month 3
1	[REDACTED]	100.000%	99.894%	99.982%
2	[REDACTED]	100.000%	100.000%	100.000%
3	[REDACTED]	99.990%	99.975%	99.979%
4	[REDACTED]	100.000%	99.994%	100.000%

Source: OIG-created based on information typically provided in a service availability report

Note: This is for illustrative purposes only, no actual values were used.

\* Represents monthly rolling 12-month values.

The contractor provides a [REDACTED] and a rolling 12-month average of service availability rates at the national level to FirstNet Authority. The report also provides monthly percentages for [REDACTED] to illustrate the rate of successful attempts to attach to the network. However, the report does not include data supporting the monthly [REDACTED] values, thus limiting FirstNet Authority’s ability to conduct adequate surveillance of service availability.

It is imperative that FirstNet Authority perform robust oversight to ensure the data is accurate and can be relied upon. As previously noted, according to the contract, outages caused by planned maintenance are excluded from service availability metrics.

<sup>23</sup> The COR on this contract was delegated the authority to monitor the technical effort being performed under the contract to (1) ensure the contractor was meeting the technical requirements of the contract in accordance with the contract terms, conditions, and specifications and (2) perform final inspection and acceptance of all work required under the contract, including the review and approval of reports.

<sup>24</sup> Surveillance is the evaluation of QASP elements against established metrics.

Additionally, the contract requires planned maintenance schedules to be approved; however, FirstNet Authority did not approve these schedules. Because the information in the service availability report is limited and does not provide the needed details, FirstNet Authority cannot ensure that metrics are accurate without additional analysis.

FirstNet Authority has expressed its confidence in the reliability of probe data but has neither validated the probes' existence nor tested them to ensure proper functionality. Without testing, FirstNet Authority does not have assurance that probe data is accurate and reliable. For example, during the NPSBN nationwide outage in February 2024, we noted that the corresponding service availability report presented degraded performance for all probes, except for [REDACTED], which reported as achieving 100-percent availability. AT&T's after-action report briefing slides noted that these [REDACTED] probes were malfunctioning and not testing properly. This information was not noted in the service availability report, and FirstNet Authority personnel who reviewed the data did not question AT&T about these probes in the PAR. Not only does this call into question the accuracy of the probe data, but it also confirms that FirstNet Authority did not validate the functionality of probes or the reliability of the probe data. Without independent verification of the probe data, FirstNet Authority is exclusively relying on AT&T-provided probe data to determine whether service availability contract requirements are being met. Some PARs we reviewed contained the following statement:

[REDACTED]

This statement further supports our conclusion that oversight personnel are relying on data provided by AT&T without independent verification. Instead, FirstNet Authority should be evaluating the contractor's performance as described in the QASP.

The QASP framework establishes the performance standards and quality levels identified in the contract's objectives and reflected in the quality control plan (QCP). The QASP notes that the contractor and FirstNet Authority are responsible for:

- Overseeing the activities outlined in the QASP and the QCP<sup>25</sup> to verify AT&T's performance against the established performance standards
- Ensuring that AT&T submits quality service availability reports to allow FirstNet Authority to accurately verify performance

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<sup>25</sup> The contract states that AT&T's management of quality control actions—including risk identification and mitigation to meet contract terms, performance standards, and quality levels—is reflected in the QCP.

Despite OIG previously reporting similar issues,<sup>26</sup> we found that FirstNet Authority has not reviewed the QCP or AT&T's quality control review results. When we inquired about oversight performed in relation to the QCP and resulting examinations during this audit, FirstNet Authority told us that the QCP had never been provided, a lot of the information in the QCP was not relevant to the NPSBN, and FirstNet Authority only reviewed the QASP.

Additionally, as part of the quality assurance and control process, the contract requires FirstNet Authority to supplement reviews of performance reports with random, detailed audits of raw data to confirm that reported performance is consistent with raw data. However, we found that FirstNet Authority has not conducted detailed audits on service availability as directed by the QASP.<sup>27</sup>

### FirstNet Authority's Remediation Activities Were Inadequate to Ensure That Contract Requirements Were Met

We found that FirstNet Authority did not conduct adequate remediation activities to ensure that contract requirements were met. In addition to the shortcomings of the service availability QASP metric and the lack of oversight, which limited the assurance that data provided was reliable and accurate, contract requirements were not achieved in multiple instances. Initial service availability requirements were not consistently achieved between October 2020 and November 2022, but FirstNet Authority did not issue corrective action reports (CARs) for this noncompliance in a timely manner. The contract states that the intent of the CAR is to identify a root cause and prevent recurrence; therefore, timeliness in issuing CARs is required to meet its intent. Additionally, the FAR<sup>28</sup> states that promptness is essential in providing notices of rejection for nonconforming services and that even repeated minor nonconformances must be discouraged. When the CARs were finally issued in March 2023, FirstNet Authority dismissed these noncompliances as minor deficiencies and did not require corrective action plans from AT&T. FirstNet Authority's dismissal of the noncompliance meant that AT&T did not have to determine how to prevent repeated or related issues in the future.

In February 2024, less than a year after the March 2023 CAR was issued, the network experienced a complete nationwide outage that lasted approximately 3 hours. The outage impacted public safety users that use NPSBN services. FirstNet users were unable to place

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<sup>26</sup> Commerce OIG, *FirstNet Authority's Lack of Contract Oversight for Device Connection Targets Puts the NPSBN at Risk of Impacting First Responders' Use of the Network*.

<sup>27</sup> We also identified these findings in a prior report: Commerce OIG, *FirstNet Authority's Lack of Contract Oversight for Device Connection Targets Puts the NPSBN at Risk of Impacting First Responders' Use of the Network*.

<sup>28</sup> FAR § 46.407.

calls, send text messages, or access the internet.<sup>29</sup> Immediately following the outage, FirstNet Authority conducted an after-action review and required AT&T to provide its own after-action report. AT&T's report was issued on March 26, 2024. However, FirstNet Authority did not issue a CAR until September 2024, over 6 months after the nationwide outage had occurred.

Other than issuing CARs and PARs, the QASP does not incorporate additional measures of remediation for service availability. The contract does have a liquidated damages clause;<sup>30</sup> however, FirstNet Authority has yet to leverage this option. The FAR also requires an equitable price reduction or other consideration from the contractor for critical or major nonconformances,<sup>31</sup> but FirstNet Authority had not obtained either for the service availability nonconformance caused by the 3-hour nationwide outage. According to the Department's *Commerce Acquisition Manual*, contracting officers are responsible for "[u]sing sound business judgment and performing all necessary actions for effective contracting . . . [and] [e]nsuring compliance with the terms of the contract, and safeguarding the interests of the United States in all contractual relationships[.]"<sup>32</sup> However, FirstNet Authority did not use any of these measures to address instances of noncompliance with service availability requirements.

These deficiencies occurred because FirstNet Authority did not provide oversight to ensure that contractor-provided information was reliable and accurate and that contract requirements were met. For example, FirstNet Authority did not follow the direction of the QASP to oversee the contractor's QCP and conduct random, detailed audits of the raw data. Also, the method of surveillance was inadequate. The contract states that the QASP provides metrics outlining acceptable levels of performance. The contract notes that the QASP should provide procedures guiding how to assess contractor performance, including how contractor data is collected, validated, and documented to ensure that contract requirements are met. The QASP however, lists only "quarterly inspection of reports" as the method of surveillance and does not further specify what and how FirstNet Authority personnel will inspect, analyze, and document to independently verify whether contract requirements are met. Finally, FirstNet Authority did not always leverage the tools available to hold AT&T accountable or follow the FAR to obtain an equitable price reduction or consideration from the contractor for noncompliance.

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<sup>29</sup> Commerce OIG. July 18, 2024. *Management Alert: February 2024 FirstNet Authority's Nationwide Public Safety Broadband Network Outage Raised a Significant Risk to the Readiness of First Responders Across the Country*, [OIG-24-030-M](#).

<sup>30</sup> The clause limits the liquidated damages to \$238,233 per calendar day and the total aggregate amount to \$86,955,057.

<sup>31</sup> FAR § 46.407.

<sup>32</sup> U.S. Department of Commerce. Revised December 2021. *Commerce Acquisition Manual*, 1301.6, 23.

As a result, FirstNet Authority did not have assurance that AT&T met contract requirements. Additionally, FirstNet Authority may not be able to determine why deficiencies occurred or how to mitigate them. Further, because FirstNet Authority did not consistently conduct and properly document independent audits, it cannot provide reasonable assurance that AT&T-reported data is of high quality and complies with contract requirements. Finally, FirstNet Authority cannot ensure that the government is receiving the services for which it paid for, the NPSBN is operating as intended, and public safety users can effectively communicate to perform their critical missions.

### ► **FirstNet Authority Did Not Verify That Service Availability Requirements Were Met for the Pacific Territories**

FirstNet Authority did not ensure that service availability requirements in the Pacific territories were achieved. Specifically, FirstNet Authority had limited visibility of actual network performance for the Pacific territories and did not ensure that reported data was accurate and reliable. As noted previously, GAO's *Standards for Internal Control in the Federal Government* states that management should rely on internal and external data that is "reasonably free from error and bias" and that management should evaluate data for reliability.<sup>33</sup>

The contract requires, per a contract modification in March 2018, that the NPSBN achieve [REDACTED]<sup>34</sup> percent service availability for the three Pacific territories (American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands). The contract states that the solution for these Pacific territories must be customized due to the unique challenges and needs associated with the significant distance between the continental United States and these Pacific territories as well as dissimilarities in infrastructure. The contract does not establish how to measure service availability in the Pacific territories. However, based on discussions with FirstNet Authority personnel, probes<sup>35</sup> are not being used to measure service availability in the Pacific territories. Instead, data contained in service availability reports is derived directly from the network itself via [REDACTED].<sup>36</sup>

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<sup>33</sup> GAO, *Standards for Internal Control in the Federal Government*, 59.

<sup>34</sup> Pacific territories have a service availability objective of [REDACTED] percent which is different than the nationwide metric of 99.99 percent.

<sup>35</sup> Probes are used to measure nationwide service availability. See "FirstNet Authority's Approach to Measuring Service Availability Fails to Provide a Comprehensive Assessment, Covering Only a Fraction of Cell Sites and of the NPSBN's Approximately 3-Million-Square-Mile Coverage Footprint" section for more details.

<sup>36</sup> Service availability in the Pacific territories uses [REDACTED] to measure performance against key performance indicators.

Similar to the nationwide service availability reporting requirements, the contractor is also required to provide quarterly reports. These reports provide [REDACTED] metrics separated [REDACTED]. Reports provided by the contractor show only the overall percentage [REDACTED], with no supporting data. FirstNet Authority personnel confirmed that oversight is limited to a review of data in service availability reports. FirstNet Authority personnel noted that they review the data for trends and anomalies and ask follow-up questions, when applicable. Additionally, FirstNet Authority has not reviewed the contractor's QCP nor conducted audits of service availability data as required by the QASP.<sup>37</sup>

Further, in January 2025, FirstNet Authority stated that it was initiating its first “deep dive” into the data that supports the Pacific territories’ service availability reports despite prior reported issues with the data. In March 2023, a subcontractor identified that it used incorrect information when calculating service availability metrics by including outages associated with maintenance downtime.<sup>38</sup> This indicates that although the subcontractor had been providing service availability data for the Pacific territories for a number of years, FirstNet Authority did not have a thorough understanding of what data was being provided in contractually required documents. With the lack of understanding of the data reported and no additional oversight provided through audits or QCP reviews, FirstNet Authority is unable to verify that service availability requirements are being met.

These conditions occurred because FirstNet Authority did not ensure that the QASP included a metric for service availability for the Pacific territories in accordance with the FAR, which requires that the QASP specify all work requiring surveillance and the method of surveillance.<sup>39</sup> The FAR also requires applicable contracts to establish measurable performance standards and the method of assessing contractor performance against those standards.<sup>40</sup> Although FirstNet Authority negotiated the service availability resolution to establish the QASP metric for nationwide service availability in August 2021, this negotiation did not encompass the Pacific territories. In January 2024, a task order was awarded to upgrade the network to 5G, and again service availability metrics for the Pacific territories were not defined. Therefore, the QASP continues to lack information such as a method of surveillance, performance targets, and calculations to ensure that service availability requirements are being met in the Pacific territories.

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<sup>37</sup> Also noted in the “FirstNet Authority Did Not Ensure That Contractor-Provided Information Was Reliable and Accurate and That Contract Requirements Were Met” section of this report.

<sup>38</sup> The contract states that outages due to planned maintenance are excluded from the data when reporting service availability.

<sup>39</sup> FAR § 46.401.

<sup>40</sup> FAR § 37.601.

Achieving service availability requirements in the Pacific territories ensures that the government receives the services it paid for, the NPSBN operates as intended, and public safety users can perform their critical missions.

## Recommendations

We recommend that the Assistant Secretary of Commerce for Communications and Information Administrator, in coordination with the Department's Senior Procurement Executive and Director of Acquisition Management, direct FirstNet Authority's Chief Executive Officer and Chief Procurement Officer to:

1. Ensure that future NPSBN contracts and task orders sufficiently define performance standards and measurements of success for achieving requirements prior to their award to protect the government's interest in accordance with the FAR.
2. Ensure service availability requirements for the 5G network and Pacific territories are clearly defined within the contract.
3. Modify the current NPSBN QASP to ensure that:
  - a. The method for measuring service availability is designed to protect the government's interest and ensure that services rendered by AT&T meet contract requirements and that the measurement provides a complete and accurate assessment of service availability.
  - b. Surveillance methods are sufficiently defined and detailed to verify that AT&T's performance meets service availability contract requirements.
  - c. A performance metric is established for the Pacific territories that is designed to protect the government's interest, ensures that services tendered by AT&T meet contract requirements, and provides a complete and accurate assessment of service availability.
  - d. Performance remediation actions are detailed for service availability when noncompliance occurs.

We recommend that the Assistant Secretary of Commerce for Communications and Information Administrator direct FirstNet Authority's Chief Executive Officer and Chief Procurement Officer to:

4. Conduct sufficient surveillance of service availability prior to acceptance of contract deliverables, including obtaining appropriate data required for oversight, performing random audits, reviewing AT&T's QCP results, and applying timely remediation procedures in instances of noncompliance, as directed in the QASP and the FAR.

### ► **Other Matter: FirstNet Authority Has Invested in Additional Oversight Tools but Still Needs to Update the QASP**

Previously, we reported<sup>41</sup> that FirstNet Authority used limited tools and information other than AT&T-provided data to conduct analyses and provide oversight of the NPSBN contract. Recently, FirstNet Authority has invested in additional sources of information and analytics that may provide insight into network performance, including service availability. For example, FirstNet Authority has entered into a contract to obtain a tool to analyze large amounts of data from third-party platforms<sup>42</sup> that provide information concerning network availability and user experience. Although the steps taken by FirstNet Authority achieve increased situational awareness of the NPSBN, their utility for ensuring compliance may be limited without further updates to the QASP. As noted in this report, probe data that is submitted as part of the service availability report is the only information that can be used to measure compliance with contract requirements. Without making the necessary updates to the QASP to strengthen this metric, FirstNet Authority will not be able to realize the benefits of the increased information and analytics regarding enforcement of contract requirements.

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<sup>41</sup> Commerce OIG, *FirstNet Authority's Lack of Contract Oversight for Device Connection Targets Puts the NPSBN at Risk of Impacting First Responders' Use of the Network and FirstNet Authority's Lack of NPSBN Contract Oversight for Coverage Puts at Risk First Responders' Ability to Serve the Public Effectively*.

<sup>42</sup> In addition to the tool, FirstNet Authority has also entered into separate contracts for the use of data from third-party platforms.



## Conclusion

FirstNet Authority did not ensure that AT&T was meeting contract requirements for NPSBN service availability. Specifically, FirstNet Authority's approach for assessing service availability was not designed to validate that service availability requirements were met for the entire NPSBN. Additionally, FirstNet Authority did not conduct sufficient oversight to ensure that contractor-provided information was reliable and accurate and that service availability contract requirements were met.

This occurred because FirstNet Authority awarded the NPSBN contract without defining how to measure service availability, and the subsequent agreed-upon metric was insufficient to ensure that service availability requirements were met and to protect the government's interest. Additionally, FirstNet Authority did not always leverage the tools available to hold AT&T accountable when requirements were not met. Finally, FirstNet Authority did not ensure that the QASP included a metric for service availability for the Pacific territories in accordance with the FAR.

It is critical to meet service availability requirements as public safety users rely on the NPSBN to communicate with other emergency responders, dispatchers, and the public to respond to incidents. Without consistent service availability, public safety users may not be able to communicate or obtain information quickly to make timely mission-critical decisions. If FirstNet Authority cannot determine and ensure that AT&T is meeting contract requirements, the lack of the NPSBN's availability to public safety users could hinder coordination efforts during emergencies, delay response times, and increase risk of property damage, injuries, and fatalities. For this reason, it is imperative that FirstNet Authority address the deficiencies noted in this report.



# Summary of NTIA’s and FirstNet Authority’s Response and OIG Comments

On February 5, 2026, we received NTIA’s response to our draft report. NTIA concurred with all four of our recommendations. NTIA’s formal response is included in this report as appendix 2.

At FirstNet Authority’s request, we have redacted certain business-sensitive information and/or information otherwise protected from disclosure from the public version of this report. FirstNet Authority also provided their response to the draft report in the form of technical comments. We considered these comments and revised the report where appropriate.

## ► **NTIA’s Response to the Overall Findings and OIG Comments**

NTIA stated, “the draft report invokes worst-case service outage scenarios that are speculative and not directly attributable to the FirstNet Authority’s identified oversight deficiencies.”

We do not agree that the report contains scenarios that are “worst-case” or “speculative.” The findings in this report are based on evidence gathered during the audit. We detail how the current approach to measuring service availability includes only a fraction of the cell sites and does not provide a comprehensive assessment of the total coverage area. Therefore, service availability reports may not adequately capture widespread outages. Examples outlined in this report highlight that when compared to numerous network outages, the probe test data—in the amount and way FirstNet Authority agreed to test—was proven insufficient. Therefore, FirstNet Authority is unable to truly measure the service availability for the entire network.

Additionally, this report also provides examples of oversight deficiencies including insufficient verification of data to ensure that contractor-provided information was reliable and accurate, and that contract requirements were met. Examples noted within this report highlight the lack of verification as contactors notified FirstNet Authority multiple times of issues with data within service availability reports that were not identified by FirstNet Authority oversight procedures. It is imperative that FirstNet Authority strengthen its oversight of service availability to ensure that contract requirements are met and that the NPSBN is available to public safety users.

## ► **FirstNet Authority’s Response and OIG Comments**

To provide clarity and perspective, we have commented on FirstNet Authority’s technical comments below. However, FirstNet Authority’s technical comments do not change our conclusions and recommendations.

### **Our Finding That a Sufficient Measurement Was Not Established**

FirstNet Authority stated, “FAR 46.102 requires that contracts include inspection and other quality requirements that are determined necessary to protect the Government’s interest. A measurement for service availability was not determined necessary to protect the Government’s interest at that time, prior to knowing which states were going to opt-in.”

We note that ensuring that service availability requirements are met is essential in confirming that public safety users have a reliable communications network. The service availability objective and associated QASP item was established upon contract award, illustrating that FirstNet Authority recognized the criticality of this requirement. However, as noted on page 7 of this report, the original QASP listed the calculation and/or formula for service availability as “TBD [to be determined],” and the agreed-upon measurement was not established in the QASP until 4 years later.

### **Our Finding That FirstNet Authority Did Not Issue CARs in a Timely Manner**

FirstNet Authority stated, “There is no requirement that dictates the timing of CARs.”

We note that FAR Part 46 states that promptness is essential in providing notices of rejection for nonconforming services and that even repeated minor nonconformances must be discouraged. We also highlight in this report on page 12 that the contract states that the intent of the CAR is to ultimately identify a root cause and seek a resolution to prevent recurrence. Timeliness in issuing CARs is required to meet the CAR’s intent and stop recurrence.

### **Our Finding That FirstNet Authority Has Not Leveraged the Liquidated Damages Clause**

FirstNet Authority stated that the finding “conflates completion with quality and would not be applicable in this situation.”

We describe instances of nonconformance on pages 12 and 13 of this report.

## Our Finding That FirstNet Authority Has Not Requested an Equitable Price Reduction or Other Consideration

FirstNet Authority stated, “This was not a case of nonconformance based on the service availability metric.”

We note that the service availability metric was established to determine whether contract requirements were met and sufficient levels of network performance were provided to public safety users. We describe multiple instances of nonconformance on pages 12 and 13 of this report.

## Our Finding That the QASP Did Not Provide a Sufficient Method of Surveillance

FirstNet Authority stated, “Setting a particular standard is not a contract requirement.”

Page 13 of this report outlines that the contract states that the QASP provides metrics that outline acceptable levels of performance. The QASP should provide procedures guiding how to assess contractor performance, including how contractor data is collected, validated, and documented to ensure that contract requirements are met. Additionally, the FAR requires that the QASP specify all work requiring surveillance and the method of surveillance. However, the method of surveillance documented in the QASP does not include this information and only includes “quarterly inspection of reports.”

## Our Conclusion That FirstNet Authority Cannot Ensure That the Contractor Is Meeting Contract Requirements

FirstNet Authority stated that the, “report does not acknowledge that there is a difference between reporting and performance. A report being deficient to the OIG's standards is not synonymous with network performance. As such, there is no correlation between the quality of a report and public safety's ability to coordinate during a disaster. Additionally, a holistic assessment of network performance which would include all available and relevant data does not support this conclusion.”

We state on page 9 of this report that we found FirstNet Authority did not conduct sufficient oversight to ensure that service availability reports were reliable and accurate. The contract states that the QASP provides metrics outlining acceptable levels of performance. The QASP provides procedures guiding how to assess contractor performance, including how contractor data is collected, validated, and documented to ensure that contract requirements are met. In providing oversight, the data collected should be validated to ensure it is accurately reported and reflects a factual representation of contractor performance that is reliable and complies with contract requirements. Without sufficient oversight, FirstNet Authority cannot determine if reports can be relied upon to accurately evaluate whether AT&T is meeting contract requirements. Additionally, as outlined on

pages 5 and 6 of this report, the current method of measuring service availability includes significant gaps shown through multiple outages that were not detected in service availability reports. Because the service availability requirement is used to determine if the network is operating as intended, it is imperative for public safety users that accurate, reliable data is provided to FirstNet Authority to provide assurance that the government is receiving the services it paid for.



## Appendix 1. Scope and Methodology

Our audit objective was to determine whether FirstNet Authority is ensuring that the NPSBN is achieving service availability requirements.

To accomplish our objective, we performed the following actions:

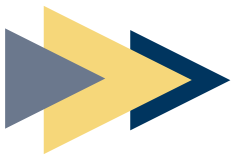
- Reviewed the following policies, practices, procedures, and guidance:
  - Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96
  - FAR Part 2, *Definitions*
  - FAR Part 4, *Administrative and Information Matters*
  - FAR Part 37, *Service Contracting*
  - FAR Part 42, *Contract Administration and Audit Services*
  - FAR Part 46, *Quality Assurance*
  - U.S. Government Accountability Office, *Standards for Internal Control in the Federal Government*, GAO-14-740G, September 10, 2014
  - Department Administrative Order 208-16, *Acquisition Project Management*, May 26, 2015
  - Department of Commerce, *Commerce Acquisition Manual*, December 2021
  - FirstNet Authority, *FirstNet Acquisition Manual*, February 29, 2024
  - NPSBN contract terms and conditions
- Reviewed and analyzed documentation that supported FirstNet Authority oversight efforts related to service availability, including:
  - Contract negotiation memorandums
  - Performance assessment reports
  - Contracting officer's representative acceptance memorandums
  - Subject matter experts' technical review documentation
  - Service availability reports
  - Cell site availability reports
  - Network performance reports
  - Corrective action reports

- February 2024 network outage related corrective action plans
- February 2024 network outage after-action reports
- Network operations meeting minutes
- Radio access network operations meeting briefing documents
- Interviewed FirstNet Authority officials responsible for contract oversight of service availability

We gained an understanding of the internal controls significant within the context of the audit objective by reviewing policies and procedures and interviewing FirstNet Authority personnel. In satisfying our audit objective, we did not rely on computer-processed data to make our conclusions. Due to the lack of underlying data and support, the data within the deliverables was of undetermined reliability. Although we reviewed AT&T deliverables associated with service availability during the audit, we focused on determining if FirstNet Authority’s oversight was sufficient to ensure data provided was of adequate quality and met contract requirements. We identified weaknesses in internal controls related to oversight as noted in the “Findings and Recommendations” section of this report.

We conducted our audit from August 2024 through September 2025 under the authority of the Inspector General Act of 1978, as amended (5 U.S.C. §§ 401-424), and Department Organization Order 10-13, as amended October 21, 2020.

We conducted this performance audit in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence that provides a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.



## Appendix 2. NTIA's Response

NTIA's response to our draft report begins on the next page.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**The Assistant Secretary for Communications**  
**and Information**  
Washington, D.C. 20230

DATE: February 5, 2026

TO: Arthur L. Scott, Jr.  
Assistant Inspector General  
Office of Audit and Evaluation  
Office of Inspector General  
U.S. Department of Commerce

**ARIELLE** Digitally signed  
by ARIELLE ROTH  
**ROTH** Date: 2026.02.05  
17:51:59 -05'00'

FROM: Arielle Roth  
Assistant Secretary of Commerce for Communications and Information and  
Administrator, National Telecommunications and Information Administration

SUBJECT: Draft Report: *Audit of the First Responder Network Authority's Oversight of Service Availability for the Nationwide Public Safety Broadband Network* (September 16, 2025)

Thank you for the opportunity to respond to the Department of Commerce Office of Inspector General (OIG) draft audit report on the First Responder Network Authority's (FirstNet Authority) ability to ensure that the Nationwide Public Safety Broadband Network (NPSBN) achieves the contractual requirements for service availability.

The Trump Administration believes that the NPSBN must meet the operational needs of first responders, and as such, is working to improve the FirstNet Authority's oversight of the NPSBN contract. Under President Trump's Executive Order 14222, NTIA and the Department of Commerce have significantly increased oversight of all contracts and task orders proposed by FirstNet as compared to past administrations. Furthermore, since the change in Administration, the Department and NTIA have installed new leadership at the FirstNet Authority to help address accountability and oversight shortcomings.

NTIA will continue to work with the FirstNet Authority and OIG to resolve the remaining OIG recommendations to improve the FirstNet Authority's oversight of the NPSBN contract. NTIA agrees with OIG that there are opportunities for the FirstNet Authority to enhance its oversight of the NPSBN contract, including by ensuring that the NPSBN meets the service availability requirements established by the contract.

Although NTIA agrees with the recommendations, NTIA notes that the draft report invokes worst-case service outage scenarios that are speculative and not directly attributable to the FirstNet Authority's identified oversight deficiencies. Further, NTIA views the OIG's four recommendations in the draft report on service availability as measures to enhance existing oversight, not to remedy any existing violation of law. So understood, we concur. NTIA

believes that such recommendations complement NTIA's larger effort to improve the FirstNet Authority's contract oversight.

## RECOMMENDATIONS

- **OIG Recommendation #1:** That the Assistant Secretary of Commerce for Communications and Information and NTIA Administrator, in coordination with the Department's Senior Procurement Executive and Director of Acquisition Management, direct FirstNet Authority's Chief Executive Officer and Chief Procurement Officer to: Ensure that future NPSBN contracts and task orders sufficiently define performance standards and measurements of success for achieving requirements prior to their award to protect the government's interest in accordance with the FAR.

*RESPONSE: Concur.*

- **OIG Recommendation #2:** That the Assistant Secretary of Commerce for Communications and Information and NTIA Administrator, in coordination with the Department's Senior Procurement Executive and Director of Acquisition Management, direct FirstNet Authority's Chief Executive Officer and Chief Procurement Officer to: Ensure service availability requirements for the 5G network and Pacific territories are clearly defined within the contract.

*RESPONSE: Concur.*

- **OIG Recommendation #3:** That the Assistant Secretary of Commerce for Communications and Information and NTIA Administrator, in coordination with the Department's Senior Procurement Executive and Director of Acquisition Management, direct FirstNet Authority's Chief Executive Officer and Chief Procurement Officer to: Modify the current NPSBN QASP to ensure that:
  - a. The method for measuring service availability is designed to protect the government's interest and ensure that services rendered by AT&T meet contract requirements and that the measurement provides a complete and accurate assessment of service availability.
  - b. Surveillance methods are sufficiently defined and detailed to verify that AT&T's performance meets service availability contract requirements.
  - c. A performance metric is established for the Pacific territories that is designed to protect the government's interest, ensures that services tendered by AT&T meet contract requirements, and provides a complete and accurate assessment of service availability.
  - d. Performance remediation actions are detailed for service availability when noncompliance occurs.

*RESPONSE: Concur.*

- **OIG Recommendation #4:** that the Assistant Secretary of Commerce for

Communications and Information and NTIA Administrator direct FirstNet Authority's Chief Executive Officer and Chief Procurement Officer to: Conduct sufficient surveillance of service availability prior to acceptance of contract deliverables, including obtaining appropriate data required for oversight, performing random audits, reviewing AT&T's QCP results, and applying timely remediation procedures in instances of noncompliance, as directed in the QASP and FAR.

*RESPONSE: Concur.*

Again, thank you for your input and ongoing collaboration with NTIA staff. We look forward to continuing to work with you. If you have any questions, please contact, Patrick Sullivan, Audit Liaison, at [psullivan@ntia.gov](mailto:psullivan@ntia.gov).

# REPORT

# FRAUD & WASTE ABUSE



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