



Public Safety Alliance

Dedicated to First Responders...First

Public Safety Alliance
A project of APCO International
1426 Prince Street
Alexandria, VA 22314
info@psafirst.org

Position Statement on the House Commerce Committee Staff Discussion Draft - Public Safety Broadband Act of 2010

The Public Safety Alliance (PSA) and its diverse and rapidly expanding coalition of supporters continues to strongly believe that the only way America can build a nationwide public safety broadband network that is mission critical to meet the needs of our courageous and dedicated first responders is for Congress to allocate the 700 MHz D block spectrum directly to public safety. We also agree that public safety, and local, tribal, and state governments need access to adequate federal funding and resources to build out a nationwide public safety broadband network.

The “Public Safety Broadband Act of 2010: Staff Discussion Draft” (Discussion Draft) includes a key provision that would provide significant federal funding to assist local, tribal and state governments and their public safety agencies in building out the nationwide broadband network. We fully support the language in the Discussion Draft that would require the Federal Communications Commission (FCC) to auction 25 megahertz of contiguous spectrum at frequencies located between 1675 megahertz and 1710 megahertz, inclusive, and 25 MHz of spectrum between the frequencies of 2155 megahertz and 2180 megahertz, inclusive, and use the proceeds of these auctions to establish a \$5.5 billion Construction Fund and a \$5.5 billion Maintenance and Operations Fund to support build out and sustainment of the nationwide public safety interoperable broadband network in the 700 MHz band. There is wide agreement that the proceeds from auctioning this 50 MHz of spectrum to commercial carriers, without auctioning the D Block, could provide sufficient federal funding to construct, maintain, and operate a 20 MHz nationwide public safety broadband network.

The PSA’s leadership applauds Chairman Henry Waxman, Chairman Rick Boucher and other members of the House Energy and Commerce Committee for identifying this alternative spectrum to auction by January 2013, to support public safety. It is another key step toward a long overdue solution to the interoperability problems, and broadband spectrum needs of our Nation’s first, second and situational preventers and responders. Given this development, the PSA urges the committee to reverse the FCC’s National Broadband recommendation to auction the D block, and instead allocate the D block to public safety. At this point, there is no legitimate reason for the FCC to rush to auction the D block since alternative revenue sources from spectrum auction have been identified.

We believe there should be further consideration of language in the bill that would require the Administrator of General Services to establish rules to allow public safety agencies to have access to federal infrastructure to construct and maintain the public safety interoperable broadband network. We believe that in order to have a truly interoperable broadband network, the federal government and its public safety and first responder communities including the Department of Homeland Security, the Department of Justice, the Department of Interior and the Department of Commerce must be an integral partner in the effort. In addition, we strongly believe that the nationwide broadband network must also include other partners such as utility providers, public works, critical infrastructure, transportation, and

other services that provide prevention, response, recovery, and restoration support during day-to-day operations and large-scale incidents. However, we strongly believe that these partnerships are only feasible if public safety is allocated the D block spectrum to build out a 20 MHz nationwide broadband network.

We continue to oppose any proposal that would require the FCC to auction the D block for commercial services. We believe that the other spectrum identified in the committee’s staff discussion draft will generate sufficient funding to construct, maintain and operate a 20 MHz nationwide public safety broadband network. We believe auctioning the D block is imprudent and unnecessary since other sources of funding are clearly available to Congress and the federal government to assist public safety entities in establishing a nationwide public safety interoperable broadband network in the 700 MHz band. We also oppose any policy involving the build out of the public safety broadband network that would give priority to “population” over “geography.” Geography and other factors commonly used by public safety are crucial aspects of such a network, as opposed to the design features of commercial build outs of technology and infrastructure. Funding based on population does not reflect the mobility of our modern society, nor does it accurately reflect the fact that emergencies happen everywhere, not just in big cities or suburbs, but throughout rural America, too.

The D Block is the only spectrum, which is not encumbered, that can be combined with the adjacent public safety spectrum in the 700 MHz band to create a contiguous 20 MHz nationwide broadband network.

We encourage Chairman Waxman, Chairman Boucher and Ranking members Barton and Stearns to work closely with Representatives Peter King and Yvette Clarke, Vice Chairman Weiner, and other co-sponsors of H.R. 5081 to merge portions of H.R. 5081 with portions of the Discussion Draft (regarding federal infrastructure sharing, and auctioning 50 MHz of identified spectrum to commercial carriers to fund the construction, maintenance and operations of a 20 MHz nationwide public safety broadband network) and that includes language requiring the FCC to allocate the D block to public safety.



International Association of Chiefs of Police | International Association of Fire Chiefs
National Sheriffs Association | Major Cities Chiefs Association
Major County Sheriffs Association | Metropolitan Fire Chiefs Association
Association of Public-Safety Communications Officials International
National Emergency Management Association

www.psafirst.org