



**Keeping Us Safe  
The Need for a Nationwide Public Safety Network**

**Testimony of  
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President, 2009-2010**

*presented to the*

**COMMITTEE ON COMMERCE, SCIENCE AND  
TRANSPORTATION**

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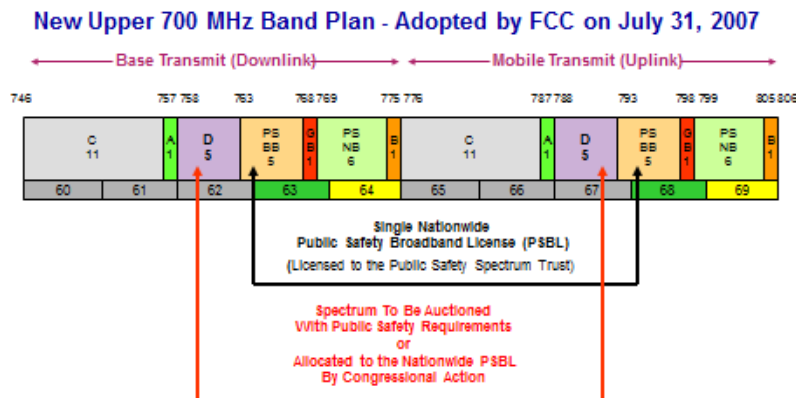
I am Jeffrey Johnson, immediate past president of the International Association of Fire Chiefs (IAFC) and a chief fire officer of the Tualatin Valley Fire and Rescue Department in Beaverton, Oregon where I served as chief of the department for 15 years. I also am currently the chairman of Oregon's Statewide Interoperability Executive Committee.

A top priority for all public safety – police, fire and EMS – is to build a nationwide, public safety, wireless, interoperable, broadband network. This urgent need is recognized in many studies such as the 9-11 Commission and Hurricane Katrina reports. Mr. Chairman, S. 3756, the legislation that you introduced, will allow public safety to realize its nationwide communications goal by providing both the spectrum and funding which is required. I am joined in my support for S. 3756 by members of the Public Safety Alliance (listed at end of testimony) which is committed to the build-out of this nationwide public safety broadband network. Our goal is supported by the seven national organizations representing state and local government as well as many of the leading telecommunications carriers and equipment manufacturers.

Over the past fifty years, the Federal Communications Commission (FCC) has allocated thin slices of spectrum to public safety as the need for more communications capability arose. Currently, 55,000 public safety agencies operate mission critical radio systems - each with their own FCC license - over 6 or more different bands. Our goal of interoperability is difficult; it is expensive. This is no criticism of the FCC; this is just the way it has always been done. After numerous major events and other significant disasters, it is clear that a new model is necessary: a national architecture for public safety wireless communications.

To achieve a nationwide, public safety, wireless, interoperable, broadband network, key elements need to be in place:

**The network must have sufficient capacity.** To achieve a nationwide public safety broadband network - connectivity coast to coast, border to border - 10 MHz of D Block spectrum, currently slated for FCC auction, must be added to the current 10 MHz of spectrum licensed to the Public Safety Broadband Licensee in order to build out a 20 MHz network. You can see on the spectrum chart, below, that this is the ideal spectrum. The public safety block abuts the D Block. This is perfect for public safety.



Only with this particular spectrum configuration, and none other, can public safety be assured that it will have the ability to build the network it needs now and into the future. S.3756 will accomplish this one-time opportunity to get it right.

**Public safety must control the network.** A single public safety licensee using a single technology operating on a network with sufficient capacity is required to handle day to day operations as well as the capability to manage major incidents. We cannot have commercial providers deciding what is or is not an emergency and what is the priority. Public safety transmissions have to go through without delay. A “no service” signal is not an acceptable element of incident command. The lives of firefighters, the lives of medics, the lives of law enforcement officers depend on this. This is our responsibility.

Public safety expects to work with others and enter into public-private partnerships. We will work with other state and local governmental agencies, federal partners, and utilities. But, public safety must have control over the operation of the network in real time. It cannot rely on commercial operators or a government agency to provide its critical governance needs. Network control will give public safety assurance that it will have full, pre-emptive priority over all of the spectrum on a when-needed basis.

**The network must be mission critical at the outset.** In the beginning, this system will handle only data and video. At some future time – years away – we believe there will be a transition to mission critical voice. We all need to take a long term view – to start out with sufficient spectrum so that we will have the ability to migrate to mission critical voice. This will happen when the technology is developed, public safety has confidence in it, and its cost is affordable. Here are the key elements of “mission-critical:”

- The network must be hardened to public safety requirements. This means towers must be able to withstand the elements that might disable them. Towers in hurricane-prone areas and tornado alleys must be designed accordingly. Back up electrical power must be available 24/7. Redundancy is necessary.
- The public safety mission critical voice network must have the ability to broadcast and receive “one-to-one” and “one-to-many” and the ability to broadcast and receive without the network infrastructure being operative. This is called “talk around” mode – also known as simplex. This is a command and control imperative. You know well that we operate under extremely hazardous conditions. If the network, for any reason, cannot provide connectivity, then we need the capability to communicate without the network. This means communicating in the simplex mode. This is the heart of public safety communications.
- The network must have back up capabilities in the event of network loss. We envision satellite capability for the network to be available when a tower is disabled or other crippling malfunction. Satellite can also cover remote areas that don’t have towers. Our mission is geography-oriented whereas commercial carriers are concerned with population.

**Funding is important for the build-out of a public safety broadband network.** State and local government budgets are challenged. The broadband network needed by public safety cannot be built without federal funding support. S. 3756 recognizes this fact. Both a Construction Fund and a Maintenance and Operation Fund will be created by this bill and authorized to a maximum of \$11 billion for both funds. These funds will provide matching grant programs at the U.S. Department of Commerce to build the network and at the FCC to operate and maintain the network. The bill will fund the Construction Fund by auctioning, at a

minimum, 25 megahertz of contiguous spectrum at frequencies located between 1675 megahertz and 1710 megahertz. These funding mechanisms are innovative and greatly appreciated.

While S. 3756 is very good as written, there are two areas which I would like to see addressed as the bill moves forward:

- First, there is reference throughout the bill for the FCC to issue state licenses. This, we believe, will hamper interoperability. Currently, seven states and the District of Columbia have been granted early deployment waivers. These states and DC have been granted FCC-approved leases by the nationwide Public Safety Broadband Licensee. Only in this manner – a single licensee - can nationwide interoperability be assured.
- Second, we have serious concerns about the flexible use of narrowband spectrum envisioned in Section 103 of the bill. This could lead to interference problems as well as reduce the needed narrowband capacity.

Mr. Chairman, the IAFC and public safety support S. 3756. This bill provides public safety with what it needs to begin the task of building out a nationwide public safety broadband network. We thank you for your personal attention to this issue and will work with you and the committee to assure prompt passage. We are more than nine years since the dreadful events of 9-11, thus we urgently need to move forward on a plan to develop the envisioned public safety broadband communications network. I am available to respond to any questions you may have.

## The Public Safety Alliance

The Public Safety Alliance is a partnership with the nation's leading public safety organizations, which includes the 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 and the National Association of State EMS Officials. The partnership is operated as a program of the Association of Public-Safety Communications Officials (APCO) International.

The purpose of the Public Safety Alliance is to ensure law enforcement, fire and EMS agencies are able to use the most technologically advanced communications capability that meets the difficult, life-threatening challenges they face every day as they protect America.

The goal of the Public Safety Alliance is to raise awareness in Congress and the White House about what our Nation's law enforcement, fire, and emergency medical services need to build out a nationwide, interoperable, 4G, wireless communications network to protect America.



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 | National Association of State EMS Officials

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