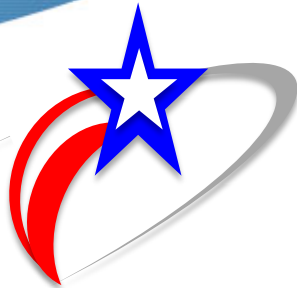


700 MHZ BROADBAND

S.28 & H.R.607,
Legislation to Allocate the D Block
Spectrum to Public Safety



Who Is the Public Safety Alliance?

- ◆ The Public Safety Alliance is a partnership among the nation's leading public safety associations, including:
 - ◆ the Association of Public-Safety Communications Officials (APCO) International,
 - ◆ the International Association of Chiefs of Police,
 - ◆ the International Association of Fire Chiefs,
 - ◆ the National Sheriffs' Association,
 - ◆ the Major Cities Chiefs Association,
 - ◆ the Major County Sheriffs' Association,
 - ◆ the Metropolitan Fire Chiefs Association,
 - ◆ the National Emergency Management Association, and
 - ◆ the National Association of State EMS Officials.
- ◆ The partnership is operated as a program of APCO International.



The “Big 7” Support the PSA Position on D Block

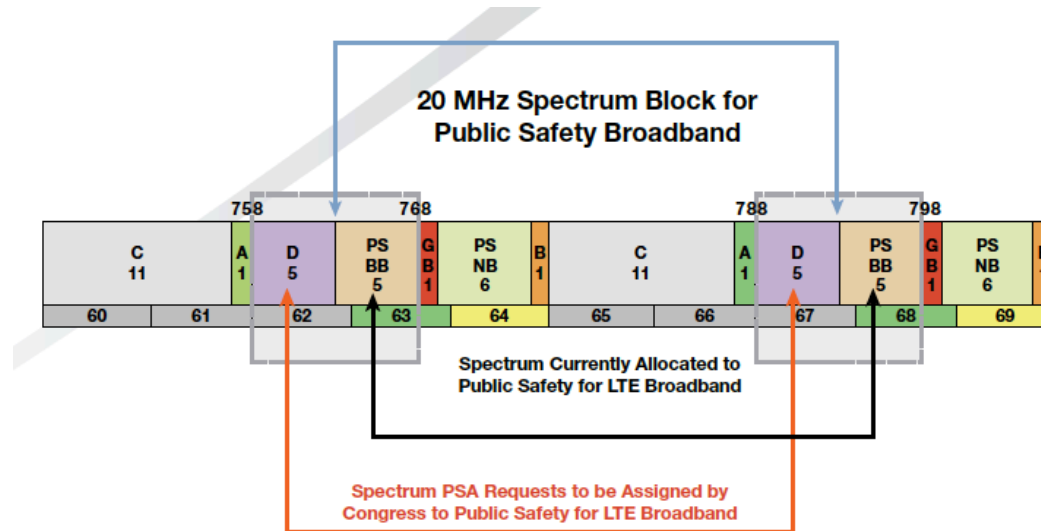
State, County and Local Governments

- ◆ National Governors Association
 - ◆ National Association of Counties
 - ◆ National League of Cities
 - ◆ United States Conference of Mayors
 - ◆ Council of State Governments
 - ◆ International City/County Managers Association
 - ◆ National Conference of State Legislatures
-
- ◆ National Association of Regional Councils
 - ◆ National Association of State Chief Information Officers



What is the D Block?

- ◆ The D Block is a 10-MHz piece of spectrum in the upper 700-MHz spectral band. It sits adjacent to the spectrum currently licensed to public safety.



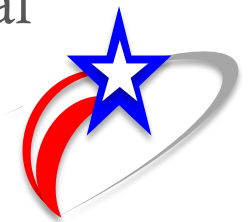
Why Is the D Block So Important to Public Safety?

- ◆ The D Block is the only unencumbered portion of spectrum remaining in the 700-MHz band on a national basis.
- ◆ Allocating the D Block to public safety will allow for a nationwide interoperable broadband network on a contiguous 20-MHz spectrum swath.
- ◆ Once the technology becomes available, the 20-MHz network will have the capacity necessary to transmit mission-critical real-time high resolution video, voice and data, which is why the D Block is the only spectrum truly capable of meeting public safety's needs.



Who Controls the Fate of the D Block?

- ◆ The fate of the D Block rests squarely with Congress.
- ◆ The Public Safety Alliance is urging Congress to pass legislation that would allocate the D Block and funding to public safety to aid in the build-out of a nationwide broadband network.
- ◆ By contrast, the Federal Communications Commission (FCC) has interpreted its congressional directive as a mandate to auction the D Block spectrum to commercial services only.



The Obama Administration Supports D Block Allocation to Public Safety with more than \$10 billion of Aid.

The Administration's FY2012 budget request includes the allocation of D Block to public safety with more than \$10 billion in support of build-out and sustainment of the broadband network.

- ◆ The President's budget sidesteps any "give back" requirement by including \$3.2 billion in funding to offset the CBO scoring for what the D block was expected to yield in a commercial auction.
- ◆ The President's Wireless Innovation and Infrastructure Initiative provides \$7 billion in funding for building the public safety network.

Additionally, a Wireless Innovation Fund is created to provide \$3 billion of spectrum receipts to help develop and promote cutting-edge wireless technologies to advance public safety, telemedicine, Smart Grid, other broadband capabilities and to facilitate spectrum relocation.

Legislation to Allocate the D Block w/ Funding to Public Safety

[co-sponsors as of 3-31-2011]

S. 28, THE PUBLIC SAFETY SPECTRUM AND WIRELESS INNOVATION ACT

- ◆ Introduced by Senator John “Jay” Rockefeller, IV, Chairman of the Senate Commerce, Science and Transportation Committee.

Cosponsors:

1. Michael Bennet [D-CO]
2. Benjamin Cardin [D-MD]
3. Kirsten Gillibrand [D-NY]
4. Thomas Harkin [D-IA]
5. John Kerry [D-MA]
6. Amy Klobuchar [D-MN]
7. Frank Lautenberg [D-NJ]
8. Bill Nelson [D-FL]
9. Charles Schumer [D-NY]

H.R. 607 - THE BROADBAND FOR FIRST RESPONDERS ACT OF 2011

- ◆ Introduced by House Homeland Security Committee Chairman Peter King (R-NY) and Ranking Member Bennie Thompson (D-MS).

Cosponsors:

1. Shelley Berkley [D-NV1]
2. Leonard Boswell [D-IA3]
3. Yvette Clarke [D-NY11]
4. Chip Cravaack [R-MN8]
5. Keith Ellison [D-MN5]
6. Jim Gerlach [R-PA6]
7. Michael Grimm [R-NY13]
8. Sheila Jackson Lee [D-TX18]
9. Eddie Bernice Johnson [D-TX30]
10. James Langevin [D-RI2]
11. Tom Latham [R-IA4]
12. Billy Long [R-MO7]
13. Nita M. Lowey [D-NY18]
14. Carolyn McCarthy [D-NY4]
15. Michael Michaud [D-ME2]
16. Candice Miller [R-MI10]
17. Laura Richardson [D-CA37]
18. Michael Rogers [R-AL3]
19. Heath Schuler [D-NC11]
20. Don Young [R-AK]



S.28 and H.R. 607

This legislation would...

- ◆ Establish a framework for the deployment of a nationwide, interoperable and mission-critical wireless broadband network for public safety.
- ◆ Allocate 10 megahertz of spectrum, known as the “D Block,” to public safety.
- ◆ Require the Federal Communications Commission (FCC) to develop technical and operational standards, in cooperation with DHS and others, to ensure nationwide interoperability and build-out (including rural areas).
- ◆ Require the FCC to establish standards that allow public safety officials, when not using the network, to lease capacity on a secondary, but preemptive basis to non-public safety entities, including other governmental and commercial users.
- ◆ Authorize the use of funds derived from other spectrum auctions to help construct and maintain the nationwide, interoperable, wireless broadband public safety network.



What Public Safety Needs To Know About these Bills.

- ◆ The members of the Public Safety Alliance (PSA) are united in their support for both S.28 and H.R. 607.
- ◆ However, there is concern about language contained in each:
 - Section 207 of H.R. 607 requires public safety agencies with spectrum between 450-512 MHz to migrate their Land Mobile Radio (LMR) systems to the 700/800 MHz spectrum bands.
 - Section 103 of S.28 includes language that requires flexible use of the narrowband spectrum currently designated for LMR.
- ◆ The Obama Administration created its own offset in announcing its support for D block allocation by providing \$3.2 billion to fill the auction gap.



Amendments Are in the Works.



APCOAlert

Breaking News That Impacts Public Safety Communications

March 17, 2011

RE: Section 207 of H.R. 607, Broadband for First Responders Act

We see merit to the migration of LMR systems to the 700/800 MHz band **only** if it would increase efficiency, improve interoperability and reduce cost for the agencies.

Our leadership is working closely with the bill sponsors to amend Section 207, who have indicated a willingness to address concerns raised by public safety and its partners, including those raised by amateur radio and alarm industry operators.

While the two legislative chambers and the Administration could ultimately compromise on the issue of offsets, we do not believe they are likely to support the current give-back language in the end.

Does Public Safety Really Require Broadband?

- ◆ Yes.
 - ◆ As the network is developed and new devices and applications become available, public safety's demand for video and data services will substantially increase.
 - ◆ The demand for data services within the public safety community is expected to parallel the commercial world; therefore, it is an unrealistic assumption that 10-MHz of spectrum would be sufficient for the volume of data public safety's agencies will need, both for day-to-day use and in emergency situations.



Can Public Safety Use Commercial Networks?

- ◆ Maybe – but not always and not for everything.
 - ◆ Commercial systems are not built to a **public safety grade**, and cannot be relied upon for everyday, **mission-critical** operations.
 - ◆ Commercial service providers are not willing to allow the required level of priority access, called **Ruthless Preemption**, which allows first responders to displace commercial customers during critical events and emergencies.
 - ◆ There may be times when certain types of threats require commercial systems to be turned off, yet public safety systems will still need to operate, such as in the presence of Remotely Controlled IEDs or RCIEDs.



How Will Public Safety Support the Build-Out of the Network?

- ◆ Some of the funding mechanisms include:
 1. Lease excess network capacity not utilized by public safety to commercial providers or other users on a secondary basis
 2. Proceeds from other spectrum auctions
 3. Current Homeland Security, Justice, Transportation and other Federal grants
 4. Universal Service Funds (USF)
 5. A nominal monthly fee that can be imposed on consumers of commercial broadband services
 6. Public safety agencies partner with private industry
 7. Funding will also come from state and local public safety operational expenses

- ◆ If the D Block spectrum is auctioned, then the cost of building the 10-MHz of public safety broadband network will need to rely solely on federal grant dollars.



How Much Will the Build-Out Cost? Can We Afford It?

- ◆ FCC's National Broadband Plan states that the build-out of a 10-MHz broadband network will cost approximately \$6 to \$10 billion over the next five years.
- ◆ The cost of building a 20-MHz network is practically the same, if not less.
- ◆ A recent study released by a highly respected non-profit think tank, the Phoenix Center, states that allocation will save the US money, realizing at least \$3.4B in deficit reduction, as compared to a commercial auction of the spectrum.



What Benefits Could a Public Safety Broadband Network Provide?

- ◆ The network would provide emergency first responders access to the sort of technology that many Americans use each day and often take for granted.
- ◆ From an economic standpoint, creation of an entire new market for data driven devices and applications would allow for greater competition, innovation and entrepreneurship.
- ◆ This emerging market would create new and sustainable jobs for thousands of Americans.



What Is the Value of the D Block Spectrum?

- ◆ The D Block has an estimated commercial auction value of between \$1.2 and \$3.2 billion. Several factors have contributed to its expected value:
 - ◆ There are currently public safety requirements on the spectrum – any commercial carrier who acquires the spectrum would have to provide ruthless preemption for public safety in the event of an emergency. Not surprisingly, this has greatly devalued the value of the spectrum.
 - ◆ In addition, if the FCC has contemplated blocking Verizon and AT&T from bidding on the D Block. The resulting lack of open competition would considerably deflate the number and value of the bids. To date, Sprint, T-Mobile, Clearwire and a few other business interests have shown the greatest interest in bidding for the D Block.
- ◆ The White House and Obama Administration have offered \$3.2 billion in FY2012 Budget assistance to offset the lost auction revenue.



Who Opposes D Block Allocation to Public Safety?

- ◆ A narrow and diminishing coalition of commercial carriers and business interests:
 - ◆ Previously known as the Coalition for 4G in America, the group re-launched a campaign in December, 2010 attempting to co-opt the public safety message by rebranding itself as the “Connect Public Safety Now” coalition.
 - ◆ Instead of allocating D Block to public safety, its goal was to ensure D Block was auctioned off to a limited group of potential commercial bidders with little-to-no public safety requirements or federal funding.



Who Supports D Block Allocation to Public Safety?

- ◆ **Public Safety Associations:** International Association of Chiefs of Police, International Association of Fire Chiefs, National Sheriffs' Association, Major Cities Chiefs Association, Metropolitan Fire Chiefs Association, Major County Sheriffs' Association, Association of Public-Safety Communications Officials, International, National Emergency Management Association, International Association of Emergency Managers, Police Executive Research Forum, National Criminal Justice Association, National Association of Police Organizations, National Volunteer Fire Council, National Troopers' Coalition, National Organization of Black Law Enforcement Executives, Association of Air Medical Services, Advocates for Emergency Medical Services, Emergency Nurses Association, National Association of Emergency Medical Services Physicians, National Association of Emergency Medical Technicians, National Association of State Emergency Medical Service Officials, National Emergency Medical Services Management Association, International Municipal Signal Association, American Probation and Parole Association, InterAgency Board for Equipment Standardization and Interoperability
- ◆ **State and Local Government:** National Governors Association, National Association of Counties, National League of Cities, United States Conference of Mayors, Council of State Governments, International City/County Managers Association, National Conference of State Legislatures, National Association of Regional Councils, The National Association of State Chief Information Officers, State of New York, State of Nevada, State of Oregon, State of Iowa, State of Illinois, State of Maryland, State of Louisiana
- ◆ **Other National Associations:** Communications Workers of America, American Public Works Association, American Association of State Highway and Transportation Officials, Alarm Industry Communications Committee, The National Association of State Technology Directors, Small Business and Entrepreneurship Council (SBEC)
- ◆ **Public Safety Industry:** Alcatel-Lucent, AT&T, EADS, Harris, Kenwood, Motorola, Northrop Grumman, Verizon, Raytheon, Rivada, Zetron, L.R. Kimball, Advanced Response Concepts Corporation, The Digital Decision, LLC, TASER International



How You Can Help

psafirst.org

- ◆ Calls, emails, letters, visits to your 2 Senators and 1 House Rep:
 - Capitol Hill switchboard – 202/225-3121
 - congress.org – enter your zip code
- ◆ Remember to also thank existing bill sponsors.
- ◆ For support: Roger Wespe, wesper@apcointl.org
888-272-6911 (mobile: 202-253-2535)
- ◆ Interested in learning more?
 - register to attend APCO's Broadband Summit, May 16-18
broadbandsummit.apcointl.org

