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Public Safety
Communications**

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Association

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National Telecommunications and
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Telecommunications Industry
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NIJ CommTech Program

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July 11, 2006

The Honorable David A. Gross
Ambassador and United States Coordinator
for International Communications & Information Policy
Department of State
Washington, D.C. 20520

Dear Ambassador Gross:

On behalf of the National Public Safety Telecommunications Council (NPSTC), we appreciate very much being part of the meeting you held on June 30, 2006, to discuss public safety communications along the southwest border. NPSTC commends your commitment and that of Federal Communications Commission (FCC) Chairman Martin and the staffs of the Department and Commission to this critical area.

NPSTC's premise is that local and state public safety operations should be supported by modern communications capability. Border regions present particular challenges, where the lack of viable communications in several areas impedes effective operations. NPSTC thinks these challenges should be addressed by affording agencies most affected with the opportunity to provide information and recommendations as part of the State Department and FCC negotiation efforts. Whether negotiations involve the 800 MHz reconfiguration, interference in the VHF/UHF bands, the 700 MHz, 4.9 GHz, and 5.1 GHz bands, or the need for cross border mutual aid channels and the difficulties resulting from present agreements, an ongoing relationship between public safety users and those representing U.S. interests will produce meaningful agreements that advance the goals we share.

As we noted in our April 3, 2006, correspondence, the inability to effectuate the Commission's 800 MHz reconfiguration plan in border areas has a domino effect on the entire process. That process imposes stringent deadlines on agencies to move toward restructuring the channels, yet the deadlines become elusive without the border areas becoming defined. Operations in several states, most prominently California and Texas, are compromised as region-wide systems, which involve the border areas and beyond and are crucial to interoperable communications in wide-area emergencies, cannot move forward. Failure to update current agreements also means that areas suffering from interference are not afforded the relief envisioned by the Commission.

As vexing as the 800 MHz reconfiguration is the interference encountered by local and state agencies in the VHF and UHF spectrum bands. This interference emanates from operations regulated by the Government of Mexico. The VHF band remains the overwhelming spectrum resource for

local public safety agencies—emergency medical services, fire, and law enforcement. It will remain vital because of its propagation character, its universal embrace, and the lack of realistic alternatives. Unless a resolution is reached with Mexico as to how these channels can be shared, state and local public safety operations will continue to be severely compromised by interference.

As the U.S. transition from broadcast to public safety operations in the 700 MHz band approaches the 2009 deadline, agreements with both Mexico and Canada are necessary for access by border agencies. Any negotiations in this regard should include recognition of the factors that affect this spectrum including the ability of local border agencies to use this spectrum, that particular regions encounter unique circumstances, and that there is a current debate with regard to 700 MHz broadband channels. Similar circumstances exist concerning FCC decisions addressing public safety use in the 4.9 and 5.1 GHz bands.

The heightened priority of domestic security, combined with the overall challenges the southwest border present, increases the need to communicate with public safety officers in Mexico with regard to the large and small incident. Established relationships should be replicated in communications capability. The need for effective cross border mutual aid channels is crucial to effective emergency response in the border areas. Promoting this ability should also examine those circumstances where current agreements as to power levels and height, limit operations to the detriment of both countries.

NPSTC understands the parameters by which bilateral discussions take place. It respects that the work requires balancing many circumstances and interests, including the confidentiality of particular matters. Yet, we must express the need to promote the exchange of perspectives from U.S. local and state agencies that will assist in developing an underlying approach. As we related during the meeting, public safety is not a single entity. The structure of local government in the United States and the importance of local participation in funding and managing public safety connote a range of agencies and circumstances. NPSTC believes it important that any negotiations recognize and pursue such participation. It will provide more meaningful information to those representing U.S. interests and it will allow regional circumstances to be addressed. Significantly, it will instill a comprehension in those who must ultimately adhere to any agreement of the interests at stake and balance pursued.

NPSTC commends the work of the Department of State and Federal Communications Commission in supporting local and state public safety agencies. We believe that your suggestion that public safety interests participate in a currently established Advisory Committee will contribute significantly in pursuing the goals we share with you.

Respectfully,

Marilyn Ward

Marilyn Ward
Executive Director

Copy Provided to:

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Chairman of the Federal Communications Commission

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Director, Office of Bilateral and Regional Affairs, Deputy Coordinator for International Communications & Information Policy, Department of State

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Director of Telecommunications Policy, Department of State

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