



NATIONAL SHERIFFS' ASSOCIATION

JONATHAN F. THOMPSON
Executive Director & CEO

December 8, 2017

The Honorable Marsha Blackburn
Chairman
Subcommittee on Communications and
Technology
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 201515

The Honorable Michael F. Doyle
Ranking Member
Subcommittee on Communications and
Technology
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Blackburn and Ranking Member Doyle:

The National Sheriffs' Association (NSA) represents the 3,080 sheriffs of the United States and has more than 20,000 members. The NSA advocates for policies that will improve the quality of service to its constituents.

The Middle-Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96) created in part the First Responder Network Authority (FirstNet) as an independent authority within the U.S. Department of Commerce's National Telecommunications and Information Administration. Under the Act, FirstNet is tasked with building, deploying, and operating a self-funding, sustainable, interoperable broadband network for public safety entities across the country and within U.S. territories.

FirstNet's goal of building the nationwide public safety broadband network to meet the needs of first responders is a matter of critical importance for our members. While the task will not be easy, the NSA believes that FirstNet has developed the leadership, staff, and support from states, public safety, and other key stakeholders required to make this network a reality for first responders and the public who call on them for help in their time of need.

Public safety fought hard to establish FirstNet because we knew that we were being left behind compared to the technologies available for personal-use communications. The NSA is united with other national public safety organizations behind the desire to see FirstNet succeed and we will continue to fight for public safety's access to the best available technology to keep the public safe.

While FirstNet is focused on building a network for data communications, the Sheriffs still must depend on land mobile radio (LMR). The FirstNet broadband network will be very beneficial for mission-critical video and data operations use for public safety. However, it is not ready to support mission-critical voice systems. Section 6103 of P.L. 112-96 calls for the auctioning of the so-called T-Band spectrum (470 MHz-512 MHz) to begin by early 2021 and clearing current public safety

operations from the band within two years of the end of the auction. This spectrum is essential to public safety.

This spectrum is utilized in 11 heavily populated metropolitan areas to support critical public safety communications and provide regional interoperability among first responders. These areas are:

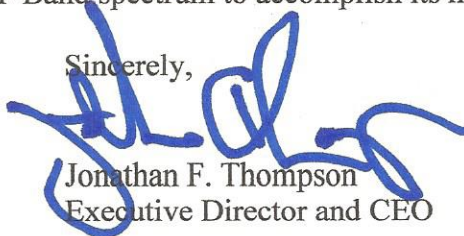
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The National Public Safety Telecommunications Council (March 2013 report; updated May 2016) estimates that it will cost at least \$5.9 billion to migrate these jurisdictions' communications systems to another band. At least five jurisdictions do not have sufficient alternative spectrum to which to migrate. Mission-critical voice on the FirstNet broadband network may not be comparable to that on current LMR systems for possibly 10 years or more. Even if public safety was removed from the T-Band, the spectrum would still be heavily encumbered with business and industrial users. This would most likely result in any auction being a failure. There have been at least fifteen years of planning and grant funding since September 11, 2001, used in developing interoperability plans and common channel plans using the T-Band spectrum.

The Final Report of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission Report) identified the need for improved interoperable communications between first responders and recommended dedicated spectrum for public safety. These needs were again amplified and identified in the after-action reports of Hurricane Katrina and other incidents. NSA knows firsthand the benefits that mission-critical interoperable communications provide. While the FirstNet network stands to improve communications, coordination, and situational awareness during emergency response operations, it will not – for the foreseeable future – replace mission-critical voice communications

We note that the International Association of Fire Chiefs (IAFC) filed a statement to the subcommittee on November 1, 2017. NSA supports the IAFC position and endorses it. Many of the Sheriffs we represent will be impacted by the auctioning of the T-Band. Mission-critical voice operations and interoperability with other law enforcement, fire service and emergency management services are critical. It is for these reasons that the NSA supports the repeal of Section 6103 of P.L. 112-96 to allow public safety to continue using the T-Band spectrum to accomplish its mission.

Sincerely,



Jonathan F. Thompson
Executive Director and CEO