

**National Governors Association  
National Conference of State Legislatures  
The Council of State Governments  
National Association of Counties  
National League of Cities  
The U.S. Conference of Mayors  
International City/County Management Association**

June 15, 2010

The Honorable Henry Waxman  
Chairman  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Joe Barton  
Ranking Member  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Rick Boucher  
Chairman  
Subcommittee on Communications,  
Technology, and the Internet  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Cliff Stearns  
Ranking Member  
Subcommittee on Communications,  
Technology, and the Internet  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Waxman, Chairman Boucher, Ranking Member Barton and Ranking Member Stearns:

As national organizations representing state and local government officials, we thank you for examining public safety communications needs, specifically as they pertain to the 700 MHz D block of broadband spectrum. The utilization of broadband technology is crucial to the future of public safety and will enhance the ability to save lives by quickly sharing information with first responders, public institutions and private citizens. Stopping the Federal Communications Commission's (FCC) auction and reallocating the D block directly to public safety is the only way to ensure a robust, modern and reliable nationwide interoperable network.

For years, state and local first responders have sought to build a national interoperable communications network that allows real-time information sharing through high speed video and data. This requires an appropriate, dedicated band of spectrum that can accommodate the everyday needs of firefighters, police officers and emergency medical personnel, as well as provide excess capacity during times of emergency. The 700 MHz D block finally provides this opportunity.

As you know, the FCC plans to auction the D block for commercial purposes. In its National Broadband Plan, the FCC proposes to meet public safety spectrum needs by providing roaming and priority access on other commercial 700 MHz networks for a fee. This proposal is insufficient because it will not meet stringent public safety requirements necessary to protect lives and will increase the costs of achieving and maintaining operable and interoperable emergency communications for years to come.

To ensure the ability to communicate during an emergency, public safety must have guaranteed access which can only be accomplished if the network is dedicated for public safety. As demonstrated during many disasters, commercial systems become congested with a dramatic increase in demand that can

prevent users from accessing the network. Efforts to provide first responders with priority access on commercial systems have failed to meet public safety requirements and will likely continue to do so because of service providers' responsibility to serve their commercial customers.

One of the reasons why first responders have faced tremendous challenges in achieving and maintaining interoperable communications is because public safety has been given only small sections of spectrum across different frequency bands over the past several decades, but never enough to consolidate their communications into a single segment of spectrum. Since devices operating on different frequencies cannot talk to each other, public safety agencies have sometimes found it necessary to install two or more radios in each response vehicle to ensure neighboring agencies can communicate. This solution can be extremely costly and cumbersome.

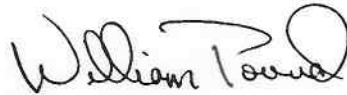
By reallocating the D block to public safety, the nation has the opportunity to not only ensure that our police officers and firefighters have access to advanced technologies, but also to avoid the mistakes of the past that have made public safety communications systems complex and costly. The location of the D block next to the 10 MHz of spectrum previously designated for public safety offers a unique opportunity to ensure first responders not only have access to sufficient spectrum, but also to gain efficiencies of scale and reduce the costs of such systems that must be maintained by taxpayers over time.

We urge you to take action to stop the auction and support reallocation of the D block to ensure this one time opportunity to develop a nationwide interoperable network for public safety is not lost.

Sincerely,



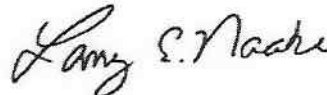
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