

THE COUNCIL OF STATE GOVERNMENTS

RESOLUTION ON PUBLIC SAFETY COMMUNICATIONS

Resolution Summary

Under current law, the Federal Communications Commission (FCC) is required to auction the 10 megahertz (MHz) of the 700 MHz radio spectrum known as the “D block”. This resolution urges Congress to enact legislation that would remove the auction requirement and, instead, reallocate the D block to state and local public safety officials. By adopting this resolution, The Council of State Governments would align its support with the other “Big 7” organizations as well as over a dozen of the most prominent state and local public safety groups.

On March 16, 2010, the Federal Communications Commission (FCC) released its congressionally mandated National Broadband Plan (NBP). The NBP makes several recommendations regarding public safety communications including a proposed commercial auction of the 700 MHz D block spectrum. Auctioning the D block spectrum would likely generate little revenue for the Federal government and would allocate to commercial use scarce spectrum resources urgently needed by public safety. Rather, the allocation of the 10 MHz D block spectrum combined with the 10 MHz of spectrum already allocated for public safety use, will create a contiguous, nationwide 20 MHz swath of broadband spectrum that would provide the foundation for a sustainable nationwide public safety wireless broadband network.

Spectrum is a finite and valuable commodity that cannot be regained once it is auctioned and once networks are developed. Guaranteeing only 10 MHz of capacity to public safety will likely prove insufficient, allowing for interference and gaps in coverage to persist. By providing the 20 MHz of contiguous spectrum to public safety, first responders could, for example, make widespread use of streaming video of an incident scene that could be sent to other responding agencies or to remote medical personnel. As the general public comes to expect that they can send 911 messages via text, picture or video, it will also become increasingly important for 911 call centers and responding public safety officials to have access to corresponding technologies.

Reallocating the spectrum to public safety would allow state and local officials to pursue tailored public-private partnerships through a request for proposal or other similar process. National standards would ensure nationwide interoperability while public safety and state and local officials could ensure mission critical needs are met at a cost that can be sustained by state and local governments over time.

Additional Resource Information

- Information website on the D block created by state and local public safety organizations: <http://www.d-block.net/>
- The Public Safety Spectrum Trust Corporation (PSST), a 501(c)(3) entity, has been selected by the FCC as the Public Safety Broadband Licensee (PSBL) for the 10 MHz of 700 MHz public safety nationwide broadband spectrum. The PSST's mission is to provide an organizational structure to help guide the construction and operation of an interoperable nationwide public safety wireless broadband network: <http://www.psst.org/index.jsp>
- Federal Communications Commission (FCC) National Broadband Plan highlights: <http://www.broadband.gov/issues/public-safety.html>

CSG Management Directives

- **Management Directive #1:** The Council of State Governments will urge Congress to enact legislation directing the Federal Communications Commission (FCC) to remove the requirement to auction the D block of the radio spectrum in the 700 MHz range, and rather allocate the D block to state and local public safety officials.
- **Management Directive #2:** The Council of State Governments staff will post approved resolution on CSG's Web site and make available through its regular communication venues at the state and local level to ensure its distribution to the state government and policy community.

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RESOLUTION ON PUBLIC SAFETY COMMUNICATIONS

WHEREAS, The Council of State Governments supports the build out of a nationwide public safety broadband network to provide public safety officials with the most modern and reliable communications available;

WHEREAS, as the public's use of text messaging and picture/video sharing via commercial wireless devices continues to grow, there is an expectation that first responders will be capable of using this information in real-time through emergency dispatch systems, such as 911;

WHEREAS, without the reallocation of the 10 MHz of spectrum known as the "D block" to state and local public safety officials, first responders must continue to rely on commercial networks, which cannot guarantee first responders will have priority access to the network over other users;

WHEREAS, by allocating to public safety a single section of contiguous spectrum, public safety could not only use the most modern and reliable technologies for video and data communications, but also help to ensure public safety's ability to control access to the network during times of emergency;

WHEREAS, reallocating the D block to state and local public safety officials would improve interoperable communications across the various first responder agencies, jurisdictions and geographic regions, while also reducing the cost burden to public safety agencies by reducing need to utilize multiple communications systems to ensure officers are able to talk with one another;

WHEREAS, a united public safety community is deeply concerned that an auction of the spectrum would limit their future access to the most modern and reliable communications technologies and would remove their ability to ensure the network will meet the mission critical needs of first responders; and

WHEREAS, while reallocating the D block would double the amount of spectrum available to public safety, removing it from auction would represent less than a two percent reduction in the amount of spectrum requested for commercial purposes.

NOW, THEREFORE BE IT RESOLVED, that The Council of State Governments urges Congress to enact legislation directing the Federal Communications Commission (FCC) to remove the requirement to auction the D block of the radio spectrum in the 700 MHz range, and rather allocate the D block to state and local public safety officials; and

BE IT FURTHER RESOLVED, that The Council of State Governments supports the development of national standards for a public safety broadband network to ensure that technical requirements for access to, reliability of and performance of the network are consistent across the country.

Adopted this _____ Day of May, 2010 at CSG's 2010 Economic Summit of the States in New York City, NY.

Governor M. Michael Rounds, SD
CSG President

Senate President David L. Williams, KY
CSG Chairman