

**STATEMENT OF
CHAIRMAN KEVIN J. MARTIN**

Re: Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements through the Year 2010, Ninth Notice of Proposed Rulemaking, (PS Docket No. 06-229, WT Docket No. 96-86).

In our Intelligence Reform Act report to Congress last year, the Commission found that emergency response providers would benefit from development of an integrated, interoperable network capable of delivering broadband services nationwide. Consistent with that finding, and at the urging of public safety, earlier this year the Commission asked whether certain channels within the current twenty-four megahertz of public safety spectrum in the 700 MHz band should be modified to accommodate broadband communications.

Today we expand upon our earlier inquiry by seeking comment on a national approach to maximize public safety access to interoperable, broadband spectrum in the 700 MHz band. I believe this proposal could offer many public safety benefits and is consistent with public safety's views on achieving an interoperable broadband network. Many national and local public safety organizations have expressed support for a public-private partnership approach for a single, national licensee to achieve an interoperable public safety broadband network in the context of other public safety proposals. One example is the Cyren Call proposal, which involves spectrum not currently allocated to public safety. The proposal in today's notice contains these elements, and it involves only the portion of the spectrum already allocated for public safety.

Although today's proposal is similar to other public safety proposals, it is not intended to be a substitute for them. The question of how the nation's spectrum resources in the 700 MHz band should be allocated is ultimately a question for Congress, not the Commission. If Congress determines that additional spectrum resources in the 700 MHz band should be allocated to public safety, the Commission would implement that determination.

In the meantime, however, the Commission is charged with efficiently and effectively managing the 700 MHz spectrum already allocated to public safety by Congress. We must continue to discharge that obligation to the best of our ability consistent with our statutory authority. To do otherwise would abdicate our responsibility at a time when it is more important than ever to ensure that our rules give first responders the communications capabilities they need to protect safety of life and property of the American public.

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements through the Year 2010, Ninth Notice of Proposed Rulemaking, (PS Docket No. 06-229, WT Docket No. 96-86).

As I have said many times, the safety of the people must always be the first and foremost responsibility of government. We are now over five years out from the tragedy of 9/11 and over a year since Hurricane Katrina, and we know this: America is not as ready as it could be and should be for the next attack or natural disaster, whenever that awful day should come. And that sad truth is not because there are any real disagreements about the policy objectives here with respect to our nation's heroic first responders. Everyone understands the need to provide the nation's first responders with interoperable equipment when they charge into a burning building or perform the thousands of other dangerous tasks each year that keep us safe. Everyone understands the importance of making sure that these dedicated public servants have the resources and funding they need to keep us – and themselves – out of harm's way. And everyone understands that public safety providers must be able to avail themselves of all the extraordinary advances that high-tech companies and commercial providers have made in network architecture and advanced hardware.

Today's NPRM attempts to address these objectives by proposing an inventive public safety model – the creation of a nationwide, interoperable broadband public safety communications network in the 700 MHz band. Specifically, the NPRM seeks comment on whether a national licensee can create such a network through a public-private arrangement, whereby commercial providers would assist public safety agencies in implementing this network.

As I have stated before, government-commercial sharing of public safety spectrum raises a host of complex technical and policy questions – the margin for error is uniquely low, and we must be exceptionally confident that there are no unintended consequences flowing from any actions we approve. At the same time, given the long-standing need for reform in this area, we simply cannot afford to ignore innovative ideas that could potentially revolutionize existing public safety spectrum management. I therefore applaud the Chairman's initiative in seeking comment on this proposal. Thanks also to the staff of the Public Safety and Homeland Security Bureau for preparing and presenting this thoughtful NPRM. I look forward to reading comments from interested and knowledgeable stakeholders, who can help this agency sort through the important and technically complex questions raised by today's item.

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements through the Year 2010, Ninth Notice of Proposed Rulemaking, (PS Docket No. 06-229, WT Docket No. 96-86).

I am very pleased to support this Notice of Proposed Rulemaking because it represents a creative approach to an interoperability problem that has long plagued our nation's public safety community. As we become fully immersed in the digital broadband world, it is critical that our first responders have access to the same first-rate communications systems that many consumers already enjoy. Our proposal today puts us closer to that goal than we have come in a long time.

True interoperability has been an elusive goal for the public safety community. Despite our best efforts, the Commission's policies to date have not provided the results we had hoped. While we have seen recent efforts to create certain state-wide and metropolitan area networks, most public safety communications systems remain localized, and interoperability between local, state, and federal agencies is limited. Our item today leapfrogs these previous interoperability efforts and focuses attention on our ability to leverage the licensing process to create a real incentive for nationwide interoperability through a careful balance of flexibility and conditions.

This "carrot and stick" approach is consistent with a view of spectrum policy that I have long advocated. I believe that the Commission has a responsibility to be more resourceful in its approach to spectrum policy and to take a more active role in being on the leading edge of spectrum technology. I have called for the Commission to consider policies that promote flexibility and innovation. Since the spectrum is a finite public resource, we need to see results as well – particularly in the area of wireless broadband, whether for public safety or commercial purposes. I am pleased that this item follows many of these same principles.

Finally, while I wholeheartedly support the launch of this proceeding today, I do want to counsel for taking a cautious and deliberate approach to an ultimate resolution. It is important to acknowledge that our proposal today talks in very broad strokes and looks to commenters to fill in many important details and specifics. A Further Notice of Proposed Rule Making that details a more specific and complete proposal may be needed in order to make sure that we really get this proceeding right. Our item today puts the Commission in a place that it does not routinely occupy. If we decide to go forward with a national broadband public safety licensee, we need to get the specifics nailed down as clearly as possible. We may only have one real bite at this apple, and for the sake of public safety, we want it to be a good one.

**STATEMENT OF
COMMISSIONER DEBORAH TAYLOR TATE**

Re: Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements through the Year 2010, Ninth Notice of Proposed Rulemaking, (PS Docket No. 06-229, WT Docket No. 96-86).

Earlier this year, I had an opportunity to hear local public safety personnel recount their experiences on the ground during the tragic events of Hurricanes Katrina and Rita. Their eyewitness accounts underscore how important it is that our nation's first responders have access to reliable and redundant communications in the event of an emergency, and how much remains to be done before those tools are available. A key challenge to effective emergency communications is the current shortfall in the number of interoperable systems that enable different public safety entities to communicate with each other and coordinate their efforts when time is of the essence. Therefore, it is *critical* that we take steps to improve public safety interoperability for all types of disasters – whether terrorist, natural, or even a health pandemic.

With this Notice of Proposed Rulemaking, we propose a centralized and national approach to maximize public safety access to interoperable, broadband spectrum in the 700 MHz band, and, at the same time, foster and promote the development and deployment of advanced broadband applications, related radio technologies, and modern, IP-based system architecture. I look forward to working with my fellow Commissioners on this proceeding and hearing from public safety entities, state and local officials, and all interested stakeholders regarding what we can do to ensure the reliability and interoperability of communications in order to better protect all Americans.

STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL

RE: Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, PS Docket No. 06-xx; Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communications Requirements Through the Year 2010, WT Docket No. 96-86, *Ninth Notice of Proposed Rulemaking*

I have said many times that I am fully committed to ensuring that the Commission takes advantage of all opportunities to spur technological innovation and increased access to broadband services by emergency response providers. Our country is teeming with entrepreneurs who are ready, willing and able to invest and take the risks necessary to accelerate the development and roll-out of advanced services for an array of customers, including public safety agencies. Moreover, given that over 220 million Americans rely upon wireless technologies for anytime, anywhere communications, the public has high expectations for reliable communications and effective coordination among emergency personnel in times of crisis. I am hopeful that the questions we pose today will enhance the ongoing dialogue regarding partnerships among the public safety community and the commercial wireless industry. The same market and technological forces that have made advanced wireless services an everyday part of living for the vast majority of Americans can and should be leveraged by the public safety community to make robust, redundant, low cost solutions widely available to our nation's first responders.

I'd like to thank the Bureau staff for their work on this NPRM. I'd also like to thank Angela Giancarlo of my staff for her guidance on this matter.