

Reallocation of D-Block Spectrum to Public Safety

NASCIO supports the reallocation of the D-Block to public safety and the establishment of a national interoperable mobile wireless broadband network that will improve our nation's homeland security and provide first responders with new voice, video, and data communications technologies that are urgently and desperately needed. As a strong advocate for enterprise architecture and open standards, NASCIO supports a uniform foundation for public safety communications. Rather than relying on slices of disparate spectrum for public safety, a nationwide architecture is needed to reduce complexity, promote advance services and direct future investments toward true interoperability. We need comprehensive spectrum legislation to build a 21st century digital infrastructure that provides public safety with the D-Block spectrum, adequate funding and a strong governance model that will include the proper structure to insure nationwide build out while allowing for local control of the network.

On a daily basis, State Chief Information Officers support public safety activities through the statewide communications infrastructure. Our country's local, state, tribal, and federal law enforcement, fire, medical, and other emergency professionals must have access to the most modern and reliable wireless broadband technologies to communicate with each other and with federal officials across agencies and geography during emergencies. The ability for public safety to have seamless nationwide roaming capability on a wireless broadband network that is hardened to public safety requirements is achievable and essential for public safety to meet its ever-increasing responsibilities.

Legislation needs to ensure that states and localities are provided maximum flexibility in developing public and private partnerships that include utilities, critical infrastructure, transportation, public works and other non-public safety users to assure sustainability, efficiency and effectiveness. We are concerned that some legislation has attempted to prohibit states and localities from allowing secondary users on the network and contracting with the widest possible range of qualified providers. States should not be limited as to who uses the network or contract with in implementing and operating the broadband systems. NASCIO's members will vigorously resist such anti-competitive, federal mandates.

NASCIO opposes requiring public safety to giveback the 700 MHz narrowband language. Thousands of licenses have been granted to use the spectrum, and today hundreds of thousands of users rely on the 700 MHz narrowband mobile radios for both day-to-day operations and when responding to acute natural and manmade disasters. State and local governments have invested an average of between \$100 - \$400 million to build out their networks, and many of these 700 MHz narrowband systems have only come online within the last couple of years or will be coming on line within the next year.

NASCIO also opposes the "administrator" governance model language contained in some legislation. We support the bipartisan Rockefeller-Hutchison bill ([S. 911; Public Safety Spectrum and Wireless Innovation Act of 2011](#)), which envisions a public-private non-profit corporation to oversee the construction and operation of the network. Public safety and state and local government would be represented on the board of the proposed corporation, and we

strongly believe this system ensures better transparency and accountability, especially to the end-users.

Recommendation: The allocation of the D-Block spectrum and funding to public safety is critical to building a nationwide wireless broadband network that provides the capacity needed to transmit mission critical real-time high-resolution video, voice and data. NASCIO urges Congress to pass - *Public Safety Spectrum and Wireless Innovation Act of 2011 (S. 911)* - the only bipartisan bill that has passed out of committee that has all the proper elements (funding, flexibility and governance) to successfully build and sustain a nationwide network.

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