

WRITTEN TESTIMONY OF
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INTERNATIONAL, INC.**

BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON GOVERNMENT REFORM

SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS, AND
INTERNATIONAL RELATIONS
SUBCOMMITTEE ON TECHNOLOGY, INFORMATION POLICY, INTERGOVERNMENTAL
RELATIONS AND THE CENSUS

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Thank you for the opportunity to submit my testimony. My name is Vincent Stile, and I submit this written testimony today in my capacity as President of the Association of Public-Safety Communications Officials-International, Inc. (“APCO”), the nation’s oldest and largest public safety communications organization (www.apco911.org).

I am also the Police Radio Communications Systems Director for the Suffolk County Police Department, Long Island, New York, the fourteenth largest police department in the nation, and serve as chair of the New York Metropolitan Advisory Committee (NYMAC) dealing with the concerns of radio spectrum as it affects first responders in New York City and its surrounding areas.

Founded in 1935, APCO has over 16,000 individual members, most of whom are state or local government employees who manage and operate communications systems for police, fire, emergency medical and other public safety agencies. APCO is certified by the Federal

Communications Commission (FCC) as a frequency coordinator for state and local government public safety licensees. APCO recommends frequency assignments for applicants seeking to add or expand their communications system, with the goals preventing harmful interference to critical operations, promoting interoperability, and maximizing spectrum efficiency. APCO's frequency department consists of a full-time staff and over 55 volunteer local frequency advisors throughout the United States. Until recently, I was the primary local frequency advisor for Southern New York, and continue to serve as an alternate advisor.

APCO is also deeply involved in a wide range of policy issues of concern to state and local government public safety communications, including spectrum allocation and management, deployment of "Enhanced 9-1-1" services, and funding for new communications networks and systems. APCO frequently participates in proceedings regarding these issues at the FCC, before Congress, and in the Executive Branch.

Much attention has been given recently to communications "interoperability" for first responders. I want to address that issue and what APCO believes is necessary to improve interoperability. However, I first want to emphasize that we in public safety prefer to look at the bigger issue of "communications." At the most basic level, each public safety agency must be able to communicate effectively with its own personnel. Unfortunately, many agencies do not have effective internal communication, let alone interoperability with others. Internal problems result from a lack of radio frequencies, outdated equipment, and insufficient funding for state-of-the-art radio systems. Once internal communications are addressed, the next level is the need for better interoperability with

surrounding and overlapping jurisdictions on a day-to-day basis. Finally, there is a need for improved interoperability between federal, state, and local agencies responding to major emergencies.

The lack of interoperability has many causes, and the solutions are often complex. We believe that there is a need for better local and regional planning, equipment standards, funding for short-term interoperability technologies, additional spectrum capacity, and better coordination among federal, state, and local government bodies charged with improving and promoting public safety communications.

Part of the solution is better planning and coordination of existing resources at the local and regional levels. For example, I chair the New York Metropolitan Advisory Committee (NYMAC) which helps to coordinate the communications needs of the many public safety agencies serving New York City and nearby areas. Many APCO members are involved in similar regional efforts across the country.

Incompatible radio equipment from different vendors can also be a problem, especially in a digital environment. APCO anticipated this issue back in late 1980's, when it initiated Project 25 to establish user-driven, public safety digital interoperability standards. Those standards are now in use at the federal, state, and local levels, with digital, interoperable Project 25 compatible radio equipment available from multiple vendors. Project 25 continues to refine and adapt standards to reflect improvement in technology and spectrum efficiency. Long term, technologies such as

software defined radios may take interoperable equipment a step further, and APCO has been involved in that process through the National Public Safety Telecommunications Council.

The lack of available radio spectrum allocated for public safety use is also a major impediment to improved interoperability. For example, without excess channel capacity, regional public safety agencies cannot dedicate sufficient channels for “mutual aid” or “interoperability” Moreover, the lack of available radio spectrum has forced public safety agencies to operate in multiple, incompatible portions of the radio spectrum. With sufficient channel capacity, agencies within the same region could migrate to a spectrum efficient wide-area system operating in single frequency band.

As an example of the diverse spectrum use that now exists, the Suffolk County Police Department operates on 800 MHz band frequencies while fire, EMS, and some local police departments within the County’s borders operate on either VHF (150-170 MHz) or UHF (450-512 MHz) band frequencies. Similar variations occur in neighboring Nassau County, and within New York City. The agencies in question are working hard to find ways to interoperate as best they can, but the lack of radio spectrum is a major hindrance. There are not even enough channels to create a cross-band patch, let alone sufficient spectrum for a wide-area, multi-agency system in a single frequency band. This is a common problem in many areas of the country.

Apart for “interoperability,” the lack of sufficient radio spectrum also limits internal communications capability for many public safety agencies. In many areas, existing channels are

overcrowded just with internal communication, without even considering the need for “external” interoperability. Many agencies are also unable to implement new state-of-the-art communication tools within existing, inadequate radio spectrum allocations.

Thus, APCO and other many public safety organizations have urged Congress to take immediate steps to make additional spectrum available. In particular, Congress needs to establish a firm date for the availability of twenty-four (24) MHz of spectrum in the 700 MHz band that remains blocked by TV stations pending the digital television transition.

The Balanced Budget Act of 1997 required the FCC to allocate an additional 24 MHz of radio spectrum for public safety services, and the FCC subsequently did its part and reallocated to public safety 24 MHz of spectrum from TV channels 63, 64, 68, and 69 (764-776/794-806 MHz).

However, the 1997 Act allows television stations on those and other relevant channels to remain on-the-air until December 31, 2006, OR until 85% of households in the relevant markets have the ability to receive digital television (DTV) signals, whichever is later.

The lack of a firm date for nationwide public safety use of this spectrum is a major problem. The additional spectrum would alleviate congestion and facilitate further deployment of wide-area, multi-jurisdictional radio systems, which are often the most effective means of providing for interoperability. However, without a firm date for clearing TV broadcast stations from the 700 MHz band, state and local governments are unable to plan, fund, or construct new radio systems using this valuable public safety spectrum. Representatives Jane Harman (D-CA) and Curt Weldon

(R-PA) have introduced legislation (H.R. 1425) to address this issue, which we and many other public safety organizations strongly support.

APCO is also deeply involved in efforts to resolve interference to the 800 MHz band, where many current wide-area, interoperable radio systems operate. That band is heavily used in most of the nation, and is subject to interference from Nextel and other cellular operations on adjacent channels. APCO and other national public safety organizations have joined with representatives of other 800 MHz band users to create a "Consensus Plan" for addressing the interference problem. APCO continues to strongly support the Consensus Plan.

Finally, I would like address Federal government efforts to promote interoperability and better overall public safety communications. I know that the Committee will be discussing SAFECOM, an e-government initiative within the Department of Homeland Security. APCO has worked very closely with the International Association of Chiefs of Police (IACP), the International Association of Fire Chiefs (IAFC), the National Sheriffs Association (NSA), the Major Cities Chiefs (MCC), and the Major County Sheriffs (MCS), to ensure that SAFECOM has adequate input from those representing the state and local government public safety perspective. APCO has joined with these public safety leadership organizations to form the Coalition for Improved Public Safety Communications (CIPSC) to work with SAFECOM on these issues.

One of the issues that SAFECOM is exploring is the process and jurisdictional responsibility for allocating and managing radio spectrum for state and local government public safety agencies.

That responsibility has always rested with the FCC, whereas allocation and management of spectrum for Federal agency use rests with the National Telecommunications and Information Administration (NTIA) within the Department of Commerce. Recently, we submitted a position paper to SAFECOM supporting the retention of this basic jurisdictional division. However, we also recommended that better coordination and cooperation between the FCC and NTIA is necessary. A copy of our position paper is attached.

On behalf of our nation's first responders, I want to thank you once again for conducting this hearing and for allowing me to submit my testimony today. APCO looks forward to working with Congress to ensure that public safety agencies have the resources necessary to fulfill their obligation to protect the safety of life, health, and property.