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TESTIMONY

of

Chuck Canterbury

President,

National Fraternal Order of Police

on

**A Draft Bill to provide funding for the construction and
maintenance of a nationwide, interoperable public safety broadband
network**

before the

**Subcommittee on Communications, Technology and the Internet
Committee on Energy and Commerce**

U.S. House of Representatives

17 June 2010

— BUILDING ON A PROUD TRADITION —

Good morning, Mr. Chairman, Ranking Member Stearns, and distinguished Members of the Subcommittee on Communications, Technology and the Internet. My name is Chuck Canterbury, National President of the Fraternal Order of Police. I am the elected spokesperson of more than 327,000 rank-and-file police officers—the largest law enforcement organization in the United States.

Reliable communication is an essential law enforcement tool—critical not only to the safety of the officer but the overall safety mission.

The old adage that no one can outrun a radio is true. Law enforcement relies on communications from simple traffic enforcement to complex response operations to an incident covering multiple jurisdictions and public safety agencies. Without reliable and effective communications, the safety of the officer and the mission is jeopardized.

The FOP supports the National Broadband Plan recently rolled out by the Federal Communication Commission (FCC), and its strategic outline for the creation of a fully interoperable national network for public safety. We further support and appreciate the fine work being done by Chairman Julius Genachowski, and the FCC's chief

of the Public Safety and Homeland Security Bureau, Rear Adm. James A. Barnett Jr. We have enjoyed a constant and regular dialogue with these two men and other key staff at the FCC and sincerely appreciate their outreach and responsiveness on public safety communications issues.

Broadband technology is the most recent technological jump for the public sector. We share the FCC's belief that using this new technology will make communications networks more reliable and more interoperable. The FOP agrees with the most recent conclusions of the FCC's white paper, entitled, "The Public Safety Nationwide Interoperable Broadband Network, A New Model For Capacity, Performance and Cost," which shows that the current spectrum dedicated to the Public Safety Broadband Licensee (PSBL) will provide the capacity and performance necessary for day-to-day communications and serious emergency situations. The FCC's plan includes funding for capital and operating expenses, which are critical to ensuring that the network is both nationwide and interoperable. We are also heartened by the FCC's commitment to ensure that all public safety agencies, not just those in major metropolitan areas, but also those in rural, more isolated areas, will have their interoperability issues addressed.

There are organizations in the public safety community who believe that the only way to achieve this goal is to allocate the D Block, which is mandated by law to be sold at auction, to the PSBL. But do not mistake the loudest voices for unanimity. The two largest public safety organizations, the FOP and our colleagues at the International Association of Fire Fighters, which represent the rank-and-file—the men and women who are in the field and whose lives depend on reliable communications—do not believe that the FCC’s vision or the overarching goal of establishing a national public safety broadband network depends on the D-Block being added to the PSBL.

For the rank-and-file, the issue is not just one of capacity, but cost and utility. Doubling the size of the spectrum dedicated to public safety will not mean very much if Federal funds are not made available to build out the network. Guaranteed Federal funding to establish and realize a national broadband network for public safety on the *existing* spectrum is priority one.

This existing spectrum, along with the FCC’s plan to use of enhanced roaming on the commercial networks that we anticipate would be established on the D Block after its auction, would allow public safety agencies to operate across jurisdictional boundaries during emergencies in which greater capacities were needed. The FCC’s white paper, released earlier this week, demonstrates how

public safety agencies can maximize capacity, performance, reliability and resiliency of public safety broadband communications even in the most extraordinary emergencies when communications demands are at their peak. In addition to addressing capacity issues during a large-scale national response to a critical incident, it also provides public safety with dependability and back up support, which does not exist with a purely dedicated network.

The FOP supports the conclusions of the FCC's white paper.

That having been said, if the Federal government will commit to guaranteed, mandated funding to build out the existing 10 MHz of dedicated public spectrum and the additional 10 MHz from the D Block, as well as shoulder some of the burden for purchasing the equipment needed to utilize all of this spectrum, then it is an idea worth exploring. Without guaranteed funding streams, however, public safety is better served by building a national and reliable network on the existing spectrum and leveraging the commercial spectrum during times of national emergencies.

Capacity is not the only issue—an honest assessment of the needs and the cost to use that capacity effectively are equally important. Having state-of-the-art body armor will not help the officer who

does not put on the vest before he begins his shift. Having 20 MHz of spectrum without the funding to build and maintain the communications network or buy devices and equipment that can take advantage of that network does very little to help an officer requesting assistance from the field.

In closing I would like to thank you, Mr. Chairman and the distinguished members of this Subcommittee for your considerations of the views of the members of the Fraternal Order of Police. We are prepared to continue to work with Congress and the Administration to improve public safety communications nationwide.