



NATIONAL FRATERNAL ORDER OF POLICE

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TO: State Lodge Presidents and National Trustees
National Legislative Committee

FROM: Patrick Yoes, National President

DATE: 14 August 2024

RE: National FOP Position on 4.9 GHz issue and outreach from non-public safety and commercials interests

It has come to our attention that many of our State and local lodges are being contacted by commercial, non-public safety companies or organizations like the Coalition for Emergency Response and Critical Infrastructure (CERCI), which represent commercial interests, urging them to file a comment/letter with the Federal Communications Commission (FCC) on the issue of the 4.9 GHz band.

It is the position of the National Fraternal Order of Police that we support the authorization of 4.9 GHz spectrum use within the Nationwide Public Safety Broadband Network (NPSBN) and that the most efficient and cost-effective way to achieve this goal is to grant a nationwide license to the First Responder Network Authority (FirstNet). As this issue crosses every local jurisdictional and State line, this is a national issue and is the sole purview of the National FOP.

We sent a [letter](#) to the FCC in February outlining our position, and, in April, submitted a [formal comment](#) to the FCC jointly with the International Association of Fire Fighters (IAFF) and International Association of Chiefs of Police (IACP). I encourage you to read these letters.

The fact is that for-profit companies in the private sector, critical infrastructure operators, and transportation providers seek to encroach upon public safety's 4.9 GHz spectrum for their own commercial purposes. These efforts are unacceptable to our members whose lives literally depend on the reliability of these communications systems. They are doing this under the false banner of "local control." A fractured, patchwork approach will not work—as it lacks the necessary economies of scale and coherent approach necessary to increase the use of the band and drive innovation. The lack of a national strategy could result in commercial entities "cherry-picking" the most desirable areas for 5G investment, while leaving much of the country unserved.

The FOP and IAFF represent the overwhelming majority of the public safety practitioners that use this equipment in the field, and, in the early days as FirstNet took shape, we found ourselves being slowly squeezed out of the policy-making process in favor of providers, big technology representatives, and public safety executives. Law enforcement was barely

represented and there were no rank-and-file voices at the table at all. This led the FOP and IAFF to oppose those early efforts until our demands for a seat at the table and a voice in the process were met. We risk repeating history if law enforcement officers and firefighters—the rank-and-file whose lives depend on a healthy and robust public safety communications network—are once again sidelined so telecom providers can make a few extra dollars in the name of “local control.” The National FOP firmly believes that FirstNet should be licensed to administer the public safety use of the 4.9 GHz spectrum the NPSBN.

Any questions about the National FOP’s position on this issue should contact the National Legislative Office.