

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Service Rules for the 698-746, 747-762 and 777-792 MHz Bands	)	WT Docket No. 06-150
	)	
Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band	)	PS Docket No. 06-229
	)	

**JOINT REPLY COMENTS  
OF THE  
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE  
NATIONAL SHERIFFS' ASSOCIATION**

The International Association of Chiefs of Police (IACP) and the National Sheriffs' Association (NSA) file these joint reply comments in response to the Second Further Notice of Proposed Rulemaking in the above proceeding.<sup>1</sup> This proceeding seeks comment on how the Commission can move forward and provide a nationwide broadband interoperable network that will serve public safety agencies and commercial interests. IACP and NSA urge the Commission to continue to embrace this critical initiative through a public private partnership with the D Block Licensee and the Public Safety Broadband Licensee (PSBL), the Public Safety Spectrum Trust Corporation (PSST). The Commission should affirm the license of the PSST and retain the organizational and governance structure of the PSBL.

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<sup>1</sup> In the Matter of the Service Rules for the 698-746, 747-762 and 777-792 MHz Bands and Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band, *Second Further Notice of Proposed Rulemaking*, WT Docket 06-150 and PS Docket No. 06-229, FCC 08-128 (released May 14, 2008).

The IACP is an organization of more than 21,000 professionals responsible for administration of local, tribal, state and federal law enforcement agencies within the United States and throughout the world.

The National Sheriffs' Association is an organization of more than 21,000 members that are dedicated to supporting programs that enable sheriffs, their deputies, chiefs of police, and others in the field of criminal justice to perform their jobs in the best possible manner and to better serve the people of their counties/cities or jurisdictions.

The core mission of the IACP and NSA is to positively affect the goal of the nation's law enforcement agencies. IACP and NSA pursue breakthrough technologies that contribute to more effective response and investigation of homeland security and public safety issues. A vital element is access to modern communications. The Commission's decisions emphasize the importance of providing a nationwide broadband network to police and other public safety agencies to enable access to advanced services. The remaining 700 MHz band spectrum presents the opportunity to improve emergency response and preparedness and promote cooperation across all agencies. This objective remains enormously important.

Both the IACP and NSA have representatives on the Board of Directors of the PSST. Each has committed significant resources to participate actively in its work. We support the PSBL/PSST and the public private partnership because it is the path to enhanced law enforcement communications. It is the only reasonable course to provide law enforcement and other public safety agencies with communications resources parallel to the challenges they face. Our experience attests to the PSST's dedication to its responsibilities, the fair processes used to

reach decisions, adherence to the Commission's rules and fidelity to the public trust committed to it.

IACP and NSA agree with the large number of comments supporting the public private partnership model the Commission has structured to deploy the nationwide 700 MHz interoperable broadband network. The partnership between the Public Safety Broadband Licensee (PSBL), which is responsible for the broadband portion of the public safety segment of the 700 MHz band and the D Block Licensee, which is responsible for the remaining commercial portion of the 700 MHz band, remains the most viable means to obtain the critical objective. IACP and NSA embrace the comments and reply comments of the PSST to strengthen the partnership, provide additional certainty to possible D Block licensees and afford additional flexibility to the partnership.

IACP and NSA oppose strongly those comments that recommend that the PSST license be rescinded or that the PSBL/PSST's organizational or governance structure be changed.<sup>2</sup> The Commission made a balanced and sound decision in structuring a PSBL representing the range of public safety agencies throughout the United States.

The PSSTs Board of Directors represents not only the myriad of agencies, but those who finance, operate and manage public safety systems. The structure provides a direct connection to individuals who are responsible to the citizens for law enforcement and other public safety services. The expertise and experience ensures that the public private partnership remains close and understands public safety's core mission. Proposals to reduce the number of the Board of Directors will dilute this link and promote distance from the very services that will rely on the network. Notably, the proposals, by reducing the number of Directors and substituting

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<sup>2</sup> Comments of the Association of Public Safety Officials, International, at 23-25, Comments of the National Emergency Number Association at 4 and Comments of the Public Interest Spectrum Coalition at 1-5.

individuals with telecommunications, finance and management experience, provide no benefit that the PSBL cannot obtain through retention of experts. The proposal is silent with regard to which members of the Board of Directors will be eliminated. It will result in diminishing public safety representation and the PSBL's credibility.

To rescind the PSST license and commence a new proceeding serves no useful purpose and would be a detriment of law enforcement and other public safety agencies. The PSST, its Board of Directors and management, has worked tirelessly to move the public private partnership forward. An important element of its work has been to promote its viability among public safety and commercial interests to attract the participation and investment the network needs to succeed. Rescinding the PSST license will squander this critical work, delay the initiative and undermine the PSBL's credibility. The Commission should reject such proposals.

Because IACP and NSA have representatives on the PSST Board of Directors, we believe it important to place on record our support for how the PSST has pursued its responsibilities. The challenges associated with the nationwide broadband network are complex. The need to work with the range of interests- government and commercial- is imperative. The PSST has pursued these responsibilities consistent with the highest of standards. Fair opportunity has been afforded for discussion of the many issues and views fairly considered. That which has resulted reflects sound judgments reflecting the interests of public safety and the Commission's rules.

The International Association of Chiefs of Police and the National Sheriffs' Association urge the Commission to move forward with the public private partnership between the D Block Licensee and the PSBL to deploy and manage a nationwide broadband network capable of serving public safety requirements and commercial interests. The license of the PSST should be affirmed. There is no need for organizational or structural change to the PSBL.

Respectfully,

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