



Robert Gursr

FCC Creates New Bureau for Public Safety

The Federal Communications Commission (FCC) has adopted a plan to create the new Public Safety & Homeland Security Bureau. A bureau or office is the highest level within the FCC's staff structure, just below the chairman and commissioners. The reorganization plan is subject to consultation with Congress and approval by a federal employee union, but it is expected to be implemented within the next several months.

Currently, public safety matters are spread throughout the FCC, with most issues of major concern to APCO addressed by the Public Safety & Critical Infrastructure Division of the Wireless Telecommunications Bureau (WTB), led by Michael Wilhelm. Cathy Seidel has been serving as acting chief of the WTB. As of late March, FCC Chairman Kevin Martin had not identified leaders or other staff positions for the new bureau.

Some telephone-related public safety issues, such as VoIP/E9-1-1, are handled by the Wireline Competition Bureau. Some broad policy issues related to public safety are now centered in the Office of Strategic Planning and Policy Analysis or the Office of Engineering and Technology.

The Public Safety & Homeland Security Bureau will consolidate most of these functions and elevate them to a dedicated bureau, which should give public safety issues a higher profile and, in theory, remove a layer of bureaucracy. Aside from issues that APCO has traditionally followed (E9-1-1, public safety spectrum allocation and management, etc.), the new bureau will incorporate issues such as alert warnings (e.g., the broadcasters' Emergency Alert System) disaster management, network reliability, infrastructure protection and broader homeland-security telecommunications matters.

The bureau will be divided into three divisions: the Policy Division, the Communications Outreach & Operations Division and the Communications Systems Analysis Division. The Policy Division will incorporate most of the public safety functions now in the Wireless Telecommunications Bureau, including licensing of public safety radio systems.

One of the FCC's challenges will be to separate public safety from non-public safety licensing, as both are handled now by the same staff in Gettysburg, Va., and are subject to many of the same rules. Most public safety frequency bands also have non-public safety channels, so care will be needed to ensure a smooth transition. Indeed, as for licensing, the new bureau may be more form than substance, with little change in actual FCC operations or staff responsibilities.

Another possible concern is with the broad focus on homeland security and interoperability. While needed, it is impor-

tant the FCC not duplicate similar efforts underway in the Department of Homeland Security SAFECOM Program.

APCO has indicated its strong support for the new bureau, as it will focus attention on critical public safety issues and should provide for more efficient decision-making. Hopefully, the reorganization will go smoothly and not divert attention for the substantive work before the new bureau.

700-MHz Band Plan

The FCC has issued a Eighth Notice of Proposed Rulemaking in Docket 96-86, to address broadband channel options for the new 700-MHz public safety band, which will be available nationwide Feb. 18, 2009 (the end of the DTV transition). The band is already available in some areas of the country.

Portions of the 700-MHz spectrum are set aside for narrowband (12.5 kHz) channels, and the commission does not propose any change to that allocation. However, the commission is considering options to allow the current wideband (50 kHz) channels and the reserve portion of the spectrum to be combined to create broadband (e.g., 1.25-megahertz) channels.

Several different channel plans have been proposed, with various combinations of wideband and broadband channels. The National Public Safety Telecommunications Council, of which APCO is a member, also proposed that each 700-MHz Regional Planning Committee (RPC) be able to select the band plan best suited to its area. The FCC is seeking comments regarding that proposal, as well as the need for wideband or broadband interoperability standards.

Awards Dinner

Finally, I want to add my personal congratulations to those being honored at APCO's Public Safety Communications Leadership in Policy Awards Dinner. Awards are going to FCC Chairman Kevin Martin, Representatives Jane Harman (D-Calif.) and Curt Weldon (R-Pa.), Tracy Simmons of the FCC's Licensing Division, Harlin McEwen of the International Association of Chiefs of Police and Steve Souder of Fairfax County, Va. All have made huge contributions to public safety communications policy.

About the Author

Robert Gursr is APCO's Director of Legal and Government Affairs. He is also an attorney with the telecommunications law firm of Fletcher, Heald & Hildreth, P.L.C. Gursr can be reached at (202) 833-3800, or by e-mail at either gursr@apco911.org or gursr@fhhlaw.com.