

**Testimony  
of**

**Mr. Steve Souder  
Director, Montgomery County Maryland  
911 Emergency Communications Center**

**Before the United States House of Representatives  
Subcommittee on Telecommunications and the Internet**

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Good morning Chairman Upton, Ranking Member Markey and Members of the Subcommittee. It is a pleasure to appear before you. You have both been great champions for First Responder communications capabilities.

Thank you for holding today's hearing on the need to expeditiously end the digital television transition. The transition must be concluded as soon as possible and with a hard date. Indeed, every year we wait is another year to late for America's first responders and their access to critical communications capabilities in the reclaimed spectrum once television broadcasters follow the plan and finally migrate to digital services.

I also want to thank Chairman Barton for powerfully changing the terms of the DTV debate and Ranking Member Dingell who has also committed to setting a hard transition date which will enhance the safety and security of our citizens. It is no longer a question of will the DTV transition ever occur – but when will

Congress make it happen. On behalf of the public safety community, I urge you to conclusively end the transition as promptly as possible.

My name is Steve Souder, and I am the Director of the Montgomery County, Maryland 9-1-1 Emergency Communications Center. In 1982, I was assigned to the District of Columbia Fire Department Communications Center and subsequently became the Administrator of the Arlington County, Virginia 9-1-1 Public Safety Emergency Communications Center, where I served on September 11, 2001 and was one of the public safety communications leaders called upon to address the terrorist attack on the Pentagon.

Our people at the Montgomery County 9-1-1 Center, like communications officers across the country, are the most unsung of the unsung heroes, yet heroes they are in every respect. They operate behind the scenes in emergency communications centers which are in many ways similar to NASA's Mission Control Center, both in the sophistication of the technology utilized and in the critical nature of the mission performed.

Montgomery County opened a new Emergency Communications Center in July of 2003 and completely updated its emergency communications systems. The entire ECC staff had to change the way they had done business for 15 years and adjust to many new types of equipment and procedures, including: a new radio system; Computer Aided Dispatch system; Automatic Vehicle Location system;

Automatic Vehicle Routing Recommendation system; Mobile Data Terminal system; and, a Geographic Information (mapping) System. Public safety communications capabilities, nationwide, must continually advance to the cutting edge and increasingly must become mobile as our first responders go about the business of protecting the public, their property and themselves at times we all recognize to be dangerous.

### **Preventing or Responding to Emergencies Requires Mobile Public Safety Communications Tools and Spectrum**

The events of September 11, 2001 brought much attention to the manner in which the terrorist attack on the Pentagon was responded to by First Responders and how we communicated with each other. The preparations that allowed for seamless and effective radio communications among the initial local area Fire-Rescue-Emergency Medical Service and Law Enforcement agency response on that fateful day were necessitated by a tragic event that had occurred twenty years prior and less than ¼ mile from the Pentagon. That event was the crash of Air Florida Flight 90 onto the 14th Street Bridge and into the Potomac River after taking off from Washington National Airport on January 13, 1982 during a severe snowstorm.

That crash highlighted the concern public safety agencies had been expressing for many years concerning the lack of interoperable radio systems and the lack of adequate spectrum on which to effectively communicate. As a result of that event, local area public safety communications personnel pledged themselves to,

within their ability, correct or at least improve this situation. My testimony today is a continuation of that duty to seek to improve communications capabilities for my fellow public safety officers as we seek to carry out our vital mission to protect others. I thank you for this opportunity.

As you know, the report of the National Commission on Terrorist Attacks Upon the United States also highlighted the critical need of the public safety community to have access to radio spectrum for mission critical communications.

### **The 9/11 Commission Report**

The Report by the 9/11 Commission reviewed how emergency responders communicated or, in many cases, were unable to communicate, during the tragic events of September 11, 2001. Absent proper resources, communications capabilities can become overwhelmed and less effective. Proper resources include radios that can interoperate among agencies and spectrum to ensure sufficient system capacity. The 9/11 Commission recognized this and recommended that Congress pass legislation to provide access to spectrum for public safety.

The spectrum referred to in the 9/11 Report is in the 700 MHz band and is squarely at the heart of the DTV transition debate – without ending the transition this spectrum will never be utilizable by First Responders nationwide. Indeed, public safety identified the need for this spectrum more than eight years ago in a

September 11, 1996 report by the Public Safety Wireless Advisory Committee (PSWAC). That report indicated that the 24 MHz, which I am discussing with you today, should be available within 5 years. As we all know five years -- to the day -- from the issuance of that public safety study, the terrorists attacked America. The attacks led to the 9/11 Commission which again, urged that these frequencies be made available to public safety. Let's commit to not having another repeat. This 9/11 Commission recommendation has not yet been enacted by the Congress, and public safety respectfully asks that you swiftly do so.

After the PSWAC report was published, Congress acted quickly and allocated the spectrum to public safety in 1997. However, eight years later, television stations operating on channels 62, 63, 64, 65, 67, 68 and 69 prevent public safety access in most major urban areas where the demand for spectrum is the greatest. The reason is the continued use of the spectrum for analog broadcast television services -- and there is not a date certain as to when the spectrum will be fully transferred to public safety's use. The communications needs of public safety are too important to allow this uncertainty to continue.

As you know, current law sets December 31, 2006 as the date for clearing television from the band. However, this is not a firm date. Broadcasters do not have to clear out until 85% of the households in their markets have the capability to receive digital TV -- they have the ability to enjoy virtually unlimited extensions

of this deadline based on this loophole. So, there is no “hard date” when the transition will end and the spectrum will really be accessible to public safety everywhere. I urge this Committee not to ignore the recommendation of the 9/11 Commission that legislation be enacted that would clear this spectrum nationwide for public safety use no later than year-end 2006. Indeed, on December 8, 2004 when you passed the Intel Reform legislation, the Congress expressed its intent to pass DTV-ending legislation in 2005 and that the hard date should be as close to year-end 2006 as possible. I urge you adhere to this important mission.

### **First Responders Need this Spectrum for Critical Services**

To serve the American people, First Responders need systems designed specifically for mission critical operations. Effective mission critical mobile communications systems are vital to our operations. Police officers, firefighters, emergency medical personnel and their departments must exchange information in the field that can help protect public safety officials and the citizens we serve. This information formerly was exchanged by voice. With technological advances, as public safety entities strive to increase effectiveness against more complicated challenges we also need the capability to reliably transmit and receive high performance data, still images and video. Increased communications requirements lead to the need for access to more spectrum.

These channels are critical to public safety. The 700 MHz band’s proximity to existing public safety operations in the 800 MHz band allows public safety

agencies to engage in vital expansion of current 800 MHz narrowband voice and data systems for interoperability and regional coordination. Also, 700 MHz is the only dedicated spectrum allocation where public safety can implement advanced mobile wide area systems that bring high-speed access to databases, the intranet, imaging and video to first responders out in the field. This technology offers a whole new level of mobile communications capabilities, which is far beyond today's voice and low speed data applications. For example:

- a. An officer or agent could transmit video of a potential bomb, or biological weapon and get real time counsel from an expert in another location.
- b. Law enforcement could instantly send or receive a photograph of a missing or abducted child or transmit live video of footprints, fingerprints and evidence to speed analysis and apprehension of perpetrators.
- c. Firefighters could access building blueprints, hydrant locations hazardous material data and other critical information.

As you can see, the public safety applications that will be possible in the reclaimed spectrum are the very type that are too valuable for our safety and security to remain in the on-deck circle indefinitely.

I urge the Committee not to be deterred from sticking as close as possible to the December 31, 2006 goal because spectrum auction revenue timing projections for the reclaimed frequencies might make it more expedient to draw the transition

further out into the future. In my view, the cost of not making the transition happen as soon as possible costs the nation too much in terms of reduced preparedness. One thing I do know from all of the experts is that dangerous people still seek to do more harm on our soil -- We just don't know when. Another thing I know is that we should not have to say anymore that the DTV transition will end in America -- We just don't know when. Help First Responders to have the best fighting chance with the tools we need. The costs of not doing so are too high.

In closing, Mr. Chairman and Members of the Committee, making this spectrum available to support first responders as close as possible to the end of 2006 will not happen without your commitment and leadership. I urge you to take swift action to make higher use of this spectrum a near-term reality for law enforcement, firefighters, emergency medics, and your better-protected constituents.

Thank you.