

APCO REPORTS

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The Washington regulatory momentum, and APCO's input into that scene, has remained full speed ahead since the last issue of this newsletter, as: (1) APCO filed its "reply" comments in Gen. Docket Nos. 1231, 1233 and 1234 (800-900 MegaHertz frequency allocations) and 83-737 (frequency coordination); (2) APCO joined in Land Mobile Communications Council comments in Gen. Docket No. 85-113, which looks toward frequency relief in Cleveland, Detroit and Buffalo; (3) the FCC released the text of a new "Notice of Proposed Rulemaking" in Gen. Docket No. 84-172, looking toward further sharing of the UHF television bands by the Private Land Mobile Radio Services; (4) the FCC released the text of its "First Report and Order" in Gen. Docket 81-413, in which the agency has approved a limited authorization for the use of "spread spectrum" systems for law enforcement operations; (5) activity continued with respect to the Los Angeles Sheriff's pursuit of UHF TV Channels 16 or 19 in its area; and (6) as this issue of APCO REPORTS was in the mail to you, the Commission was poised to take action on June 21 on its Private Radio Bureau Report in PR Docket No. 84-232 (future public safety telecommunications requirements).

The July issue of the APCO BULLETIN will include details on some of the above, and full details on others are, or will soon be, in the hands of the APCO Chapter Presidents and/or Frequency Coordinators. Collectively, the texts of these comments, new proposals and FCC decisions number literally hundreds of pages of material, and neither this \$12 a year monthly newsletter nor the APCO BULLETIN, which comes to members as a part of National Office dues contributions ranging from \$5 to \$35 a year, nor the limited National Office staff employed by APCO, can hope to cover these events as well as some members would like. The FCC has procedures and a contractor to supply official copies of its decisions, its proposals, and comments filed in any of the proceedings. If you don't get as much detail as you feel you need, we'll be happy to tell you where you can get it. At the same time, if you learn of events which are not covered in the APCO publications or mailings to the Chapters, and you think they are of interest to the APCO members, we'd appreciate your letting the National Office know of them.

One of the important public safety spectrum and planning developments during the past month to APCO members is not an FCC matter at all -- yet: the first annual report of work supported by a contract between the Defense Communications Agency, on behalf of the National Communications System, and the National Academy of Sciences, which is discussed following.

OVERALL NATIONAL POLICY PLANNING: "The Policy Planning Environment for National Security Telecommunications -- Annual Report to the National Communications System" is the first annual report of work by a committee convened in January 1984 by the National Research Council (NRC) at the request of the Deputy Manager of the National Communications System (NCS). The members of the committee have expertise in a variety of complementary areas related to planning, technology, networking and

interoperability, standards for, survivability of, and industrial operations and management of telecommunication systems; and the policies and regulations, and industrial tactics and strategies that the rapidly changing telecommunications environment comprises.

The members of the National Research Council are drawn from the councils of the National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine, and the members of the committee responsible for this particular report were chosen for their special competences and with regard to appropriate balance.

The Associated Public-Safety Communications Officers, Inc. was invited twice this year to meet with this committee - once in March, when APCO First Vice President Joseph Y. Nasser and APCO Executive Director Robert E. Tall discussed APCO's view of the status of public safety communications in the United States (see APCO REPORTS, March 1985), and once on June 13, when former Executive Director Ernest J. Landreville (now President of APCO's Florida Chapter) and Bob Tall took part in a round-table discussion specifically devoted to public safety frequency allocations and planning processes.

The first annual report of the group carries a May 1985 print date, and reflects APCO's first appearance, as a small part of the considerations being tackled overall. As of that point, the committee had had 26 briefings at four quarterly meetings--14 from federal government officials, six from state and local emergency management/telecommunications officials, five from executives of communications and information industries, and one from an executive of a telephone industry association.

The report should be read by every person in a public safety communications planning assignment -- whether at the federal, state or local governmental level. The committee is a top level study group, and its advice and recommendations are not going to go unheeded. Its considerations have included virtually every aspect of emergency communications planning, and have reached deeply into the concerns and aspirations that have been the heart of APCO for decades. Again, the APCO role in this effort has been but a fraction of what the committee has considered, but the depth of the study has clearly covered, and is covering, what APCO has been talking about.

The complete document is available from: Karen Laughlin, Board on Telecommunication and Computer Applications, Commission on Engineering and Technical Systems, National Research Council, 2101 Constitution Avenue, N.W., Washington, D. C. 20418. There is no charge for the report, but requests must be in writing.

One of the committee's four charges is to "identify and assess options, and suggest approaches that the NCS could pursue for the reconstitution of national security/emergency preparedness (NS/EP) telecommunications," including "in coordination with appropriate federal agencies, elements of a program for survivability and management of state and local resources and a 'bottom-up' approach to reconstitution."

One section of the committee's "findings and recommendations" with respect to state and local telecommunications -- admittedly lifted out of context by us and further excerpted, reads: "The Committee recognizes a need for more coordination of spectrum needs and planning of spectrum uses for public safety and emergency communications, but at present reserves judgment on how that might best be achieved and where responsibility might lie. These issues will be addressed in our

final report. The committee strongly recommends, however, that a national policy be adopted, to be implemented by federal funding, mandating interconnection and interoperability of state and local emergency communications systems nationwide. Probably the first steps are to catalog all existing systems and emergency management teams across the country and then to examine spectrum issues and overall control in the event of disasters at the local, state, regional, or national levels."

Another excerpt: "The FCC policy is to react to inputs from those officially charged with implementing NS/EP measures but not to initiate NS/EP issues on its own. With Federal Emergency Management Agency support, the NCS should propose to the FCC that all new federal telecommunications systems be required to interconnect and interoperate with local, state and nationwide systems. Together with FEMA, the NCS should take the initiative to develop and promulgate policies and procedures to permit the use of national resources (e.g., frequencies assigned to others, channel 9 of Citizens' Band radio) by the state and local entities for disaster recovery and reconstitution of NS/EP telecommunications."

Another: "State and local entities have neither the resources nor the expertise to conduct efforts having the sophistication and complexity necessary for NS/EP telecommunications. FEMA provides funding support for state and local emergency telecommunications activities, but the state and local entities feel that FEMA should provide them additional support: for example, training services. Together with FEMA, the NCS should initiate federal planning activities with state and local entity participation, to assign personnel and resources of agencies not normally involved in disaster recovery and reconstitution of services to the state and local entities. The National Park Service personnel and equipment, for example, including mobile radio networks, comprise one example. Further, with FEMA's advice the NCS should stimulate new programs that would make radio and other necessary equipment available to the National Guard to ensure its availability and readiness for state and local use. Finally, together with FEMA, the NCS should encourage strengthened planning activities that extend state and local planning into the interstate and national NS/EP environments. The states must be brought into the national NS/EP telecommunications planning process as a matter of urgency. Making continued FEMA financial support contingent on state and local participation in integrated, national planning activities could provide incentives for that to happen."

Another section of the report, discussing "National Planning and Regulatory Matters", gets more specific with respect to APCO's presentations. Excerpts:

"A review of the regulations of the FCC indicates that while certain parts of the spectrum are currently set aside for public safety services, some areas of the country have already made use of all of this spectrum, and there is no assurance in any event that all states would be operating on the same frequencies for the same purposes. The staff of the FCC has told the committee that on most radio questions they deal with individual states, and there has been no overall attempt to advocate a national emergency communications policy other than authorizing the Emergency Broadcasting System at the FCC. . . .

". . . (The history of emergency communications has been) reaction after catastrophe.

"The committee strongly recommends that a national policy be adopted mandating interconnection and interoperability of emergency communications systems nationwide. Probably the first steps are to catalog all existing systems and emergency management teams across the country and then examine spectrum issues and overall control in the

event of disasters at the local, state, regional, or national levels. One group has been identified which has a goal to foster this plan: APCO. It is but one of many similar organizations, and public safety officers tend to belong to a number of them. However, this is the only one the committee knows of that is specifically oriented toward communications specialists. . ."

After mentioning several of the projects which APCO has accomplished in the past, the committee says: "The committee urges that some one organization be identified or established to work on a nationwide basis to coordinate spectrum needs, equipment standards, and practice planning of all existing emergency communications systems and to identify areas where no, or inadequate, provision has been made for such systems. This organization could also be charged with following activities at relevant regulatory agencies such as the FCC to comment upon proposals and to advocate policy aimed at emergency preparedness. . ."

Others attending the June 13 roundtable NRC committee discussions, with whom APCO representatives have discussed closer liaison, include Nolan Jones, Staff Director of the National Governors' Association, and Lacy Suiter, President of the National Emergency Management Association, who was accompanied by Joe Gourley, Local Director, Memphis-Shelby County (Tennessee) Civil Defense, who is Frequency Advisory Committee Chairman for APCO's Tennessee Chapter.

Federal government representatives also taking part in the discussions included Thomas Stanley, FCC Deputy Chief Scientist; Will A. McGibbon, Chief of the Spectrum Management Division of the FCC's Office of Science & Technology; William Torak, Deputy Chief of that Division; Charles Turner, Chief of Operations Review for the FCC's Private Radio Bureau; James Odom, Senior Frequency Management Specialist in FEMA's Office of Information Resources Management; and Charles Hutchison, Program Manager, National Spectrum Policy & Management, for the National Telecommunications & Information Administration.

FEDERAL/STATE/LOCAL COOPERATION: One of the more interesting concepts being actively pursued by the Long Range Planning Committee of NTIA and the FCC involves the identification of a suitable geographical test bed and participants in a Pilot Project to demonstrate the feasibility of federal, state and local public safety communications operations sharing a common radio system established under the functional requirements which had been set forth in APCO's "Project 16", a Law Enforcement Assistance Administration contract study conducted by APCO, with recommendations for use of an enhanced 800 MegaHertz trunked system.

Will McGibbon, Chief of the FCC Office of Science & Technology's Spectrum Management Division, and William Torak, Deputy Chief of that Division, and Don Speights, of NTIA, constitute the NTIA/FCC Project team working on the concept. Mr. McGibbon and Mr. Torak presented a report on the project during APCO's East Coast Regional Conference last month in Williamsburg, Virginia, and discussed the project at some length during the June 13 National Research Council Committee roundtable discussion.

The FCC spokesmen are also scheduled to report on the project at the joint Annual Conference of APCO and the Forestry, Conservation Communications Association in August in San Diego. Mr. Speights has also additionally been approved by NTIA to serve as Point-of-Contact between APCO, on the one hand, and NTIA and the federal government agencies represented on the Interdepartment Radio Advisory Committee on the other, to improve information flow and Federal/Local relationships.

FEMA/APCO FOLLOWUP: In keeping with the new "Memorandum of Understanding" between APCO and the Federal Emergency Management Agency (see APCO REPORTS, May 1985), which speaks to many of the issues contained in the recommendations of the first annual report of the National Research Council entitled "The Policy Planning Environment for National Security Telecommunications" (first item in this issue of APCO REPORTS), further discussions between FEMA and APCO have resulted in FEMA Associate Director Samuel Speck, who heads that agency's State and Local Programs and Support Directorate, agreeing to serve as keynote speaker at the joint Annual Conference of APCO and the Forestry, Conservation Communications Association in August in San Diego.

Dr. Speck is expected to outline the specifics of the joint FEMA/APCO long range planning and data base approaches covered by the "MOU". He will address the opening breakfast of the Conference.

CLEVELAND, DETROIT AND BUFFALO: Since the preceding issue of APCO REPORTS was issued, the Land Mobile Communications Council, which includes APCO, has filed comments with the FCC in Gen. Docket No. 85-113, a "Notice of Proposed Rulemaking" designed to provide additional spectrum in the 421-430 MHz band for use by private land mobile radio service eligibles in Cleveland, Buffalo and Detroit. The NPRM is in keeping with diplomatic notes exchanged between the US and Canada three years ago which allows both nations to operate their respective primary radio services in the 406.1 to 430 MHz band in the border areas. In its proposals, the FCC pointed out that the US-Canada arrangement, coupled with the cooperation of the US Executive Branch, will permit land mobile use of portions of the 421-430 MHz band in the three cities involved, and it proposed allocations to permit such use.

The FCC proposals would add a new footnote US230 to Section 2.106 Table of Frequency Allocations in the FCC rules, reading: "Non-Government Land Mobile Service is allocated on primary basis in the bands 422.1875-425.5874 and 427.1875-429.9875 MHz in Macomb, Oakland, and Wayne Counties, Michigan, and in Lorain, Medina, Summit, Geauga, Lake, and Cuyahoga Counties, Ohio, and in the bands 428.8125-425.4875 and 428.8125-429.9875 MHz in Erie and Niagara Counties, New York. Non-government airborne operations are not permitted."

The NPRM covers only the Table of Frequency Allocations, the Commission pointed out, and specific service rules, developed through further rulemakings, would have to be adopted before land mobile operations could begin.

The LMCC comments, to which APCO subscribed, noted that the additional spectrum allocation proposed by the Commission would not meet all of the communications requirements of the Cleveland, Buffalo and Detroit areas, and that other efforts to allocate suitable space must continue. LMCC also recommended that the Commission extend permissible operation of land mobile services beyond the counties specifically named in the rulemaking to permit licensees to use their systems in other locations which are in actuality parts of the Detroit, Cleveland and Buffalo metropolitan areas. Further, the Council asked that amateur operations in the 421-430 MHz band not be permitted north or south of Line A in Cleveland and Buffalo.

(Our APCO National Office guess is that the NPRM will be adopted essentially as proposed, and possibly with one or more changes requested by LMCC. The only real opposition was from the amateur radio community, but earlier steps by the Commission had appeared to blunt that opposition. If the NPRM is adopted, the further projected rulemaking will get into which land mobile services can use the band, and for what.)

FURTHER UHF TV SHARING: The FCC June 10 released a new "Notice of Proposed

Rulemaking" in Gen. Docket No. 85-172 to making additional spectrum in the present UHF television bands available to the private land mobile radio services. The NPRM, which had been adopted at a May 31 meeting of the Commission, is "in recognition of the Commission's responsibility to promote the most efficient use possible of the limited spectrum resource, and in order to accommodate some of the identified communications needs of the (mobile) services through the 1990's," the agency said.

The public safety radio services have a little different role in this docket than the other mobile radio services. The Commission pointed out that:

"In the Federal Communications Commission Authorization Act of 1983. . .Congress directed the Commission to review the current and future spectrum needs of the nation's public safety authorities and to develop a plan which assures that the needs identified by the public safety community are met. In response to this legislation, on March 1, 1984, the Commission adopted a 'Notice of Inquiry' to seek comments regarding current and future spectrum needs. Almost 300 comments were submitted by interested parties in response to the 'Inquiry'. Based on this record, a report will be issued in the near future. That will be followed by an effort to develop a plan to meet the identified needs. While this proposal (in Docket 85-172) is not specifically designed to meet public safety needs, we expect it to provide relief for public safety as well as other land mobile use. If early consideration of comments addressing public safety interest in this spectrum is useful, we welcome such comments."

In Docket 85-172, the Commission has proposed for land mobile radio sharing of from one to three additional UHF TV channel pairs (12 to 36 MHz of spectrum) in eight urban areas—Los Angeles/San Diego, New York, Baltimore/Washington, Philadelphia, Chicago, San Francisco, Dallas and Houston. It has also proposed "to provide for flexible spectrum usage for existing and future full-service and low power TV broadcast licensees authorized on channels 50 to 59, which could lead to additional spectrum becoming available for PLMS."

During the rulemaking proceeding, the Commission said, it will end the current procedure of reviewing all low power TV applications within 100 miles of the ten largest US metropolitan areas, and will process all pending applications. However, it said, no final low power construction permits will be issued that conflict with the proposed sharing plan pending final disposition of the proceeding.

Comments in the case are not due until April 11, 1986, and reply comments are due May 16.

Simultaneously with the adoption of the rulemaking proposals, the Commission took steps to establish a formal joint government-industry advisory committee to study land mobile/UHF TV sharing criteria. The committee is to provide technical assistance to the Commission regarding such sharing, and is to submit its final report to the Commission by March 7, 1986, in time for parties to study it before comments are due in 85-172. Government procedures involved in establishing such an advisory committee preclude detailed information at this time.

Under the Commission's proposals, Los Angeles/San Diego would get 36 MHz of space; New York would get 30; Chicago would get 24; San Francisco, Houston and Dallas would each get 18 and Philadelphia and Baltimore/Washington would each get 12.

FCC staff contacts for further information on the rulemaking are Rod Small (phone 202-653-8169); Victor Tawil (202-653-8114); Gordon Godfrey (202-632-6495); Herb Zeiler or Stuart Overby (202-634-2443) and John Williams (202-653-5940).