

## SENATE BILL S. 2343

The United States Senate is making another attempt to reduce the chaos caused by users of the radio frequency spectrum. The Honorable Senators Magnuson and Pearsons have introduced Senate Bill S. 2343. This bill proposes to increase the amount of the fines the FCC is authorized to levy upon those who violate its rules and regulations. Such forfeitures are made without resort to court action.

APCO supports any proposal that would serve to reduce waste of the limited spectrum resource. We, too, feel this can best be done by inflicting hardships on those who willfully violate the Commission's rules. Progressively improved operating procedure is as much a mandate in this regard as are the advances made in technology. Without these two essential elements we face ultimate catastrophe.

APCO spoke to the urgency of this matter during its recent national conference. There we presented three public safety telecommunication goals for consideration and hopeful adoption. As a consideration to be made in these regards, we stated that the enforcement of the Commission's rules was essential if our goal of total communication support for the public safety sector was to be attained.

To this end, we offered our fullest support to the Federal Communications Commission in any way possible. The proposed Senate Bill shows that members of the Congress perceive the problem and wish to contribute to its solution.

It is unfortunate that Senate Bill S. 2343 somewhat resembles a back-brace prescription written for a patient suffering from appendicitis. Though close to the affected area, it is not specific for the disease. Worse yet, it may serve

more as an opiate to the prescriber than as a cure for the victim.

Increasing the size and number of penalties will not alone deter crime. Who knows this better than those of us who operate criminal justice communication systems? Before you can enforce, you must first detect and then apprehend.

The FCC has issued approximately 1,500,000 CB licenses. Over six million CB units have been sold. Trends indicate they will increase to sell at a rate of approximately two million units per year. Violations of required procedures on CB channels are approximating those experienced by J. Edgar Hoover during the bygone days of prohibition.

APCO is studying the value of CB operations to public safety operations. When a significant number of citizens use this mode of communicating there is an implicit requirement that we look into its aspects. Perhaps there we may find another means of accessing public safety resources by the tax paying public. But the excess amount of procedural violations on these bands tend to prohibit the exploitation of these possibilities. Should these excesses continue, the public will be deprived of an immensely valuable benefit.

It is not our intent to single out Citizens Band users as the only violators. There are many others, including public safety users. The CB problems do demonstrate the scope of the problem and the dimensions of the required solution.

If any real impact is to be made on the enforcement of the rules in the land mobile radio services, violators must become convinced that they will be identified, convicted, and then punished. The identification must be certain, the conviction must be assured, and the punishment must be real - as the Senate Bill proposes.

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It is the size of the identification problem that boggles the mind. There are over 250,000 public safety, 6,000,000 CB, 200,000 amateur, 180,000 aircraft, and some 50,000 marine mobile units to be monitored in the United States. Compared to this mass of radiating elements the monitoring resources of the Commission are as the antennae of one in the national community of ants.

To really make the size of the forfeiture relate in a practical sense to the size of the problem, the number of FCC monitors must reasonably approach the size of the community the Commission is regulating.

A particular responsibility in these regards falls upon us in the public safety radio services. Irresponsible interference with communications which seek access to our resources jeopardizes the lives and property of the public. We should do what we can to assist the Commission in these instances. Why should not those of us who enforce other laws, both state, local, and federal, not also offer our services to the Commission? Couldn't we at least write citations for detected violations of Commission rules as we do for the detected violations of other laws?

In addition, we should support the FCC in their future budget requests to Congress in these areas. Too, each and every member of APCO should make his opinions on this vital subject known to his Congressional delegates.