

## **SUMMARY OF THE BROADBAND FOR FIRST RESPONDERS ACT OF 2011**

This legislation provides a comprehensive solution to three issues surrounding public safety interoperable communications: (1) spectrum; (2) governance and (3) funding.

### **TITLE I: Allocation of Spectrum to Licensee and Governance**

- Within 60 days of enactment, the FCC will license the D-block spectrum to the “public safety broadband licensee.”
- “Public safety broadband licensee” is defined as the same entity that currently holds 10 MHz for public safety purposes, pursuant to the FCC’s order adopted on November 19, 2007. This puts **all** public safety spectrum in the 700 MHz band under one licensee. The licensee’s Board of Directors includes representatives from more than three dozen public safety organizations.
- Within 6 months of enactment, the FCC must establish rules governing the network, including rules on interoperability and roaming. Additionally, within 6 months, DHS, in coordination with NIST, must establish equipment standards for use on this spectrum.
- States must submit interoperability deployment plans to the FCC and DHS for approval to ensure the nationwide system is fully interoperable.

### **TITLE II – Funding for Network Construction, Operations and Maintenance**

- The legislation establishes two grant programs: (1) not more than \$5.5 billion for a construction fund to assist States and municipalities with the cost of constructing the network and (2) not more than \$5.5 billion for a fund to assist with operation and maintenance costs. Both grant programs would be administered by DHS. The grant programs will be audited by the Government Accountability Office (GAO) every three years.
- The funds for the grant programs would come from the auction of prime 4G-capable spectrum for commercial use: 15 MHz between 1675-1710 MHz; the AWS-2 H Block; the AWS-2 J Block; the AWS-3 band; and the 1755-1850 MHz band. Any auction revenues in excess of those necessary to fund the grant programs must be directed to the Treasury for deficit reduction. The bill extends the FCC’s auction authority to 2020.
- The bill promotes efficient use of public safety spectrum by: (a) mandating that Federal law enforcement agencies move to the 700 and 800 MHz bands within 10 years; (b) allowing renewal of public safety spectrum below 512 MHz only if certain compelling needs are demonstrated; (c) permitting the sub-licensing or leasing of underutilized spectrum in the 4.9 GHz band to commercial entities, with license fees being used to offset the cost of the D Block network; (d) requiring GAO to study whether spectrum below 512 MHz used by public safety could be returned to the FCC for auction; and (e) requiring the FCC to report to Congress every three years on public safety spectrum efficiency and whether public safety requires additional spectrum.