



Suffolk County Fire, Rescue & Emergency Services Commission
102 East Avenue – Yaphank, NY 11980
(631) 852-4851

SUFFOLK COUNTY FRES COMMISSION
Meeting Minutes from 12/4/2019

Chairman Silverman called the meeting to order at 7:35pm with a salute to the flag & a moment of silence for those that have past. Moment of silence for Chief Rollins of the North Amityville Fire Company who passed away in the Line of Duty.

Motion to accept the minutes from the October 23, 2019 meeting by Ron Barz second by Arthur Bloom, motion carried.

Treasurer's report read by Frank Bonventre. Balance in the checking account as of tonight was \$6,097.38. Motion to accept by Vinny Bologna, second by Anthony LaFerrara, motion carried.

There was no correspondence.

Report of Officers:

Chairman Silverman:

- Thank you to everyone for a great year.
- Thank you to Commissioner Jordan for a very smooth transition.

Vice Chairman Markott:

- no report

FRES Commissioner/Deputy Commissioner Report:

- full report attached to the minutes.
- Carolyn will be attending the meetings in January to take minutes.
- 9/11 memorial lights project is ongoing.

Training & Exercises:

10/18, 19&20 USAR MobEx was held at Hecksher State Park. It was extremely successful and, despite a few bumps, resulted in excellent training for the team. Evaluators from NYTF-1 came out from NYPD and FDNY to evaluate. They had high praise for the team.

10/2 - Brett and Sasha participated in a mass K9 Training exercise in NYC. The event tested over 400 K9 teams from various agencies including ATF, FBI, Customs, SCPD, SCFMO, NCFMO, Westchester PD and the Pentagon. Brett was on the ground floor of planning this event 2 years ago with the FDNY Accelerant K9 Unit and it has grown into a major undertaking.

10/16 & 17 - Hazardous Materials "Poisons & Pesticides" class was attended at the SCFA.

9/25 - Continuity of Operations Training

10/2 - Assisted at Stony Brook University Campus Safety Day
10/10 – Coordinated with NYS OFPC regarding tracking and monitoring Fire Investigation requirements
10/10 – Contacted NYS Chapter 23 of the IAAI regarding possible Fire Investigation Seminar in Suffolk in 2020
10/1/19 - Critical Decision Making for Complex Coordinated Attacks course
10/3/19 - Coastal Resilience Symposium - Brookhaven Town
10/8/19 - Readiness Training Identification and Preparedness planning course
10/9-10/19 - Participated in the Millstone NPS Plume Exercise
10/16/19 - Attended the Long Island Regional Cyber Security Summit
10/16/19 - Hazmat Training - Pesticides & Poisoning
10/18/19-10/27/19 - Supported the NY Wildfire and Incident Management Academy
10/21/19 - Critical Infrastructure Security and Resilience Awareness
11/7, 14 & 21 ICS300 training at Islip Town
The spring of 2020 is the target date for K9 Recertification in Denver CO.
11/20- Community Residence Fire Safety Training conducted by FMO
11/01- Northwell Health seminar featuring Deputy IC for Las Vegas shooting
11/16- FM9 R Fischer completed Fire Instructor I training
11/02- Lynch/FM1 and Kuethen/FM4 assisted with training and logistics at the Joey D Seminar held at the SCFA
11/01– Coordinated with NYS OFPC regarding training to be presented by the Arson Task Force for line officers
11/01 – Meeting regarding IAAI Fire Investigation Seminar in Suffolk in 2020
11/21 – Hazmat RIT training conducted at SCFA for BNL and Brookhaven FMO Hazmat teams
10/23/19 – attended the 2019 DHSES Grants Regional Workshop
10/28/19- attended Advanced Critical Infrastructure Protection course
11/6/19- attended Medical Surge Capability and Capacity Workshop and Tabletop at Nassau OEM
11/7/19 – hosted and attended NYS Traffic Incident Management Course
11/7/19 – Participated in the 2019 National Grid Annual Oil Spill Tabletop Exercise
11/13/19 – Suffolk County Marathon AAR

Planning & Meetings:

10/8 – FMASCO Meeting
10/9 – FELB proficiencies at multiple locations
10/17 – Fire Extinguisher Licensing Board meeting
10/15 – Regional Hazmat/ LEPC meeting held
10/21 – Burn Center meeting
10/22 – FRES Training meeting
10/23 – NYS DHSES grant workshop
10/25 – SCSO Gang Seminar
11/12 – FMASCO Meeting
11/21 – FELB Meeting
11/18 – Burn Center meeting
11/07 – Smithtown Chiefs Meeting attended by FM1
11/12- Girl Scout light show meeting at Smith's Point Park
10/4/19 - UAS Team meeting
10/8/19 - Suffolk Marathon planning meeting
10/8/19 - ESF8 Working Group meeting
10/15/19 - Suffolk Marathon planning meeting

10/17/19 - Town Emergency Manager's Quaterly meeting
 10/17/19 - Attended the UAWG Logistics Subcommittee quaterly meeting
 Conducted 14 public outreach presentations for emergency preparedness
 11/13/19 – attended initial planning meeting for Girl Scouts Holiday Light Show at Smith's Point Beach
 10/25/19 - Babylon Hope for Warriors run planning meeting
 11/4/19 - Babylon Hope for Warriors run planning meeting
 Conducted 18 public outreach presentations for emergency preparedness

Response & Incident Support:

- K9 was requested 4 times over the past several weeks. Responses included were to a fatal in Islip Terrace and fires in North Patchogue, Watch Hill and Brookhaven.
- Assistance to the NYS Wildfire and Incident Management Academy
- Radiological response to Winter Brothers for a delivery that was refused by the State of Pennsylvania for giving off too high a radioactive level. Office worked with Dept. of Health and SCPD ESU to rectify situation.
- 10/6/19 - Supported the Det Simonsen MC Run -flag arches / coordinator
- 10/10-11/19 - EOC Activated for TS Melissa to support the Town of Southampton in an effort to prevent a breach on Dune Road. We utilized town, county, state equipment and sand stock piles to build a 750'x12' berm, which proved successful.
- 10/27/19 – Suffolk County Marathon
- 11/2/19- participated and supported Islip Town MCI Full Scale-Exercise
- 11/3/19- supported the MTA MCI Drill at Sayville RR Station
- 11/9/19- Supported Babylon Hope for Warriors Run with MERV and MCU

Grants & Contracts:

- All grant money for Hazmat repairs has been utilized in 2019. Nothing else will occur regarding hazmat until after the New Year.
- Equipment purchases inventoried, labeled and added to USAR and Haz Mat caches.

List being created for purchases in 2020 to meet the type casting standards for the regional hazmat partners.

Suffolk County FRES and our grant partners are actively utilizing FY17 and FY18 SHSP and UASI funding for personnel, equipment, supplies, software maintenance, etc. We are in the process of completing the county requirements that will allow us to begin using the FY19 SHSP, FY19 UASI, FY19 LEMPG, and FY18 HazMat grants during the first quarter of 2020.

The exit meeting for the NYS DHSES fiscal monitoring visit was held at FRES on 11/4/19. Suffolk County is now waiting for the draft report to be released.

Personnel:

- ESD I interviews have been conducted and concluded. 3 new ESD Is will be starting on 12/30/19
 - We have received one resume for the Training Officer position.
- **Continual work on county evacuation and spill plans for all county facilities. OSHA requirements are being reviewed for Haz-com, Flammable and Liquid responses and General Industry Standards.

- **** The county Arson Control Plan has been submitted and a request was made to the state for a response regarding its acceptance. NYS OFPC has indicated it should be updated every 2-3 years or if major changes are made. Notification will be made once the state responds. – Still no response by state**
- NYS DHSES came to Suffolk County during the week 10/7 to conduct a fiscal review of the Homeland Security Grants. Members of the Fiscal Monitoring Unit were accompanied by the Program Representatives (Tony Pesce & Heather Pruden) that Suffolk County works with on a regular basis. The County thinks that the presence of the Program Representatives was very beneficial and helped to improve the overall process of the fiscal review. We are waiting for the exit meeting to be scheduled.
- -There will be an original EMD/EMT class in January or February, blast will go out when scheduled
- UHF page west operating well, still working on 5th pct and St Charles sites. Working aggressively to migrate departments over. We still hope to abandon low band on the west end by the end of 2020.
- UHF page east project – waiting on site development and currently vetting three (3) possible frequencies to replace the unusable one we have currently.
- Operated out of the backup center last week for exercise purposes, only minor problems – all mitigated as they were discovered
- CE executive and his contemporaries all crafted and signed a letter endorsing S2748 and HR 451 “Don’t Break up the Tband act” which seeks to remove the clause from law that requires UHF spectrum give back 470-512 which impacts many local fire and ems agencies
- Working on securing funding / grants for our drone program
- ASAP to PSAP – interface is built and running on the test database, working on verifying functionality on the “live” system and begin working with 1st alarm company to automate. This process is done one company at a time.
- EMS monthly reports have been repaired and are starting to be distributed again.
- 2 additional supervisors have completed their COML class room training.
- If Your department has not registered for email notifications to supplement, and eventually replace blast fax, please go to the FRES website and do so.
- ESD I II and III test being offered January, must sign up by December 11th.

- SCPD continues to work on reprogramming existing ambulance radios, they will then be contacting each department to coordinate reprogramming of existing radios.
- 1st UTAC repeater site purchased to be installed at FRES. Will support greater brookhaven area and we hope to integrate using the UTAC as part of training evolutions in cooperation with the fire academy.
- Currently working with Motorola on a refresh proposal for the medcom radio system infrastructure and to convert to a simulcast system.
- Met with SCFA along with County Health and CE office to update on Superfund site at SCFA. Discussed expansion of footprint of SCFA grounds to accommodate the additional training needs moving forward.
- Contract with SCFA being reviewed at County attorney. Increase in budget.

Fire Marshal's:

- no report

Fire Academy:

- SFCA had a good meeting with DEC.
- Thank you for the additional monies for the Fire Academy.
- 2020 schedule is out.
- Added a lot of tech rescue classes – be sure to take a look at the pre-req's.
- Fire Officer I is now open.
- Fire Instructor II is now open.
- Field walk around will be in March.
- As of October 2019, 40,386 students have come thru the SCFA.
- In 2018 the number was 38,000 all year.
- Class count thru October 2019 was 1644, and 1679 for all of 2018.

VEEB:

- interview for open VEEB Board seat will start in January.

SCPD:

- all helos' in service.
- holiday patrol – increased enforcement.

SC EMS:

- full report attached to the minutes.

EMS Division Report

Dina Wayrich EMT-P, CIC

Deputy Chief of Education and Training, SCEMS

Upcoming Classes

- EMT Original: Copiague 1/2/20, HBVAC 1/7/20, HCFAS 1/11/20

- EMT Refresher: Shirley 1/22/20, Ronko 2/12/20
- Bridge class 3 started: 7 students. Bridge 1 and 2 going well. Bridge 1 ends 2/20.

CME

- New manual released by NYS BEMS can be found here: https://www.health.ny.gov/professionals/ems/certification/docs/cme_recert_pgm_adm_manual.pdf and goes into effect 1/1/20. We are working on updating CME classes to match new core and new NC. June will start only new core classes.
- Your agency must have ePCR by 1/1/22 to remain in the NYS BEMS CME program.
- Suffolk County has arranged it so if you purchase the hardware, we can give you free access to software.

NYS Protocol Rollout

- We have >4,500 done here in Suffolk County already. All providers all levels must be done by 12/31/19. NYS online and NYS skills. New protocols go into effect 1/1/20 0000hrs.
- When all members of your agency have completed both NYS requirements, call the division offices at 631-852-5080 for your agency specific access code to the regional credentialing online class. All CFR's and EMT's in your agency must have this completed by 3/31/20.
- For more information, click here: <http://www.suffolkremSCO.com/news/2019/11/26/advisories/2019-nys-and-regional-bls-update-and-roll-out/>

Narcan Leave Behind Program

- Your agency will identify a "trainer" and send them to the SCEMS Offices mid-December for a T the T class. SCEMS will send the trainers home with the kits. They will then train the members of the participating agency (who choose to participate) the quick, just in time, 60 seconds or less, in-service.
- Every time Narcan is used and a kit is left behind, bring to SCEMS a copy of the PCR and the reporting form, and we will give you back the same amount of kits left behind on that call AND the same amount of Narcan's used on that call.
- This program will begin 1/1/20, if your agency would like to participate, email Joanne.Polacsek@suffolkcountyny.gov

THANK YOU to SCFA for allowing us to use their facilities while the auditorium in our building is under construction. **HAPPY HOLIDAYS** to all from the entire SCEMS Division!!



Report of Committees:

Budget:

- no report.

Arson Task Force:

- no report.

Combined Radio:

- next meeting is January 8th.

Buildings & Grounds:

- no report.

Legislation & Standards:

- Anthony LaFerrara advised that an upgrade to LOSAP has been signed into law.

Codes & Prevention:

- no report.

EMS & REMSCO:

- no report.

Burn Center:

- no report.

Recruitment & Retention

- next meeting is December 18th.

Report of Organizations:

Suffolk County Chiefs:

- no report.

Suffolk County District Officers by Jay Egan:

- no report.

Suffolk County Ambulance Chiefs by Bryan Prosek:

- no report..

Suffolk County Vollies by Anthony Sullo:

- no report

Report of Townships:

- Smithtown Chiefs – there was a question about the FRES PIO.
- Riverhead Chiefs – having manpower issues with Fire Marshals. Letter sent to Riverhead Town.

Old Business:

- there was no old business.

New Business:

- Holiday gift voted on for CA. Motion to approve by Anthony LaFerrara, second by Vinny Bologna, motion carried.

- Nominations were opened for the Executive Board of the FRES Commission. Motion by Ron Barz to keep the current slate in office (Chairman Drew Silverman, Vice-Chairman Kyle Markott, Secretary John Coughlin and Treasurer Frank Bonaventure). Second by Vinny Bologna, all were in favor. The Executive Board was elected for another term.

There being no further business before the Commission, Chairman Silverman entertained a motion to adjourn by Anthony LaFerrara, second by Arthur Bloom, meeting adjourned at 8:10pm.

Next meeting is Wednesday, January 22, 2020 at 7:30pm.

Respectfully submitted,

Kyle Markott

Kyle Markott – ‘acting secretary’

Members Present	Staff present	Guest Present
A. LaFerrera	J. Jordan	P. Kalan
R. Barz	G. Miniutti	D. Wayrich
A. Bloom	E. Schneyer	
V. Bologna, Jr.	E. Johnston	
E. McGrath		
T. Duckham		
A. Sullo		
G. Turza		
J. Hoffmann		
D. Silverman		
K. Markott		
F. Bonventre		
L. Brown (alt.)		

NEXT MEETING	January 22, 2020
TIME	7:30 p.m.
LOCATION	FRES Library
	Frank Bonventre
REFRESHMENTS	Arthur Bloom

IN MEMORY OF:

**NORTH AMITYVILLE FIRE
COMPANY**

CHIEF ROLLINS

November 12, 2019

The Honorable Nancy Pelosi
Speaker of the House of Representatives
United States Capitol
Washington, DC 20515-0001

Dear Madam Speaker:

We write to ask that you consider including HR 451, the "Don't Break Up the T-Band Act," in the year-end FY20 omnibus legislation.

The bill repeals section 6103 of the "Middle Class Tax Relief and Job Creation Act of 2012." Section 6103 currently requires that public safety entities, including police, fire, EMS, and emergency management, cease using the spectrum known as the T-band, on which their mission-critical voice radios currently operate. Section 6103 only applies to public safety entities; it does not exclude private entities from the spectrum and includes a provision that requires the FCC to auction the spectrum to interested private entities in 2021. The spectrum is not usable for 5G and is not in demand by other entities.

The T-band spectrum is designated specifically for public safety use in 11 jurisdictions, which each include a major metropolitan area and the surrounding 50-mile radius. The T-band jurisdictions are: New York, Boston, Los Angeles, San Francisco, Houston, Miami, Philadelphia, Chicago, Dallas, Washington/Baltimore, and Pittsburgh. Altogether, the T-band protects 90 million residents in these 11 jurisdictions, as well as tens of millions of annual visitors and tourists.

In the New York metropolitan area, the T-band is critical to the interoperability of our communications systems and in keeping first responders and the public safe. It is used for public safety mission-critical voice communications across all three primary New York City first responder disciplines (police, fire, and EMS), as well as other public safety licensees, including the Nassau and Suffolk County Police Departments, Westchester County Emergency Services and Public Safety Departments, and additional neighboring jurisdictions. It is the lifeblood of our public safety communications systems and is used in more than nine million annual 911-call responses by NYPD and FDNY, as well as to protect the nearly 14 million residents represented by the departments in the downstate New York region.

The T-band affords critical interagency and interjurisdictional mission-critical voice capabilities in times of emergency, and has helped to coordinate responses to terrorist attacks in New York City, including the Chelsea bombing in 2016 and West Side Highway attacks in 2017. It was essential in the manhunt for the Boston Marathon bombers, facilitating interoperable communications between police forces throughout the Boston/Cambridge area. Recently, the T-Band was used to coordinate fire-fighting teams at oil refineries in Houston as Hurricane Harvey bore down.

It is widely acknowledged that there is no other spectrum available in the New York metropolitan area to which mission-critical voice radio communications can migrate. Even the current FCC has acknowledged as much (per the Government Accountability Office (GAO)): "In March 2019 FCC officials told us that based on their analysis alternative spectrum relocation options for public safety users are limited or non-existent." The GAO recently released a report saying that Congress should repeal section 6103 (<https://www.gao.gov/products/GAO-19-508>, "Emergency Communications: Required Auction of Public Safety Spectrum Could Harm First Responder Capabilities"). There is also broad support for repeal from outside entities like Verizon, American Petroleum Institute, Association of Public-Safety Communications Officials, National League of Cities, US Conference of Mayors, and other public safety groups (see attached for sample).

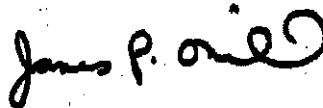
Forcing public safety entities to migrate off the T-band would not only devastate New York City and downstate county public safety communications, but would also cost the City and neighboring counties billions of dollars. Kicking public safety off the T-band would require municipalities to stand up a new, parallel mission-critical voice radio network and require replacing all public safety radios, including those installed in police cars, fire engines, ambulances, etc. Moreover, the entire New York City subway system is currently wired for the T-band. As the GAO points out in their report, T-band auction proceeds would likely not be sufficient to fund the migration for New York City, let alone other local jurisdictions.

Passage of HR 451 is of the utmost importance to all who utilize the T-band in the New York metropolitan area. It is our hope that, with your support, we can keep the tools that help us protect our communities.

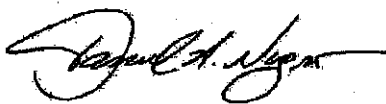
Sincerely,



Bill de Blasio
Mayor
City of New York



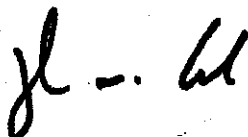
James P. O'Neill
Commissioner
New York City Police Department



Daniel A. Nigro
Commissioner
New York City Fire Department



George Latimer
Westchester County Executive



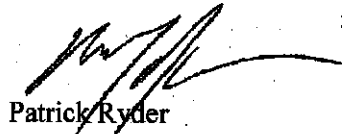
John Cullen
Commissioner
Westchester County Emergency Services



Steve Bellone
Suffolk County Executive



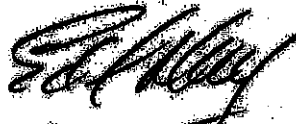
Laura Curran
Nassau County Executive



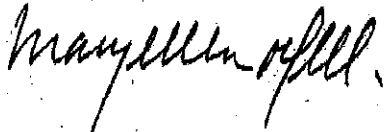
Patrick Ryder
Commissioner
Nassau County Police Department



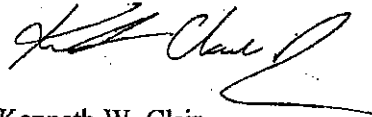
Steve Neuhaus
Orange County Executive



Edwin J. Day
Rockland County Executive



MaryEllen O'Dell
Putnam County Executive



Kenneth W. Clair
Commissioner
Putnam County Bureau of Emergency Services

cc: The Honorable Eliot Engel
The Honorable Peter King
The Honorable Lee Zeldin
The Honorable Nita Lowey
The Honorable Al Green

New York State

County Executives Association

President: Hon. Daniel P. McCoy
Albany County
Executive Director: Stephen J. Acquario, Esq.

November 13, 2019

Dear New York Congressional Delegation,

On behalf of the New York State County Executives Association we urge you to support H.R. 451, "Don't Break Up the T-Band Act" sponsored by Representatives Engel, King, Green and Zeldin.

This legislation repeals section 6103 of the "Middle Class Tax Relief and Job Creation Act of 2012." This change in law mandates that the Federal Communications Commission (FCC) begin an auction of the T-Band spectrum allocated to public safety by February 21, 2021 and clear public safety users from the band within two years of auction close.

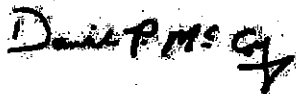
There are 11 T-band jurisdictions that are made up of a major city and 50 miles surrounding the city. These jurisdictions include New York, Boston, Los Angeles, San Francisco, Houston, Miami, Philadelphia, Chicago, Dallas, Washington/Baltimore, Pittsburgh.

Without action on this issue, these eleven metropolitan areas will be unable to serve the 90 million people living in these regions. If these municipalities were forced to leave the T-Band, public safety users would be required to relocate communication systems. It would require new communication towers, radios, and other infrastructure at a cost of between \$5 to \$6 billion to these municipalities.

Forcing public safety functions to move off T-band spectrum so it can be auctioned to private companies in 2021 will have a disastrous effect on the New York City, surrounding counties, and the millions of residents in New York State that depend on this public safety spectrum. The T-band is the lifeblood of the NYC public safety communications system, used in over 9 million annual 9-1-1 call responses by NYPD and FDNY alone.

We ask that H.R. 451 "Don't Break Up the T-Band Act" be included into the year-end spending package/omnibus bill.

Sincerely,



Daniel P. McCoy
President

CC: National Council of County Association Executives
Rich Fitzgerald, Allegheny County, Pennsylvania Executive



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-6322

DA 19-1225

Released: December 2, 2019

WIRELESS TELECOMMUNICATIONS BUREAU AND PUBLIC SAFETY AND HOMELAND SECURITY BUREAU SUSPEND THE PROCESSING OF APPLICATIONS TO RENEW PART 22 AND 90 LICENSES FOR SYSTEMS OPERATING ON 470-512 MHz (T-BAND) SPECTRUM

PS Docket No. 13-42

By this *Public Notice*, the Wireless Telecommunications Bureau and the Public Safety and Homeland Security Bureau (Bureaus) announce that, until further notice, they will accept, but not grant, applications to renew Part 22 and Part 90 licenses for operation in the 470-512 MHz band (T-Band).¹ Licensees that have filed, and will in the future file, timely and complete applications for renewal of license² may continue to operate using their licensed facilities past the license expiration date while the suspension is in effect.³

The Middle Class Tax Relief and Job Creation Act of 2012 (the Act) requires the Commission to reallocate T-Band spectrum used by public safety licensees, begin a system of competitive bidding for reallocated spectrum by February 22, 2021 (nine years after the Act was enacted), and relocate public safety entities from the T-Band spectrum no later than two years after completion of the system of competitive bidding (T-Band-Mandate).⁴ On April 26, 2012, to stabilize the spectral environment in light of the T-Band Mandate, the Bureaus suspended acceptance and processing of certain other T-Band applications. That freeze was imposed to allow the Commission to consider issues surrounding future use of the T-Band and implement the Act.⁵

Despite findings from the Government Accountability Office that implementation of this provision of the Act could deprive first responders of their current ability to communicate by radio and its

¹ This *Public Notice* suspends processing of both applications for renewal only (purpose code RO); and applications for renewal/modification (purpose code RM).

² Defective applications and applications in return status that are not timely resubmitted will be dismissed.

³ 47 CFR § 1.62 (operation pending action on renewal application). The suspension of applications for license renewal was raised in a letter from Mark E. Crosby, President, Enterprise Wireless Alliance, to Lisa M. Fowlkes, Chief, Public Safety and Homeland Security Bureau, and Donald Stockdale, Chief, Wireless Telecommunications Bureau, PS Docket No. 13-42 (dated July 16, 2019). The action we take in this *Public Notice*, although initiated on our own motion, also addresses matters raised in the referenced letter.

⁴ Pub. L. No. 112-96, 126 Stat. 156 (2012) (Act), § 6103.

⁵ Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau Suspend the Acceptance and Processing of Certain Part 22 and 90 Applications for 470-512 MHz (T-Band) Spectrum, *Public Notice*, 27 FCC Rcd 4218 (WTB/PSHSB 2012).

recommendation that Congress allow public safety's continued use of the spectrum,⁶ the T-Band Mandate remains the law of the land and the Commission is required to implement it. Given that the February 22, 2021 statutory deadline is less than 15 months away, the Bureaus have determined that suspension of renewal processing is now necessary for the Commission to have the full range of implementation options available.

This suspension on the processing of renewal applications is procedural and, therefore, not subject to the notice and comment and effective date requirements of the Administrative Procedure Act.⁷ The processing suspension imposed by this *Public Notice* applies to applications for the following radio services in the 470-512 MHz band:

Part 22 Public Mobile Services: Paging and Radiotelephone (radio service code CD), Offshore Radiotelephone (radio service code CO)

Part 90 Industrial/Business Pool: Industrial/Business Pool - Conventional (radio service code IG), Industrial/Business Pool - Commercial, Conventional (radio service code IK), Industrial/Business Pool - Trunked (radio service code YG), Industrial/Business Pool - Commercial, Trunked (radio service code YK)

Part 90 Public Safety Pool: Public Safety Pool - Conventional (radio service code PW), Public Safety Pool - Trunked (radio service code YW).

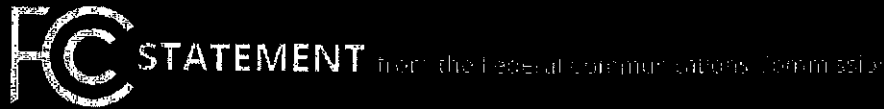
This action applies only to the services listed above.

Action by the Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau.

-FCC-

⁶ See *Required Auction of Public Safety Spectrum Could Harm First Responder Capabilities*, GAO 19-508 (Jun 21, 2019), available at <https://www.gao.gov/products/GAO-19-508#summary>.

⁷ See 5 U.S.C. § 553(b)(A), (d); see also, e.g., *Neighborhood TV Co. v. FCC*, 742 F.2d 629, 637-38 (D.C. Cir. 1984) (holding that the Commission's filing freeze is a procedural rule not subject to the notice and comment requirements of the Administrative Procedure Act); *Buckeye Cablevision, Inc. v. United States*, 438 F.2d 948, 952-53 (6th Cir. 1971); *Kessler v. FCC*, 326 F.2d 673, 680-82 (D.C. Cir. 1963).



Media Contact:
Tina Pelkey, (202) 418-0536
Tina.Pelkey@fcc.gov

For Immediate Release

CHAIRMAN PAI CALLS ON CONGRESS TO PROTECT PUBLIC SAFETY AND REPEAL T-BAND MANDATE

*Agency Announces Suspension of Application Processing for T-Band Licenses and
Renewals Because of Current Mandate to Hold an Auction in 2021*

WASHINGTON, December 2, 2019—Federal Communications Commission Chairman Ajit Pai issued the following statement calling on Congress to repeal the mandate to auction T-Band spectrum and allow public safety officials to continue saving lives through T-Band communications:

“In 2012, Congress passed legislation requiring the FCC to reallocate and auction T-Band spectrum used for decades by public safety licensees and fund the relocation of those licensees elsewhere. The agency has extensively analyzed the T-Band and concluded that moving forward is not viable—relocation costs for public safety licensees would likely far exceed any potential auction revenue, making it impossible to fund the relocation and comply with the mandate. The Government Accountability Office has agreed—reporting to Congress that the T-Band mandate is unworkable and could deprive first responders of their current ability to communicate by radio.”

“Because of these concerns, I’m calling on Congress to repeal the T-Band mandate. I’m hopeful that Congress can resolve this matter without delay. Doing so will not only protect public safety communications in the T-Band but will also allow our dedicated auction staff to focus in 2020 on auctions that will make new airwaves available for 5G, like spectrum in the 3.5 GHz and 3.7 GHz bands.”

The agency issued a Public Notice today suspending the processing of applications for T-Band licenses, including renewals, in accordance with the current T-Band mandate to hold an auction in 2021.

Additional background:

- The *Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act)* required the Commission to reallocate T-Band spectrum used by public safety licensees and “begin a system of competitive bidding” for reallocated spectrum by 2021 (the T-Band mandate).
- Wireless use of the T-Band consists of otherwise unused broadcast spectrum in TV channels 14-20 in 11 cities. It contains approximately 925 public safety entities and 700 industrial/business entities. T-Band provides push-to-talk, mission-critical voice communications for local government, law enforcement, and first responder entities

(including fire management, emergency medical, road maintenance, transit, public works, and others).

- The GAO report, *Required Auction of Public Safety Spectrum Could Harm First Responder Capabilities*, is available [here](#).

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Office of Chairman Pai: (202) 418-1000 / Twitter: @AjitPaiFCC / www.fcc.gov/leadership/ajit-pai

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).