

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3213**

March 16, 2010

The Honorable Julius Genachowski  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

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Dear Chairman Genachowski,

I have the honor and privilege of representing Staten Island and portions of Brooklyn, NY in the U.S. House of Representatives. I understand that the FCC plans to auction off the D Block spectrum for commercial use. This is a troubling development, and it raises many concerns regarding public safety.

If the entire D Block spectrum were given to the commercial market, it would remove a critical asset from our public safety agencies. These vital services would be effectively denied the use of 20 MHz of contiguous spectrum in the 700 MHz band. This would prohibit police, firefighters, and other first responders from developing technologies that utilize this section of the spectrum. This would preclude them from using higher-powered radios and other cutting-edge communications tools. It is not sufficient to have these agencies share the airwaves with wireless carriers; they need a dedicated bandwidth for public safety.

Equally troubling is the proposal to make public safety agencies bid competitively for portions of the spectrum. With so many states and cities facing budget crises, the FCC should not force them to unnecessarily spend money on reserving the public airwaves. First responders need access to the D Block in order to provide these vitally-needed services to the public. As we work to provide the infrastructure necessary to build a nationwide, state-of-the-art, interoperable broadband network for public safety, it is important to ensure that agencies are not burdened with unnecessary costs.

New Yorkers know all too well the need for well-equipped public safety agencies. In large cities, it is necessary for first responders to have access to a dedicated, contiguous spectrum of the D Block to ensure that their communications technology is always up-to-date. With so much radio and electromagnetic interference in a crowded city, first responders require the high-powered spectrum to ensure clean communications. Ever since the original January 24, 2008 Wireless Spectrum Auction, there has been concerted action to ensure that some segment of the D Block is reserved for public safety.

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I urge the FCC to ensure that the process for allocating the D Block spectrum maintains a contiguous 20 MHz spectrum for public safety agencies. While I agree that the auctioning of this spectrum will spur great commercial development, we cannot sacrifice the safety and security of our citizens.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. McMahon". The signature is stylized with large, bold letters and a prominent flourish at the end.

Michael E. McMahon  
Member of Congress