

KEVIN YODER

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Congress of the United States

House of Representatives

Washington, DC 20515-1603

January 30, 2015

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:

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RELATED PROGRAMS

PSHB
Public Safety
911

Chairman Tom Wheeler
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Received & Inspected

FEB 03 2015

FCC Mail Room

Chairman Wheeler:

I write to draw your attention to the communication sent to the FCC by State Senator Greg Smith, Kansas State Senate District 21 and Specialist James Patton, Army National Guard (enclosed). I hope that you will carefully consider their message.

Our modern technology allows for many benefits to public safety. I will again introduce legislation this year, known as the Kelsey Smith Act, to facilitate locating victims in the event of an emergency by way of their cellular device. Senator Smith is the father of Kelsey, who tragically lost her life. Kelsey was unable to be located for an extended period because of difficult communication between a cell carrier and local law enforcement and vague criteria for releasing important emergency related information. I believe adoption of a federal standard on this matter could save lives across our nation.

I thank you for your attention to this communication. Please let me know if my office can provide any further information to you.

Sincerely,

Kevin Yoder,
Member of Congress

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

December 16, 2014

Re: PS Docket No. 07-114

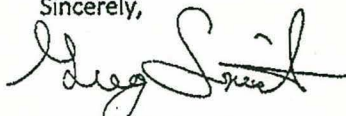
Dear Secretary Dortch,

The event that dramatically changed my life was the kidnapping, sexual assault, and murder of my daughter, Kelsey Smith. She was abducted in broad daylight on June 2, 2007. Police searched for four days to find Kelsey, even though she had a cell phone that her carrier could have located but refused to do. Law enforcement — despite doing everything they were supposed to do — couldn't get the cell phone company to release the location information on her cell phone for four days. Once that information got to law enforcement, they recovered her body in forty-five minutes.

I have since been working to gain support for the Kelsey Smith Act, which has been introduced by Congressman Kevin Yoder and reported to the Committee. This Act aims to amend the Communications Act of 1934 to require a provider of a commercial mobile service or an IP-enabled voice service to provide call location information concerning the user of such a service to law enforcement agencies in order to respond to a call for emergency services. The Act is law in sixteen different states, two more are looking to enact it in the upcoming legislative session, and it is gaining federal recognition.

I believe that more can be done to ensure the deployment of effective indoor location technology that will meet the accuracy requirements of public safety. Currently, the FCC has no location-accuracy standards for emergency calls made from indoor locations. By updating federal regulation, the FCC can mandate that all commercial cellular carriers provide accurate indoor location data to law enforcement officials. When it comes to emergency situations, seconds matter. Changing the FCC's federal regulations now could save more lives in the future. In Kansas and the fifteen other states that have enacted the Kelsey Smith Act, we have seen the positive results from the Kelsey Smith Act; now I believe it is time to implement this on a national scale.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Smith", written in a cursive style.

Greg Smith, Senator
Kansas Senate District 21

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

December 18, 2014

Re: PS Docket No. 07-114

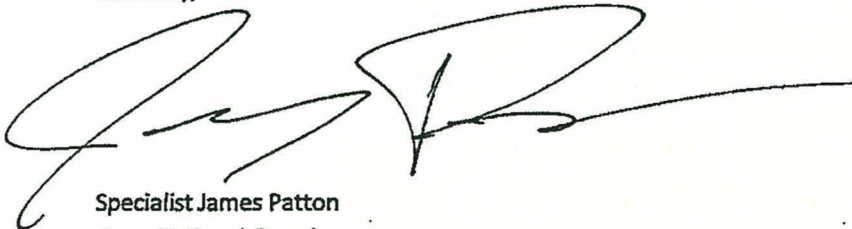
Dear Secretary Dortch,

As a current member of the Army National Guard I understand how quickly an emergency situation can progress from bad to worse. When working with victims in dangerous situations it important law enforcement, first responders, or military personnel have access to the most up to date data available. Response time and location accuracy can be the difference between life and death for some victims.

When someone dials 911, law enforcement is not always able to accurately locate the source of the call. When the call is made indoors using a wireless device, cell carriers are not required by the FCC to distribute the specific location of that call to first responders. Unfortunately, the FCC does have a standard for how accurate the given indoor location must be when the cell carrier provides that data to law enforcement. The inconsistency and the inaccuracy of the location can cause an emergency situation to go from bad to worse.

Having accurate information is critical during emergency situations, particularly when law enforcement is actively pursuing a suspect or trying to rescue a 911 caller. In Kansas, the Kelsey Smith case serves as an example of just how important that location information can be. In response, Kansas enacted legislation that improves the quality and accuracy of the cell's location information provided to law enforcement. However, not all states have such a requirement, and I believe that federal regulations should be updated to address this need of increased accuracy. When emergencies happen, time is critical, and I think we can do more, on a national level, to help save the lives of victims in emergency situations.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Patton', with a long horizontal flourish extending to the right.

Specialist James Patton
Army National Guard