

United States Senate
WASHINGTON, DC 20510

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May 10, 2015

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

Dear Chairman Wheeler:

I am writing to request that the Federal Communications Commission (FCC) immediately initiate a formal rule making process to modify Part 90 of the Commission's rules to allow Railroad Police agencies, like the Amtrak Police Department, to access public safety frequencies. On May 27, 2014 the National Public Safety Telecommunications Council (NPSTC) submitted a petition for a rulemaking process to address this issue and to date the FCC has not yet taken action. I strongly urge you to heed NPSTC's request and begin the process to address this issue immediately.

Efficient and effective communication during emergencies is critical. From the September 11th attacks, to Hurricane Sandy, and the Boston Marathon bombings we have repeatedly seen the vital role that effective communication between various law enforcement agencies and emergency response personnel plays in ensuring public safety. It is unacceptable that railroad police agencies still are not allowed to hold a license authorization on frequencies reserved for public safety interoperability. Railroad police agencies, like the Amtrak Police Department, play an important role in protecting the public at Stations and along our Nation's rail routes. Amtrak Police Officers respond to civil and criminal situations at train stations throughout the country, and they respond to emergencies such as fires, derailments, and other dangerous situations. Being able to effectively communicate with other emergency personnel while responding to those situations is key.

This issue is especially important in New York. Penn Station is the busiest train station in North America, with over 600,000 passengers arriving and departing from the station every day. Given the volume of traffic, transportation hubs like Penn Station could be the target of terrorist attacks or other dangerous situations. Luckily in recent years attempts to attack transit system in the United States have been thwarted by law enforcement but we must remain vigilant and prepared for any situation and part of being prepared means ensuring effective communication between first responders.

At the federal level, railroad police officers commissioned under state as law enforcement have the ability to enforce laws of jurisdictions in which the rail carrier owns property. This authority makes it clear that Amtrak Police Officers operating in places like Penn Station should be considered law enforcement personnel and should be allowed by the FCC to communicate with other law enforcement on emergency response frequencies.

I urge you to heed the request of NPSTC and the other law enforcement agencies including the International Association of Chiefs of Police and immediately begin the process to correct this

issue. Solving this issue will help protect the traveling public and ensure an effective response during emergency situations.

I appreciate your attention to this issue, should you need further information please do not hesitate to contact my office.

Sincerely,

A handwritten signature in blue ink, reading "Charles E. Schumer". The signature is fluid and cursive, with the first name "Charles" and last name "Schumer" clearly legible.

Charles E. Schumer
United States Senator