



# THE UNITED STATES CONFERENCE OF MAYORS

1620 EYE STREET, NORTHWEST  
WASHINGTON, D.C. 20006  
TELEPHONE (202) 293-7330  
FAX (202) 293-2352  
TDD (202) 293-9445  
URL: [www.usmayors.org/uscm](http://www.usmayors.org/uscm)

July 21, 2011

The Honorable John D. Rockefeller  
Chairman  
Committee on Commerce, Science,  
and Technology  
United States Senate  
Washington, DC 20510

The Honorable Kay Bailey Hutchison  
Ranking Member  
Committee on Commerce, Science,  
and Technology  
United States Senate  
Washington, DC 20510

Dear Chairman Rockefeller and Ranking Member Hutchison:

We write on behalf of the nation's mayors to express our strong support for S. 911, The Public Safety Spectrum and Wireless Innovation Act. S. 911 will ensure that our nation's first responders are able to access a broadband network capable of providing reliable high speed data and voice applications so that they can meet current and future public safety needs, while at the same time protecting narrowband communications. It will significantly improve public safety communications and move them further in their efforts to achieve interoperability.

We commend you for responding to the call by state and local government and public safety officials to reallocate the D Block to public safety and provide for the build out, maintenance and operation of a nationwide public safety interoperable broadband network. And we commend you for developing and moving the bill so quickly.

We must express our concern, however, with one provision in the bill which is troubling to local governments. Section 528, which has to do with modifications to existing wireless towers, represents an unwarranted federal intrusion into state and local zoning authority. It would compel approval of modifications even when there are real concerns about the safety of the structure in question. We appreciate the willingness which your staffs have shown to work with us to try to minimize the negative effects of this provision on local governments. One approach might be to limit the section to D Block applications, as one of the House drafts would do.

Be assured that the nation's mayors stand ready to work with you to resolve the problems that Section 528 imposes on local governments and to see S. 911 enacted into law by the 10<sup>th</sup> anniversary of the September 11, 2001 terrorist attacks on the nation.

Sincerely,

Handwritten signature of Annise D. Parker.

Annise D. Parker  
Mayor of Houston  
Chair, Committee on Criminal and Social Justice

Handwritten signature of Arlene J. Mulder.

Arlene J. Mulder  
Mayor of Arlington Heights  
Vice Chair, Committee on Criminal and Social  
Justice