

**Testimony of Joe M. Peters**  
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hosted by the  
**Sheriffs' Association of Texas**

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**U.S. HOUSE OF REPRESENTATIVES**

**on**

**The State of Interoperable Emergency Communications Along**  
**the Texas Border**

**Laredo, Texas**

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Chairman Cuellar and Members of the Committee, my name is Joe Peters, and I serve as the Director of the Technology Assistance Division of the Sheriffs' Association of Texas and as Director of the Border Research and Technology Center, a program of the National Institute of Justice. I am also a founding member of the Texas Radio Coalition. I retired after 30 years of service with the Texas Department of Public Safety (DPS) as a Texas Highway Patrol Trooper, Highway Patrol Sergeant and the last 18 years of my DPS career as a Texas Ranger. I grew up in Zavala County and spent a significant portion of my career in the Texas Rangers working in the border region. It is my pleasure to appear before you today and I thank you for the opportunity to discuss the state of interoperable emergency communications along the Texas Border.

### **Challenges We Face**

One of the most significant challenges to emergency communications along the Texas-Mexico border has been and continues to be a lack of “operability” in many areas. This is not to downplay the importance of “interoperability” but without the ability to communicate at all, because of lack of adequate coverage provided by the antiquated systems in place in many of the rural areas along the border, interoperability becomes a moot point. Due to the much appreciated Congressional support for the Homeland Security effort, many of the first responders serving the border region are beginning to have some hope that relief is finally on the way in the historically underserved region. Some jurisdictions along the border have begun to utilize their Homeland Security Grant Program funding to begin improvements in their emergency communications systems. Public Safety Interoperable Communications grant funding anticipated later this year will provide a much needed boost in those improvements. Resolutions to the emergency communications problems are just beginning and much work remains to be done.

A second challenge to achieving the desired level of operability and interoperability has been a lack of cooperation, planning and coordination between jurisdictions. I am pleased to report that we are making progress in that arena, due in large part to grant funding requirements that encourage if not require such planning and cooperation.

A third and significant challenge to establishing and maintaining interoperable emergency communications systems along the Texas border is the lack of a reliable recurring funding mechanism for operations and maintenance of the systems being or about to be deployed. Again, many of the border area agencies lack the tax base to support operations and maintenance of the state of the art communications systems they so richly deserve to put them on par with their counterparts in the more affluent areas of the state. The funding committee of the TxRC is looking at possible solutions such as a small increase in the 911 service fee charged to customers on the public switched telephone network. This fee in Texas is currently set at fifty cents per telephone line up to 100 lines per subscriber. This fee is utilized to operate and maintain the 911 system across the state. A small increase in this fee would serve to fund the operation and maintenance of public safety emergency communications systems across the state. This or almost any fee increase will require a tremendous amount of grass roots support across

the state to overcome the efforts of the lobby whose clients, the service providers, would not support such increases.

Even as the emergency communications infrastructure is replaced in the border region, many of the smaller agencies, especially fire and law enforcement, still have been unable to afford to purchase an adequate number of mobile and especially portable radios so their responders will be able to communicate whenever and wherever they may have the need.

As grant funding is made available to the border region, a significant concern is that many of the local jurisdictions, particularly those in economically depressed areas, and those are many, will be unable to meet the cash match requirements of those grants and thus be deprived of the opportunity to upgrade their emergency communications systems.

Even when funding is identified for system upgrades, a lack of available radio spectrum could still prevent some jurisdictions along the Texas-Mexico border from deploying upgraded systems. The vast majority of the geographic expanse of the Texas-Mexico border is currently served by emergency communications systems operating in the VHF band which offers very limited spectrum availability for the public safety user. This band is also plagued by interference from both sides of the border. In instances where the interference is identified as originating from the Mexican side of the border, fortunately, the responder community in some areas along the border has established local relationships with Mexican regulatory authorities and in many cases, those interference issues are resolved quickly and efficiently with often no more than a short visit or a phone call to those authorities.

Spectrum in the 700 MHz band that will soon become available to most of the United States will **not** be available to public safety along the Texas border until the appropriate agreements with Mexico are negotiated. That process is underway with no estimate of when that very lengthy process will be completed.

### **Cross Border Communications**

The need for effective, reliable cross border communications is significant and increasing. Once again, the resourcefulness of local first responders has helped mitigate this issue in some areas but a long term fixed solution must be identified and implemented. This solution is important not only in the case of catastrophic incidents but in day to day response. Establishing cross-border mutual aid channels with regulatory authority to operate on either side of the border may well be an efficient step in the right direction.

### **Where Are We Now?**

The formation of the Texas Radio Coalition (TxRC) has been instrumental in providing a venue for public safety communications users across Texas to come together in many cases for the first time in a spirit of coordination and cooperation. The TxRC

membership includes representatives of all public safety disciplines from local, tribal state and federal agencies. The TxRC, by the way, owes much of its success to Mr. Peter Collins and to Mr. Mike Simpson, Wireless Communications Services Manager for the City of Austin for their unprecedented support for the TxRC.

As a result of having attended the regularly scheduled meetings of the TxRC, representatives of the five Councils of Government (COGs) with counties contiguous to the Texas-Mexico border have been working cooperatively to form the Texas Border Communications Project. The goal of this project is to maximize utilization of the anticipated PSIC funding to establish a common, shared infrastructure within those five COG areas of responsibility from El Paso to Brownsville. This group has accomplished more toward cooperation and coordination in the last few months to further emergency communications than has ever been accomplished in the border region.

This border project was born of the effort of the Middle Rio Grande Development Council (MRGDC) under the leadership of their Executive Director, Leodoro Martinez with project oversight by their Homeland Security Director, Forrest Anderson.

MRGDC leadership recognized in 2001 that the first responder community across the entire economically depressed nine county, almost 15,000 square mile region was in desperate need of emergency communications system improvements. Many of their agencies were totally dependant upon communications infrastructure that was purchased with Law Enforcement Assistance Administration grant funding in the early 1970's, was unreliable and obsolete, making repair parts acquisition difficult if not impossible. There were many instances of radio technicians being forced to cannibalize the base station radios installed in the 1970's intended solely for interagency communications statewide, obviously rendering that limited method of interoperability totally useless. In some cases, agencies were unable to afford the repair costs for their equipment and certainly could not afford to purchase replacement equipment. In some cases, agencies were forced to purchase substandard equipment that could not long withstand the rigors of the sometimes harsh public safety environment. This situation may have placed the safety of the first responders and the citizens they serve in jeopardy because of poor or non-existent emergency communications.

The MRGDC emergency communications community came together and after studying their options, elected to seek funding to establish a region wide, multi-agency, multi-jurisdiction shared state of the art interoperable communications infrastructure to be deployed across all nine counties of the region. Their first attempts to acquire grant funding to start the project failed. Several members of the first responder community approached their congressional and legislative representatives at the time to seek advice on how they might enhance their chances at securing grant funding. Ultimately, congressionally directed funding was secured to begin the project. It was established as a multi-phase project to be deployed over four years. The originally planned MRGDC Regional Communications Project infrastructure should be completed and fully operational by the end of calendar 2008, pending receipt of requested PSIC funding later this Spring.

The MRGDC regional system is a state of the art, Project 25 compliant, spectrum efficient, VHF trunked infrastructure currently being shared with local, tribal, state and federal users. The system is switched via a master site switch owned and maintained by the City of Austin. Once again, the City of Austin stepped up to the plate and offered excess capacity on their switch, at no cost, to assist the MRGDC establish their regional system. This infrastructure, while shared across the entire nine county region, still affords each agency the opportunity to have their own private talk groups as their needs may dictate. There are a number of local and region wide interoperable talk groups available in every radio on the system for use when the need arises. One of the pitfalls encountered with this project is that only a limited amount of the budget was dedicated to the purchase of subscriber radio equipment for the first responder community across the region. Consequently, a number of agencies have not been able to fully utilize the system due to the fact they cannot afford to provide their entire fleet with the required mobile and handheld radio equipment until additional grant funding is received. Some agencies were able to provide some local funding for purchase of the required subscriber equipment without waiting for the next grant funding cycle.

Most entities across the Texas-Mexico border region currently utilize radio communications towers that are either expensive leased towers or they are 30-35 year old towers purchased with LEAA funding in the 1970's. As the experience in the MRGDC deployment would show, those older towers must now be budgeted for replacement. Some of these towers were found to be in serious need of significant repair or replacement due to corrosion and/or a lack of routine preventive maintenance. Some of them are quite simply overloaded with antennas and transmission line and may be in danger of collapse due to overloading.

Several entities within the Texas-Mexico border region have recently acquired mobile communications vans or trailers equipped to provide communications gateway functionality to achieve interoperability at incident scenes as may be required from time to time. These investments in technology have proven to be quite useful already. A very recent example where the communications trailers were instrumental in providing interoperability was the recent incidents of range fires that blackened almost 20,000 acres in the South Texas border region. This method of achieving interoperability is certainly a necessary part of any interoperable communications plan, but it should not be relied upon as a permanent fix. Often, during a critical incident, the first two hours of the response is the most critical period where interoperability is required. Systems must be designed and deployed so that interoperability is "always on" and at the ready. Another advantage of having this "always on" capability is that the emergency communications user community is intimately familiar with the equipment because it is their primary means of communication and is in use during their day to day response.

In conclusion, it is safe to say that the state of interoperable emergency communications along the Texas border is on the verge of significant improvement, due in no small part to the foresight of local leaders and the unwavering support of leaders such as Chairman Cuellar, the members of this Subcommittee and other members of Congress. The work

has only begun and much remains to be done. Unfortunately, many of the entities along the border are only able to provide their demonstrated willingness to plan, coordinate and cooperate to ensure that what ever federal funding they receive will result in a substantial return on investment for the federal government.

Again, a sincere thank you for the opportunity to discuss border communications issues with you. I look forward to the opportunity to respond to any questions the Subcommittee may have.