



November 3, 2005.

Via Facsimile Original via USPS Mail

**Secretary Chertoff
Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20528**

Subject: Immediate Directive Needed to Allow State and Local Bomb Squads to Legally Use Radio Frequency Jamming Devices to Save Lives

Dear Secretary Chertoff:

We would like to bring to your attention a dangerous and crucial situation. Local and state law enforcement agencies, which include their bomb disposal units, cannot legally use radio frequency jamming equipment to protect themselves and the public against deadly remote controlled improvised explosive devices (also known as RCIED) used by terrorists.

According to the FCC sections 302 and 333 of the Communications Act of 1934 applies to state and local law enforcement agencies and their bomb squads and as such, they are not allowed to use jamming equipment. It is our belief that this policy goes against the very nature and mission statement of the Homeland Security Act, which was created to protect and defend our nation against terrorist attacks. By denying the use of radio frequency jamming equipment to our first responders, we are placing them and the citizens of this country in danger.

It is imperative that the U.S. Department of Homeland Security move swiftly towards asking congress to modify the Communications Act of 1934, or exert its own authority in these matters and allow the use of this technology by state and local government agencies, especially bomb disposal units.

Congress passed the Homeland Security Act of 2002 which specifically states and defines the need for government agencies to provide for the protection of the public, equipment used in the defense of the nation against terrorism, and the need for emergency response providers to acquire the technology needed for its defense. Section 502 of the act indicates that responsibility of emergency preparedness is the responsibility of DHS. Given these facts, I believe that you are well within your power to correct this dangerous situation.

Two weeks ago, I was privileged to attend the Asymmetrical Warfare Symposium on Mines and Improvised Explosive Devices held in Silver Spring Maryland. A Brigadier General in the US Army Development Test Command indicated that more than 50% of the injuries and deaths in Iraq to our armed forces were caused by improvised explosive devices, most of them remote controlled; and, that if we had had an effective weapon against the devices in place, lives would have been saved. He explained that more and more of these explosive devices will be used by terrorists for attacks in the United States because of their ease of construction and detonation. It is essential that our first responders and bomb disposal squads be immediately supplied with the necessary tools to protect them and the public from the known threat and killing potential of RCIED.

It is important to note that CellAntenna is not a proponent for the use of jamming equipment by the public. The use of jamming equipment by a state or local government agency does not interfere with the directives of the FCC and the application of section 302 and 333 to communication interests of a commercial nature which they control. However, a weapon against terrorism used at a time of war as so defined by the President of the United States, should have no commercial limitations imposed, nor should be limited in any way for use by local and state law enforcement agencies, especially their bomb squads.

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It would be my honor and service to my country to help in any way possible to remedy this dangerous situation. I can travel to Washington at your convenience to discuss this issue, including providing a personal briefing to anyone you feel would require information concerning radio frequency jamming and the dangers of Remote Controlled Improvised Explosive Devices.

It is vital that our state and local law enforcement agencies, including their bomb squads be legally allowed to use radio frequency jamming devices to save lives.

Thank you for your time and consideration.

Sincerely at your service,

Howard Melamed
President / CEO
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