



CHIEF INFORMATION OFFICER

DEPARTMENT OF DEFENSE
6000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-6000

AUG 14 2020

Adam Candeub
Acting Assistant Secretary of Commerce for Communications and Information
National Telecommunications and Information Administration
U.S. Department of Commerce
Washington, DC 20230

Dear Mr. Assistant Secretary:

The Department of Defense (DoD) reviewed the revised National Telecommunication and Information Administration (NTIA) Assessment of Compatibility Between Global Positioning System (GPS) and Adjacent Band Base Station and User Equipment Transmitters and Report and is amenable to its release contingent upon appropriate adjudication of DoD comments. DoD acknowledges NTIA's recent efforts to work with the federal agencies to address the previous concerns with the report and protect GPS operations. The latest version of the report incorporates several of the proposed changes offered by DoD previously which was recently sent out for Interdepartment Radio Advisory Commission (IRAC) review. DoD and the other federal agencies participated in the initial NTIA led Technical Focus Group tasked with completing the work. However, there was no consensus amongst the participants on the conclusions of the report. The lack of consensus led the Acting Secretary of Defense, Patrick Shanahan, to send a letter to Secretary of Commerce, Wilbur Ross, requesting the report not be released in December 2018 and advised the Federal Communications Commission (FCC) of the Government position to deny Ligado its license modification application.

However, the FCC decision to approve the Ligado request on April 22, 2020 changed the overall circumstances for the federal government as it pertains to the protection of GPS. DoD and Department of Transportation (DoT) worked with NTIA to file a Petition for Reconsideration and Petition for Stay on the behalf of the federal government requesting the FCC to revisit their decision in May 22, 2020. DoD, DoT, and NTIA also met with the FCC to discuss the operational concerns and implications of Ligado interfering with GPS by providing Air Force and DoT test reports and data. The meetings and information were officially filed for the record and the inclusion of the NTIA report only further provides evidence of the government's efforts to resolve the matter over the past year. The inclusion of the NTIA report as part of the official record will bolster the federal government's position for the FCC to deny or defer the Ligado network from proceeding forward until additional technical work is completed to ensure GPS operations are protected.

As a result, DoD requests NTIA to continue to work with the federal government stakeholders to produce a report that reflects the work put forth on the effort and incorporates their collective views to the maximum extent.

Sincerely,

(b)(6)

A large rectangular area is redacted with a solid gray fill, obscuring the signature and any text that might have been present below the salutation.

Dana Deasy

cc:

Doug Kinkoph

Acting Deputy Assistant Secretary of Commerce for Communications and Information



OFFICE OF THE SECRETARY OF DEFENSE

1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

MAR 12 2020

Douglas W. Kinkoph

Associate Administrator, Office of Telecommunications and Information Applications, Performing the non-exclusive functions and duties of the Assistant Secretary of Commerce for Communications and Information

National Telecommunications and Information Administration, U.S. Department of Commerce
Washington, DC 20230

Dear Mr. Kinkoph:

On December 6, 2019, you sent a letter on behalf of the Executive Branch, to the Chairman of the Federal Communications Commission (FCC) stating that the National Telecommunications and Information Administration (NTIA) is unable to recommend the Commission's approval of the Ligado applications. The Air Force, the Executive Agent for the Department of Defense (DoD) for the Global Positioning System (GPS) and DoD's member of the Interdepartment Radio Advisory Committee (IRAC), has provided additional information to the Chair of the IRAC, endorsed by other interested agencies on expected national security and defense impacts to GPS operations if the proposed Ligado license modification request is granted by the FCC. The Department requests this additional information be transmitted to the FCC for inclusion into the public record of the Ligado proceeding (FCC International Bureau Docket Numbers 11-109 and 12-340).

Consistent with the authority delegated by the Secretary of Defense in DoD Directive 4650.05, "Positioning, Navigation, and Timing (PNT)", the undersigned agree with the enclosed memorandum for the IRAC Chair. Specifically, FCC approval of Ligado's license modification would cause unacceptable operational impacts and adversely affect the military potential of GPS. The Secretary of Defense, pursuant to 10 USC §2281, "may not agree to any restriction on the GPS System proposed by the head of a department or agency of the United States outside DoD that would adversely affect the military potential of GPS". After review of the public record of the Ligado proceeding, the Air Force's memorandum submitted to the IRAC Chair would be critical to the FCC in making its decision regarding Ligado's license modification application. The Department remains strongly opposed to the granting of the license modification sought by Ligado. Accordingly, the Department requests NTIA to provide this additional information to the FCC and that such information be expeditiously submitted in the public record.

Your personal attention to this matter would be greatly appreciated.

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Dana Deasy
Department of Defense Chief Information
Officer

(b)(6)

Michael Griffin (b)(6)
Under Secretary of Defense for Research and
Engineering

cc:

Charles Cooper
Associate Administrator in NTIA's Office of Spectrum Management



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

MAY 18 2020

The Honorable Adam Smith
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Thank you for your letter of April 16, 2020 expressing concern regarding the licensing of the Ligado network for developing a fifth generation wireless network. Ligado's proposed use of the L Band and its impact to the Global Positioning System (GPS) is of great concern to the Department and all users of GPS. DoD, in furtherance of its responsibilities and authorities under title 10, U.S.C., section 2281, notified the National Telecommunication and Information Administration (NTIA), Federal Communication Commission (FCC), and the White House regarding Ligado interference to GPS operations and specifically advised that I, as Secretary of Defense, did not agree to the granting of a license and requested the license be denied. Despite these repeatedly articulated concerns, the FCC approved Ligado's application on April 20, 2020.

The Department worked with the Administration, the FCC and the NTIA, and all the stakeholders to protect GPS from harmful interference. DoD and the Position Navigation and Timing Executive Committee completed extensive testing and studies on this matter and expressed its objections on the impact to GPS operations based on sound engineering and technical science. The Department is committed to supporting the U.S. leading the world in the deployment of 5G, but believes the protection of GPS is also important to the economic and national security interest of the Nation.

As such, we appreciate your interest in this matter and DoD will continue to address the need for protecting GPS operations while supporting the U.S. goals for 5G.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Esper", is positioned below the word "Sincerely,".

cc:

The Honorable William M. "Mac" Thornberry
Ranking Member

The Honorable Ajit Pai
Chairman, Federal Communications Commission