

April 22, 2021

The Honorable Chuck Schumer
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Jack Reed
Chairman
Senate Committee on Armed Services
Washington, D.C. 20510

The Honorable Jim Inhofe
Ranking Member
Senate Committee on Armed Services
Washington, D.C. 20510

The Honorable Adam Smith
Chairman
House Committee on Armed Services
Washington, D.C. 20515

The Honorable Mike Rogers
Ranking Member
House Committee on Armed Services
Washington, D.C. 20515

The Honorable Maria Cantwell
Chair
Senate Committee on Commerce, Science, and
Transportation
Washington, D.C. 20510

The Honorable Roger Wicker
Ranking Member
Senate Committee on Commerce, Science, and
Transportation
Washington, D.C. 20510

The Honorable Frank Pallone, Jr.
Chairman
House Committee on Energy and Commerce
Washington, D.C. 20515

The Honorable Cathy McMorris Rodgers
Ranking Member
House Committee on Energy and Commerce
Washington, D.C. 20515

Dear Senators and Members of Congress:

The U.S. government has for decades laid the foundation for American technological leadership by embracing policies that enable continued growth of GPS and the satellite services that underpin our economy, national security, and public safety. In turn, operators of these critical satellite systems and innovative companies that have deployed communications networks and developed positioning, navigation and timing devices, systems, and applications rely on a stable environment to serve millions of commercial, federal, military, and academic users each and every day.

That foundation was upended one year ago today when the Federal Communications Commission (“FCC”) released the *Ligado Order*.¹ The opposition to the *Ligado Order* was sweeping and swift. Significantly:

¹ In the Matter of Ligado Amendment to License Modification Applications IBFS File Nos. SESMOD-20151231-00981, SAT-MOD-20151231-00090, and SAT-MOD-20151231-00091, Order and Authorization, IB Docket No. 11-109, FCC 20-48 (Apr. 22, 2020) (*Ligado Order*).

- the National Telecommunications and Information Administration (“NTIA”) took the unprecedented step of asking the FCC to stay the initial *Ligado Order* based on the “significant and irreparable harm [that] will result” from Ligado’s proposed terrestrial network because the conditions “set forth in the *Ligado Order* largely are ineffective ... [and] cannot be implemented without significant mission impact and harm;”²
- seven parties representing a broad cross-section of industry interests joined NTIA in petitioning the FCC to reconsider its decision.³ Those petitions – which remain pending – detail how the *Ligado Order* departed from decades of sound spectrum policy, jeopardizing the aerospace, agriculture, aviation, construction, ground transportation, mapping, marine, meteorological, public safety, satellite communications, and surveying industries and professionals, as well as all those who rely on L-band satellite operations; and
- Congress expressed its profound concern by passing the overwhelmingly bipartisan *William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021*⁴ with several key provisions aimed at addressing the significant negative impacts of Ligado’s proposed service on national security and the economy. Those provisions: (1) require an independent technical review of the *Ligado Order*; (2) require the Department of Defense (“DoD”) to submit an estimate to Congress of the full range of damages caused by Ligado to the Federal government; (3) prohibit DoD from contracting with any entity that engages in terrestrial service in the L-band; and (4) prohibit DoD’s use of taxpayer funds made available via the NDAA to mitigate the damages incurred by DoD.

Although Ligado continues to attempt to convince policymakers that its proposed terrestrial service will not cause harmful interference and is somehow critical to American success in 5G, the executive branch and affected parties have repeatedly detailed the adverse economic, national security, and public safety impact of the proposed Ligado operations.⁵ As for Ligado’s 5G fallacy, NTIA concluded that “an inability to deploy terrestrial 5G or related services using the frequencies involved in the Ligado applications would not hold back the timely deployment of 5G” across the U.S.⁶ Tellingly, Ligado’s spectrum is not internationally harmonized for 5G, nor is it part of any 5G standard.

Yet the *Ligado Order* remains in effect, threatening to disrupt the reliability of satellite communications, the Global Positioning System, and weather forecasting services necessary for safety-of-life in commercial aviation operations, precision farming that has revolutionized the agriculture economy,

² Petition for Stay of NTIA, IB Docket Nos. 11-109, 12-340 (filed May 22, 2020).

³ See Petitions for Reconsideration of Air Line Pilots Association, International (filed May 20, 2020); the American Transportation Builders Association, the American Farm Bureau Federation, and the Association of Equipment Manufacturers; Aviation Industry Organizations; Iridium Communications Inc., Flyht Aerospace Solutions Ltd., Aireon LLC, and Skytrac Systems Ltd; Lockheed Martin Corporation; NTIA; the Resilient Navigation and Timing Foundation; and Trimble Inc, IB Docket Nos. 11-109 and 12-340 (filed May 22, 2020).

⁴ Pub. L. No. 116-283.

⁵ See Memorandum from Thu Luu, Executive Agent for GPS, Department of the Air Force, to IRAC Chairman (Feb. 14, 2020); Letter from Douglas W. Kinkoph, Deputy Assistant Secretary (Acting), NTIA, to Ajit Pai, Chairman, FCC (Dec. 6, 2019) (Kinkoph Letter); Letter from Bryan N. Tramont, Counsel to Iridium, to Marlene H. Dortch, Secretary, FCC, IB Docket Nos. 11-109, 12-340 (filed Oct. 2, 2019); Technical Analysis of Ligado Interference Impact on Iridium Aviation Services, IB Docket Nos. 11-109, 12-340, attached to Letter from Bryan N. Tramont, Counsel to Iridium, to Marlene H. Dortch, Secretary, FCC, IB Docket Nos. 11-109, 12-340 (filed Dec. 14, 2016).

⁶ Kinkoph Letter at 2.

autonomous ground and air vehicles that will bring a new generation of transportation, precise and actionable weather data that can predict hurricanes and other life-threatening natural events. We therefore urge you to work together with the FCC to stay and ultimately set aside the *Ligado Order* – the risks to American lives and to the American economy are simply too great.

Sincerely,

AccuWeather, Inc.
Aerospace Industries Association (AIA)
Agricultural Retailers Association
Air Line Pilots Association, International
Aircraft Electronics Association
Aircraft Owners and Pilots Association
Aireon
Airlines for America (A4A)
Airo Drone
Airo Group
ALERT Users Group
Allegiant Air
American Association of Airport Executives
American Bus Association
American Farm Bureau Federation
American Geophysical Union (AGU)
American Meteorological Society (AMS)
American Soybean Association
American Sportfishing Association
American Road & Transportation Builders Association
American Trucking Associations
American Weather and Climate Industry Association (AWCIA)
Arizona Agricultural Aviation Association
Arkansas Agricultural Aviation Association
Associated Equipment Distributors
Association of Equipment Manufacturers
Association of Marina Industries
Association of Montana Aerial Applicators
Association of Washington Aerial Applicators
Aviation Spectrum Resources, Inc.
BoatUS
CalAmp
California Agricultural Aircraft Association
Cargo Airline Association
CNH Industrial
CoBank
Colorado Agricultural Aviation Association
Cubic Corporation
DTN
Equipment Dealers Association
Frontier Airlines

Florida Agricultural Aviation Association
General Aviation Manufacturers Association
GeoOptics, Inc.
Georgia Agricultural Aviation Association
Geospatial Equipment & Technology Institute (GETI)
Helicopter Association International
Hellen Systems
Illinois Agricultural Aviation Association
Intelligent Transportation Society of America
International Air Transport Association
Iridium
Kansas Agricultural Aviation Association
Lockheed Martin Corporation
Michigan Agricultural Aviation Association
Microcom Environmental
Minnesota Agricultural Aircraft Association
Narayan Strategy
National Agricultural Aviation Association
National Air Carrier Association
National Air Transportation Association
National Business Aviation Association
National Corn Growers Association
National Cotton Council
National Defense Industrial Association (NDIA)
National Society of Professional Surveyors (NSPS)
National Weather Association (NWA)
Nebraska Aviation Trades Association
NENA: The 9-1-1 Association
NetJets Association of Shared Aircraft Pilots (NJASAP)
New Mexico Agricultural Aviation Association
North Dakota Agricultural Aviation Association
Northeast Agricultural Aviation Association
Ohio Agricultural Aviation Association
Oregon Agricultural Aviation Association
Pacific Northwest Aerial Applicators Alliance
PlanetiQ
Regional Airline Association
Resilient Navigation and Timing Foundation
Satelles
The Semaphore Group

SKYTRAC

South Dakota Aviation Association

Space Science and Engineering Center at the
University of Wisconsin-Madison

Spirit Airlines

Subsurface Utility Engineering Association
(SUEA)

Sun Country Airlines

Tennessee Aerial Applicators Association

Texas A&M Transportation Institute

Texas Agricultural Aviation Association

Trimble

U.S. Contract Tower Association

U.S. Geospatial Executives Organization (U.S.
GEO)

USA Rice

University Corporation for Atmospheric
Research (UCAR)

Vertical Flight Society

Weather Elevate

Wisconsin Agricultural Aviation Association