



# ASSOCIATION OF OLD CROWS ADVOCACY NEWSLETTER

May 2020

## FCC Makes Mysterious Decision On Ligado Networks LLC

On April 19, the FCC voted unanimously to authorize Ligado Networks LLC to provide a mobile broadband network using frequencies adjacent to those used for GPS, a National Security System. The AOC strongly opposes this decision and sides with the Department of Defense. While an unanimous vote typically indicates broad support, this decision has anything but that and has already caught the ire of numerous federal agencies and Congress that focus on national security, public safety, and aviation.

The AOC has been following this issue since 2011 when testing on Ligado's (formerly LightSquared) wireless broadband service proposal found significant disruption of most general-purpose approved GPS receivers. Little has changed since then. There are three major concerns to highlight about this FCC decision. First, LightSquared's network was originally intended to be satellite-based. After it went bankrupt, it was purchased by Ligado in 2015. Ligado submitted an amended license to use ground-based stations. The FCC approved this change without any public rule-making, a peculiar break from its normal process. Second, the FCC decision was opposed by not only the DoD, but every relevant federal agency. This sweeping opposition to an FCC decision is extremely rare, if not unprecedented, in the face of an affirmative vote by the FCC. Furthermore, the FCC vote was 5-0, an extremely rare show of unity, and the vote occurred on a Sunday night. According to Senate Armed Services Committee (SASC) Chairman James Inhofe (OK), the FCC has never made a decision over a weekend.

Finally, the decision was made without any public participation or even notice that the final FCC decision was happening. Due to the strong federal agency opposition, all indications were that either the decision would be further delayed or fail by vote. Neither of course happened. In the end, this decision represents a break down in process, interagency cooperation, information-sharing, and science. The AOC supports efforts by Congress to hold the FCC accountable and reverse this decision.

### What to Know: It's About Power

The key concern with the Ligado network is not the adjacent frequencies it occupies per se, but the power level of its signals from its terrestrial stations. Weak GPS signals traveling through the earth's atmosphere from satellites are easily interfered with, or overcome, by the higher power "noise" of signals from Ligado's ground stations. This interference will require DoD to redesign and rebuild its GPS infrastructure, which will cost taxpayers billions of dollars and take years to complete.

## Defense Authorization Update

The US Congress has diverted its attention away from “business as usual” to respond to the Coronavirus, but this does not mean all priorities are on hold. During more normal years, the month of May would see initial advances of annual appropriations bills and committee mark-ups of the National Defense Authorization Act (NDAA). This year, however, is not normal.

According to reports, the intent is still to move the annual NDAA through normal the process. The biggest differences will be the lack of public hearings leading mark-ups and the ability to influence the measure. It is possible that the NDAA will clear both the House and Senate before July, which is not too different from normal years. It is the lack of any proposed schedule and the likelihood of short notice before committee mark-ups that create uncertainty.

In addition to schedule delays, Coronavirus relief measures are placing unforeseen strain on the federal budget. While federal spending on Coronavirus relief will impact all annual appropriations bills, including defense, and by extension, indirectly impact the NDAA. does not directly impact defense authorization levels, it will impact defense appropriations. Congressional appropriators were provided top-line spending limits (also known as 302b allocations) last month and charged with developing first drafts of appropriations bills. This means, like the NDAA, appropriations bills are moving forward, but behind the closed doors of congressional committees. Despite this progress, however, it is unlikely that any appropriations bills, and possibly the NDAA, will be signed into law before the Presidential election in November.

The AOC will continue to provide updates on key funding and policy developments regarding the NDAA and FY 2019 Defense Appropriations Act.

### FY 2021 Defense Budget Request

FY 2021 Discretionary Defense Budget Cap (2012 BCA)	FY 2021 Discretionary Defense Budget Cap (2019 BCA Amended)	FY 2021 Defense Budget Request (President)
\$590 billion	\$672 billion	\$753 billion

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## FY 2021 Defense Budget Request

	Discretionary (in billions)	Mandatory (in billions)	OCO (in billions)
DoD - Military	\$636.4	\$10.8	\$69.0
DoE Defense Activities	\$26.0	\$1.6	\$0.0
Other Defense Activities	\$9.1	\$0.6	\$0.0
Total	\$671.5	\$13.0	\$69.0

### *ICYMI: General Charles Brown (USAF) talks about EW*

On May 7, the Senate Armed Services Committee held the nomination hearing for General Charles Q. Brown to be US Air Force Chief of Staff. Prior to the hearing Gen. Brown submitted answers to Advanced Policy Questions (APQs) for SASC consideration. To the question of his vision for USAF Electronic Warfare, Gen. Brown stated,

**“In order to align with the National Defense Strategy, the Air Force will need to refocus traditional EW capabilities with renewed emphasis on the broader Electromagnetic Spectrum (EMS). My vision includes an Air Force with distributed software-defined systems and capabilities that are rapidly updatable that operate in coordination to maintain an advantage over any adversary employing complex systems. To achieve this vision, the Air Force will need to explore, develop, and produce new and innovative concepts and doctrine that expand on historic electronic warfare principles in favor of Electromagnetic Spectrum Operations (EMSO), the merger of traditional Electronic Warfare with Spectrum Management.”**

## AOC Issue Brief Update: Compass Call

The AOC strongly supports the Compass Call mission and is a proponent of accelerating the “cross-deck” of its electronic warfare capabilities from the legacy EC-130H platform to the new EC-37B aircraft. In March, the AOC released an issue brief entitled, “Compass Call Cross-Deck Funding Update.” This issue brief updates a previous brief from September 2018 entitled, “The Correct Course for Compass Call.” You can access all AOC Issue Briefs and articles [here](#).