

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of )  
 )  
Part 80 of the Commission’s Rules and the Use ) WT Docket No. 21-230  
of the Automatic Identification System for )  
Devices that Can Be Used to Mark Fishing )  
Equipment )

**COMMENTS OF THE  
NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION**

The National Telecommunications and Information Administration (“NTIA”), on behalf of the Executive Branch, hereby comments in response to the Commission’s recent Notice of Proposed Rulemaking (“NPRM”) in the above-referenced proceeding.<sup>1</sup> As discussed in more detail in the attached letter from the U.S. Coast Guard to NTIA, maritime safety requires that the use of radio devices produced for the Automatic Identification System (“AIS”) be limited to their intended use – which does not currently include marking fishing equipment. At present, based on the existing international standards, when these devices are used they appear as ships rather than fishing equipment, which can cause dangerous confusion.<sup>2</sup>

It is possible that, in the future, the international standard for AIS equipment can be modified to permit its use to mark fishing equipment. In addition, unless and until that occurs,

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<sup>1</sup> *In the Matter of Part 80 of the Commission’s Rules and the Use of the Automatic Identification System for Devices that Can Be Used to Mark Fishing Equipment*, Notice of Proposed Rulemaking, WT Dkt. No. 21-230, FCC 21-69 (rel. June 16, 2021).

<sup>2</sup> Letter from Jerry L. Ulcek, Spectrum Management and Telecommunications Division Chief, U.S. Coast Guard, to Charles Cooper, Associate Administrator, Office of Spectrum Management, NTIA regarding WT Dkt. No. 21-230 (Aug. 3, 2021).

the fishing industry should look to the development of equipment that instead uses 160.900 MHz (Channel 2006), as recommended by the 2019 World Radiocommunication Conference. The Department of Transportation (“DOT”) has noted that this band is used by railroads for voice communications and is part of plans for use in transmitting operational data as well. It therefore recommends limiting fishing equipment markers in Channel 2006 to a secondary allocation, a power level of 100 milliwatts, and antennas less than one meter above the surface of the water. DOT also recommends coordinating any allocation with Canada and Mexico in light of the potential cross-border impact. NTIA supports these recommendations.

NTIA respectfully recommends that the Commission adopt rules consistent with the foregoing.

Respectfully submitted,



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