NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** United States of America  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** Federal Communications Commission (FCC) [1776]  **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:**  Please submit comments to: USA WTO TBT Enquiry Point, Email: [usatbtep@nist.gov](mailto:usatbtep@nist.gov) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Automatic identification system channels; Radiocommunications (ICS 33.060), Mobile services (ICS 33.070) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Automatic Identification System Channels (9 page(s), in English) |
| **6.** | **Description of content:** Proposed rule - In this document, a Notice of Proposed Rulemaking (NPRM) adopted by the Federal Communications Commission (Commission) fulfils the Commission's statutory duty pursuant to Section 8416 of the National Defense Authorization Act for Fiscal Year 2021, which directs the Commission to initiate a rulemaking proceeding by 30 June 2021 to consider whether to authorize devices used to mark fishing equipment for use on Automatic Identification System (AIS) channels. This document seeks comment on the extent to which the 1900-2000 kHz band is used to support fishing operations, the extent of unauthorized deployment of devices used to mark fishing equipment using AIS technology on AIS channels, and whether to authorize devices used to mark fishing equipment for use on current AIS channels. In addition, the NPRM explores whether 160.900 MHz is a viable alternative for devices used to mark fishing equipment. In the event the Commission were to authorize devices used to mark fishing equipment to use AIS channels or 160.900 MHz, the NPRM seeks comment on whether there are technical and operational constraints that could be imposed to maintain maritime safety and protect incumbents. Finally, the NPRM seeks comment on a consumer labeling approach for authorized equipment to provide consumers guidance on whether the equipment being purchased complies with both the Coast Guard's and the Commission's rules. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Consumer information, labelling; Protection of human health or safety; Harmonization |
| **8.** | **Relevant documents:**   * 86 Federal Register (FR) 35700, 7 July 2021; Title 47 Code of Federal Regulations (CFR) Part 90:   <https://www.govinfo.gov/content/pkg/FR-2021-07-07/html/2021-14362.htm>  <https://www.govinfo.gov/content/pkg/FR-2021-07-07/pdf/2021-14362.pdf>  The filing is available online from the FCC's Electronic Comment Filing System at <https://www.fcc.gov/ecfs/filing/06160133805919>; this is a summary of the Commission's Notice of Proposed Rulemaking (NPRM) in WT Docket No. 21-230, FCC 21-69 adopted on 15 June 2021 and released on 16 June 2021. The full text of this document, including all Appendices, is available for public inspection on the Commission's website at <https://docs.fcc.gov/public/attachments/FCC-21-69A1.pdf>. The earlier posted Public Notice is accessible from <https://ecfsapi.fcc.gov/file/0527095713461/DA-21-613A1.pdf>.  Both of these documents are accessible from the FCC's Electronic Document Management System (EDOCS) at: <https://www.fcc.gov/edocs/search-results?t=quick&dockets=21-230>.  WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](mailto:usatbtep@nist.gov). Comments received within the comment period will be submitted to the FCC at <https://www.fcc.gov/ecfs/filings> if received within the comment period. |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 6 August 2021; Interested parties may file comments on or before 6 August 2021; and reply comments on or before 7 September 2021. |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:**  <https://members.wto.org/crnattachments/2021/TBT/USA/21_4545_00_e.pdf> |