

U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250

<b>DEPARTMENTAL REGULATION</b>	NUMBER: DR 3300-001-C
SUBJECT: Radio Frequency Management	DATE: September 27, 2019
OPI: Office of the Chief Information Officer, Digital Infrastructure Services Center, Enterprise Network Services	EXPIRATION DATE: September 27, 2024

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## 1. PURPOSE

This Departmental Regulation (DR) establishes the United States Department of Agriculture (USDA) policy for radio frequency management.

## 2. SPECIAL INSTRUCTIONS/CANCELLATIONS

- a. This DR supersedes DR 3300-001-C, *Radio Frequency Management*, dated July 10, 2019.
- b. This DR will be in effect until superseded or the expiration date.
- c. All Mission Areas, agencies, and staff offices will align their policies and procedures with this DR within 6 months of the publication date.
- d. All Mission Areas, agencies, and staff offices may supplement this DR when developing

their internal guidance. Modifications to the intent or purpose of this DR are not allowed. If Mission Areas, agencies, and staff offices publish internal guidance that supplements this DR, one copy of each supplement will be forwarded to the Office of the Chief Information Officer (OCIO), Digital Infrastructure Services Center (DISC), Enterprise Network Services (ENS), Telecommunications Infrastructure Management and Governance (TIMG) at [ens.policy@ocio.usda.gov](mailto:ens.policy@ocio.usda.gov).

### 3. DELEGATION OF AUTHORITY

- a. Per [7 Code of Federal Regulations \(CFR\) Section 2.60\(a\)\(27\)](#), the Chief of the Forest Service (FS) has been delegated authority by the Under Secretary for Natural Resources and Environment to administer the radio frequency licensing work of the Department.
- b. The FS Chief has delegated staff from the FS-Chief Information Office to serve on the following committees:
  - (1) Interdepartment Radio Advisory Committee (IRAC);
  - (2) Frequency Assignment Subcommittee (FAS);
  - (3) Technical Subcommittee (TSC); and
  - (4) Spectrum Planning Subcommittee (SPS) of the National Telecommunications and Information Administration (NTIA).

### 4. SCOPE

This DR applies to those USDA Mission Areas, agencies, and staff offices using radio communications and spectrum management.

### 5. POLICY

- a. USDA Mission Areas, agencies, and staff offices will contact FS-Frequency Management to obtain spectrum management support and frequency ranges for radio equipment.
- b. USDA wireless systems will be designed to use current technology, be spectrum efficient, and share resources among Mission Areas, agencies, or staff offices whenever it is cost effective and when savings can be achieved.
- c. USDA Mission Areas, agencies, and staff offices will adhere to Federal regulations and procedures for spectrum management when establishing and operating wireless communications systems and services.

- d. USDA Mission Areas, agencies, and staff offices with missions that require a land mobile radio program will develop a strategic plan that describes their Frequency Modulated Land Mobile Radio (FM LMR) use. The plan will be reviewed, updated, and submitted annually to the ENS Director.
- e. Any device which radiates electromagnetic energy through free space must be authorized prior to procurement or used by USDA Mission Areas, agencies, and staff offices. Frequency authorization must be obtained before funds can be obligated for the procurement of communications equipment requiring radio frequency authorization for use. Operations on an assigned frequency must be within the parameters of the frequency assignment. Cellular telephones and other leased personal communications services (PCS) are exempt from this requirement as they are licensed through the Federal Communications Commission (FCC) to the service provider.
- f. Applications or modifications for frequency assignment will be submitted to the USDA FAS Representative. Mission Areas, agencies, and staff offices will contact the USDA FAS Representative for training and software requirements.

(1) Requests for Radio Frequency Assignments (RFA)

- (a) Frequency requirements for new systems or major system upgrades must be planned in advance. Requests for frequency assignments will be forwarded to the USDA FAS Representative at least 1 year in advance of any planned procurements. NTIA has final approval for the frequency assignment requests.
- (b) A separate formal frequency assignment request is required for each frequency to be installed in a base station, repeater, group of mobile radios, or group of portable radios in a system.
- (c) Sharing of existing USDA systems among Mission Areas, agencies, or staff offices will be considered prior to developing a new system or expanding an existing system. Such sharing may be required when spectrum availability is limited, unavailable, or the traffic does not justify a separate system. NTIA's [Manual of Regulations and Procedures for Federal Radio Frequency Management \("Redbook"\)](#) mandates that Mission Areas, agencies, and staff offices consider the use of commercial services in any system planning.
- (d) If the FS-Freedom of Information Act (FOIA) Office determines that an RFA is exempt from disclosure under *Freedom of Information Act of 1996*, [5 United States Code \(U.S.C.\) § 552](#), as amended, the RFA will be accompanied by a justification letter stating the specific exemption(s) from disclosure under FOIA. The USDA IRAC Representative notifies NTIA of this exemption.

(2) Five-Year Review

All RFAs will reflect the actual installed configuration. In accordance with the *NTIA Redbook*, all RFAs must be reviewed and updated every 5 years. The FAS

Representative reviews and updates the RFAs and forwards the results to NTIA.

(3) Cooperative Communications

- (a) All wireless operations require radio frequency authorizations from NTIA.
- (b) Prior arrangements for sharing USDA wireless systems with other non-USDA entities must be coordinated with the USDA FAS Representative.
- (c) Arrangements permitting cooperative communications of mutual benefit among Mission Areas, agencies, or staff offices on each other's authorized radio frequencies may be made by a memorandum of understanding (MOU) between Federal units or a cooperative agreement (between Federal and non-Federal units) signed by the responsible official having jurisdiction. Cooperative agreements require specific statutory authority. All cooperative agreements must be shared with the FAS Representative.
- (d) Copies of the Mission Area, agency, or staff office MOU must be on file with the Mission Area, agency, or staff office and the USDA FAS Representative. A formal MOU between units within USDA Mission Areas, agencies, or staff offices is not required.
- (e) Arrangements among Mission Areas, agencies, or staff offices within USDA, or with external agencies (Federal or non-Federal), must be forwarded to the USDA FAS Representative when authorizations or licenses are required.

(4) Citizens Band Radio and Family Radio Service (FRS) Use

- (a) USDA Mission Areas, agencies, and staff offices must adhere to the regulations governing Citizens Band (CB) Radio Service in the *NTIA Redbook* when there is a need to communicate between Federal Government and non-Federal Government stations.
- (b) CB communications between Federal Government entities are prohibited.
- (c) Acquisition of FRS is prohibited, and no waivers will be granted.

(5) Programming and Frequency Changes in USDA Radio Systems

- (a) USDA Mission Area, agency, and staff office Spectrum Management Liaison Officers may delegate to the radio system operator the authority to program or change frequencies for which the system operator is responsible and has copies of RFAs, MOUs, or Cooperative Agreements. Individuals who are delegated the authority to reprogram or change frequencies in transmitters must have:

- 1 A formal delegation that includes the specific frequencies that they are authorized to program or change; and

2 Knowledge of the terms and limitations of the RFA or license for each specific frequency being changed or programmed.

(b) USDA radio equipment will not be programmed to operate outside the constraints of the RFA, license, or arrangement.

(6) Interference

Interference with frequencies authorized for use by USDA radio systems will be reported to the USDA FAS Representative for resolution if the problem cannot be resolved locally.

(7) FOIA Exemptions

The NTIA will release information concerning frequency assignments to the requester unless the FS-FOIA Office designates the assignment as FOIA-exempt. Most USDA frequency assignments are not exempt from release under FOIA.

(8) Shared Radio Systems

(a) The *NTIA Redbook* mandates that the sharing of Government-owned radio resources with other Federal Agencies is required when deemed to be cost-effective and savings can be achieved.

(b) USDA Mission Areas, agencies, staff offices, or other Federal Agencies may be required to share systems with other USDA Mission Areas, agencies, or staff offices in areas where frequencies are not available, or the traffic does not justify separate systems.

(c) USDA Mission Areas, agencies, and staff offices will not provide radio communications services to non-Federal entities or to the private sector except as provided in specific laws and regulations. Such use will be approved by the USDA IRAC Representative prior to providing such services.

(d) USDA Mission Area, agency, and staff office requirements for use of non-Federal radio systems, such as microwave (other than common carrier), will be coordinated with the USDA IRAC Representative.

(9) Technical Assistance

Technical assistance and advice pertaining to system design, equipment selection, sources of supply, and technical specifications may be obtained through the USDA TSC Representative.

(10) Procurement of Radio Equipment and Services

All radio equipment will meet NTIA standards unless waived by the USDA IRAC Representative.

(11) Disposition of Radio Equipment

USDA Mission Areas, agencies, and staff offices will perform actions to ensure excessed radio transmitting equipment can no longer transmit on the frequencies originally assigned (e.g., erasing the program, removing the frequency determining device) prior to declaring the equipment as excess property or otherwise transferring or disposing of the equipment pursuant to the [Agriculture Property Management Regulation](#).

6. ROLES AND RESPONSIBILITIES

a. The USDA Chief Information Officer (CIO) will:

- (1) Provide leadership and direction for Departmentwide radio communications initiatives;
- (2) Provide advice and assistance to Mission Areas, agencies, and staff offices regarding radio telecommunications services and facilities; and
- (3) Apportion and collect the annual NTIA spectrum fees, and prepare and track corresponding paperwork.

b. The ENS Director will:

- (1) Establish procedures for monitoring, measuring, reporting, and enforcing compliance with this DR;
- (2) Oversee Mission Area, agency, and staff office compliance with this policy;
- (3) Serve, or delegate a representative to serve, on NTIA's Policy and Plans Steering Group (PPSG);
- (4) Review and render decisions on Mission Area, agency, and staff office telecommunications policy waiver requests; and
- (5) Maintain an electronic file of approved waivers.

c. The FS Chief will:

- (1) Represent USDA on the IRAC, SPS, and the FAS of the NTIA;

- (2) Establish and ensure compliance with policies, standards, and procedures for allotting and assigning frequencies within USDA;
  - (3) License and assign radio frequencies for use by USDA Mission Areas, agencies, and staff offices, and maintain the records related to these actions; and
  - (4) Inspect USDA's radio operations to ensure compliance with national and international regulations and policies for radio frequency use.
- d. Mission Area Assistant CIOs, and Agency and Staff Office Information Technology (IT) Directors will:
- (1) Designate a Spectrum Management Liaison Officer to represent the Mission Area, agency, or staff office in all matters pertaining to radio communications and frequency management if the Mission Area, agency, or staff office uses transmitting devices requiring frequency assignments;
  - (2) Notify the IRAC Representative when there is a change in Spectrum Management Liaison Officers;
  - (3) Include the radio program in the budget planning process as identified in Office of Management and Budget (OMB), Circular [A-11](#), *Preparation, Submission, and Execution of the Budget*; and
  - (4) Prepare and maintain a strategic plan when the radio program within a Mission Area, agency, or staff office expands and becomes a significant capital asset (significant procurement, operating, or maintenance cost). The definition of a significant capital asset can be found in [DR 3130-008](#), *Definition of Major Information Technology Investments*. This plan will be provided to the ENS Director and the USDA IRAC Representative upon origination and at each update.
- e. The USDA IRAC Representative will:
- (1) Ensure compliance with this policy, consistent with the delegations to the FS Chief in 7 CFR § 2.60(a)(27).
  - (2) Engineer, select, and acquire frequencies to support validated requirements;
  - (3) Authorize USDA Mission Areas, agencies, and staff offices to use specific radio frequencies if their application for a radio frequency meets the spectrum requirements of the NTIA;
  - (4) Provide interagency coordination and negotiation on frequencies, as required by NTIA;
  - (5) Resolve interface problems encountered or created by USDA Mission Areas, agencies, and staff offices when such problems are caused by assignment

incompatibilities and cannot be resolved by the operating unit;

- (6) Review and provide comments on frequency applications submitted by Government and civilian agencies in order to protect USDA frequency assignments;
  - (7) Serve as a member on all NTIA committees and subcommittees dealing with frequency management;
  - (8) Provide guidance to USDA Mission Areas, agencies, and staff offices in the development of frequency plans that support future systems;
  - (9) Maintain frequency engineering and control records of USDA frequency resources; and
  - (10) Provide training to USDA Mission Areas, agencies, and staff offices in basic frequency management.
- f. The USDA FAS Representative will:
- (1) Be responsible for frequency assignment actions, support, and interference resolutions for all devices that require assigned frequencies to operate;
  - (2) Process requests for RFAs for all USDA Mission Areas, agencies, and staff offices; and
  - (3) Establish procedures to protect against harmful interference that could result in loss of life or property, and coordinate any required resolution.
- g. The USDA TSC Representative will:
- (1) Provide technical advice on electromagnetic compatibility of new Government systems that operate nationwide and answering questions that USDA has on systems that may affect USDA operations; and
  - (2) Provide technical assistance and training on spectrum management to USDA Mission Areas, agencies, and staff offices.
- h. The USDA SPS Representative will be responsible for assisting in the development of recommendations regarding spectrum support for new systems submitted by Federal Agencies.
- i. Mission Area, Agency, and Staff Office Spectrum Management Liaison Officers will:
- (1) Serve as principal point of contact (POC) for all matters relating to radio communications and frequency management;
  - (2) Review and recommend to the USDA IRAC Representative, on an ongoing basis,

revisions to the *NTIA Redbook*. NTIA accepts comments on the *NTIA Redbook* at any time;

- (3) Be familiar with NTIA policies; and
- (4) Manage all radio frequencies used by the Mission Area, agency, or staff office. This management includes:
  - (a) Maintaining a file of all current RFAs for the Mission Area, agency, or staff office;
  - (b) Submitting Mission Area, agency, or staff office requests for RFAs to the FAS Representative;
  - (c) Disseminating RFAs to the Mission Area, agency, or staff office;
  - (d) Reporting and/or resolving radio interference or noncompliance with regulations;
  - (e) Coordinating radio planning efforts with the Mission Area, agency, or staff office responsible for preparation of the Mission Area, agency, or staff office IT Strategic Plan; and
  - (f) Preparing and maintaining a strategic plan for FM LMR within the Mission Area, agency, or staff office. This plan is required by OMB each year.

## 7. POLICY EXCEPTIONS

- a. All USDA Mission Areas, agencies, and staff offices are required to conform to this policy. In the event that a specific policy requirement cannot be met, Mission Area, agency, and staff office system owners may submit a policy waiver request to the ENS Director at [ens.policy@ocio.usda.gov](mailto:ens.policy@ocio.usda.gov). The waiver request will explain the reason for the request, identify compensating controls/actions that meet the intent of the policy, and identify how the compensating controls/actions provide a similar or greater level of defense or compliance than the policy requirement.
- b. Mission Area Assistant CIOs and Agency and Staff Office IT Directors will address all policy waiver request memoranda to the ENS Director, and submit the waiver request to [ens.policy@ocio.usda.gov](mailto:ens.policy@ocio.usda.gov) for review and determination.
- c. Waivers to stipulations of this directive that have been granted approval by the ENS Director and that are associated with a National Institute of Standards and Technology (NIST) control will be recorded and tracked as a Plan of Action and Milestones (POA&M) item in the USDA *Federal Information Security Modernization Act of 2014* (FISMA), [44 U.S.C. § 3551](#), et seq., data management and reporting tool.

- d. Waivers will expire at the end of the fiscal year or 6 months from the date of approval, whichever is longer. Unless otherwise specified, Mission Areas, agencies, and staff offices will review and renew approved policy waivers every fiscal year.

## 8. INQUIRIES

Questions and comments concerning the requirements of this regulation should be directed to OCIO, DISC, ENS, TIMG at [ens.policy@ocio.usda.gov](mailto:ens.policy@ocio.usda.gov).

-END-

## APPENDIX A

### ACRONYMS AND ABBREVIATIONS

CB	Citizens Band
CFR	Code of Federal Regulations
CIO	Chief Information Officer
DISC	Digital Infrastructure Services Center
DOC	Department of Commerce
DR	Departmental Regulation
ENS	Enterprise Network Services
FAS	Frequency Assignment Subcommittee
FCC	Federal Communications Commission
FISMA	Federal Information Security Modernization Act
FITARA	Federal Information Technology Acquisition Reform Act
FM LMR	Frequency Modulated Land Mobile Radio
FOIA	Freedom of Information Act
FRS	Family Radio Service
FS	Forest Service
IRAC	Interdepartment Radio Advisory Committee
IT	Information Technology
MOU	Memorandum of Understanding
NIST	National Institute of Standards and Technology
NTIA	National Telecommunications and Information Administration
OCIO	Office of the Chief Information Officer
OMB	Office of Management and Budget
PCS	Personal Communications Services
POA&M	Plan of Action and Milestones
POC	Point of Contact
PPSG	Policy and Plans Steering Group
RFA	Radio Frequency Assignment
SPS	Spectrum Planning Subcommittee
TIMG	Telecommunications Infrastructure Management and Governance
TSC	Technical Subcommittee
U.S.C.	United States Code
USDA	United States Department of Agriculture

## APPENDIX B

### DEFINITIONS

Federal Communications Commission (FCC). The regulatory organization that is responsible for managing all non-Federal radio spectrum use in the United States. (Source: *Incorporation by Reference of the Manual of Regulations and Procedures for Federal Radio Frequency Management*, [47 CFR § 300.1](#))

Frequency Assignment Subcommittee (FAS). An IRAC subcommittee comprised of representatives from Federal Agencies that use the spectrum. FAS assists NTIA, on behalf of IRAC, in assigning and coordinating frequencies for use by Federal radio stations. FAS also develops procedures for the processing of requests for frequency assignments. (Source: 47 CFR § 300.1)

Interdepartment Radio Advisory Committee (IRAC). IRAC serves in an advisory capacity to the Administrator of NTIA (with reference to Federal radio stations) in assigning frequencies, developing and executing policies, programs, procedures, and technical criteria pertaining to the allocation, management, and use of the spectrum. (Source: 47 CFR § 300.1)

National Telecommunication and Information Administration (NTIA). The Federal Government radio spectrum manager and the principal Executive Branch advisor on telecommunications policy. (Source: 47 CFR § 300.1)

Policy and Plans Steering Group (PPSG). In order to enlist the leadership of Federal Agencies in the resolution of spectrum policy matters, the Department of Commerce (DOC) established the PPSG in January 2005. This advisory group is composed of top leadership officials, at an assistant secretary-level or equivalent, from the Federal Agencies that are major users of radio spectrum. The PPSG advises NTIA's Administrator on spectrum policy and strategic plans. The PPSG has committed to resolve major contentious spectrum issues affecting Federal and non-Federal spectrum users. (Source: 47 CFR § 300.1)

Spectrum Management. Spectrum management is the planning and implementation of programs to promote effective, efficient, and prudent use of the radio spectrum in the best interests of the United States, taking care to conserve it for uses where other means of communication are not available or feasible. This includes, but is not limited to, planning for where in the spectrum specific uses can be placed most effectively, planning for incorporation of new technology, planning for sharing of common facilities and uses, and developing regulations to assure efficient, effective, and interference-free communications. (Source: 47 CFR § 300.1)

Spectrum Planning Subcommittee (SPS). An IRAC subcommittee comprised of representatives from Federal Agencies that use the spectrum. The IRAC develops both recommendations and plans for spectrum use for submittal to NTIA, on behalf of IRAC, regarding Mission Area, agency, or staff office requests for spectrum support for new

systems. (Source: 47 CFR § 300.1)

Technical Subcommittee (TSC). An IRAC subcommittee comprised of representatives from Federal Agencies that use the spectrum. The TSC assists NTIA, on the behalf of IRAC, in developing policies, programs, procedures, and technical criteria regarding the allocation, management, and use of the spectrum. (Source: 47 CFR § 300.1)

## APPENDIX C

### AUTHORITIES AND REFERENCES

*Delegations of Authority by the Under Secretary for Natural Resources and Environment*, [7 CFR § 2.60\(a\)\(27\)](#) (2019)

DOC, NTIA, [Manual of Regulations and Procedures for Federal Radio Frequency Management \("Redbook"\)](#), May 2013, revised September 2017

*Federal Information Security Modernization Act of 2014* (FISMA), [44 U.S.C. § 3551](#), et seq., December 18, 2014 (2017)

*Federal Information Technology Acquisition Reform Act* ([FITARA](#)), Public Law (P.L.) 113-291, Title VIII, Subtitle D, § 831-837, December 19, 2014

*Freedom of Information Act of 1996* (FOIA), [5 U.S.C. § 552](#), et seq. (2017)

*Incorporation by Reference of the Manual of Regulations and Procedures for Federal Radio Frequency Management*, [47 CFR § 300.1](#), (2018)

OMB, Circular [A-11](#), *Preparation, Submission, and Execution of the Budget*, July 2017

USDA, [Agriculture Property Management Regulation](#), Chapter 110, Subchapter B, Part 102-36, May 2014

USDA, [DR 3130-008](#), *Definition of Major Information Technology Investments*, February 27, 2015