

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

DEPARTMENTAL REGULATION	Number: DR 3300-001-C
SUBJECT: Radio Frequency Management	DATE: October 13, 2016
	OPI: Office of the Chief Information Officer, Enterprise Network Services

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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, *Wireless Communications*, dated March 23, 1999.
- b. This DR will be in effect until superseded.
- c. If a specific provision of this DR is superseded by another regulation or otherwise invalidated by external laws, directives, or standards, the remaining provisions shall not be invalidated.

- d. In the event of reorganization of offices or mission areas, USDA must ensure that each of the roles and responsibilities described in this DR are specifically assigned to a new or existing organization or team.

3. BACKGROUND

- a. The radio spectrum is a very limited natural resource. Within USDA, 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, as specified in [7 CFR 2.60\(a\)\(27\)](#).
- b. Staff from the FS-Office of the Chief Information Officer (OCIO) represent USDA on the Interdepartment Radio Advisory Committee (IRAC), the Frequency Assignment Subcommittee, the Technical Subcommittee (TSC), and the Spectrum Planning Subcommittee (SPS) of the National Telecommunications and Information Administration (NTIA).

4. SCOPE

This DR applies to those USDA agencies and staff offices involved with radio communications and spectrum management.

5. POLICY

- a. USDA agencies and staff offices shall contact FS, Frequency Management to obtain spectrum management support and frequency ranges for radio equipment.
- b. USDA wireless systems shall be designed to utilize current technology, be spectrum efficient, and share resources among agencies or staff offices whenever it is cost effective and when savings can be achieved.
- c. USDA agencies and staff offices shall adhere to Federal regulations and procedures for spectrum management when establishing and operating wireless communications systems and services.
- d. USDA agencies and staff offices with missions that require a land mobile radio program shall develop a strategic plan that describes their Frequency Modulated Land Mobile Radio (FM LMR) use. The plan shall be reviewed, updated, and submitted annually to the Enterprise Network Services (ENS) Director.
- e. Any device which radiates electromagnetic energy through free space must be authorized prior to procurement or use by USDA 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 shall be submitted to the USDA Frequency Assignment Subcommittee representative. Agencies and staff offices shall contact the USDA Frequency Assignment Subcommittee representative for training and software requirements.

(1) Requests for Radio Frequency Assignments (RFAs)

- (a) Frequency requirements for new systems or major system upgrades must be planned in advance. Requests for frequency assignments shall be forwarded to the USDA Frequency Assignment Subcommittee representative at least one 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 agencies or staff offices shall 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](#) mandates that 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 the [\(FOIA\)](#), as amended, 5 United States Code (U.S.C.) 552, the RFA shall be accompanied by a justification letter stating the specific exemption(s) from disclosure under the FOIA. The IRAC representative notifies NTIA of this exemption.

(2) Five-Year Review

All RFAs shall reflect the actual installed configuration. In accordance with the *Manual of Regulations and Procedures for Federal Radio Frequency Management*, all RFAs must be reviewed and updated every five years. The Frequency Assignment Subcommittee 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 Frequency Assignment Subcommittee representative.
- (c) Arrangements permitting cooperative communications of mutual benefit between 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 agency or staff office MOU must be on file with the agency or staff office and the USDA Frequency Assignment Subcommittee representative. A formal MOU between units within USDA agencies or staff offices is not required.
- (e) Arrangements between agencies or staff offices within USDA, or with external agencies (Federal or non-Federal), must be forwarded to the USDA Frequency Assignment Subcommittee representative when authorizations or licenses are required.

(4) Citizens Band Radio Use

- (a) USDA agencies and staff offices must adhere to the regulations governing Citizens Band (CB) Radio Service in the *Manual of Regulations and Procedures for Federal Radio Frequency Management* when there is a need to communicate between Federal Government and non-Federal Government stations.
- (b) CB communications between Federal Government entities are prohibited.

(5) Programming and Frequency Changes in USDA Radios

- (a) 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 shall 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 shall be reported to the USDA Frequency Assignment Subcommittee representative for resolution if the problem cannot be resolved locally.

(7) Freedom of Information Act (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) NTIA's *Manual of Regulations and Procedures for Federal Radio Frequency Management* 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 agencies, staff offices, or other Federal agencies may be required to share systems with other USDA agencies or staff offices in areas where frequencies are not available or the traffic does not justify separate systems.

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

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

(9) Technical Assistance

Technical assistance and/or 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 shall meet NTIA standards unless waived by the USDA IRAC representative.

(11) Disposition of Radio Equipment

Agencies and staff offices shall 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) shall:

- (1) Provide leadership and direction for Department-wide radio communications initiatives;
- (2) Provide advice and assistance to agencies and staff offices regarding radio telecommunications services and facilities; and
- (3) Annually apportion and collect the NTIA spectrum fees and prepare and track corresponding paperwork.

b. The ENS Director shall:

- (1) Establish procedures for monitoring, measuring, reporting, and enforcing compliance with this DR;
- (2) Oversee 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 agency and staff office telecommunications policy waiver requests; and
- (5) Maintain an electronic file of approved waivers.

c. The FS CIO shall:

- (1) Represent USDA on the IRAC, SPS, and the Frequency Assignment Subcommittee 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 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. Agency and Staff Office CIOs and Directors shall:

- (1) Designate a Spectrum Management Liaison Officer to represent the agency or staff office in all matters pertaining to radio communications and frequency management if the 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 No. [A-11](#), *Preparation, Submission, and Execution of the Budget*; and
- (4) Prepare and maintain a strategic plan when the radio program within an agency or staff office expands and becomes a significant capital asset (significant procurement, operating, or maintenance cost). This plan shall be provided to the ENS Director and the USDA IRAC representative upon origination and at each update.

e. The USDA IRAC representative shall:

- (1) Engineer, select, and acquire frequencies to support validated requirements;
- (2) Authorize USDA agencies and staff offices to use specific radio frequencies if their application for a radio frequency meets the spectrum requirements of the NTIA;
- (3) Provide interagency coordination and negotiation on frequencies, as required by NTIA;
- (4) Resolve interface problems encountered or created by USDA agencies and staff offices when such problems are caused by assignment incompatibilities and cannot be resolved by the operating unit;
- (5) In order to protect USDA frequency assignments, review and provide comments on frequency applications submitted by Government and civilian agencies;

- (6) Serve as a member on all NTIA committees and subcommittees dealing with frequency management;
 - (7) Provide guidance to USDA agencies and staff offices in the development of frequency plans that support future systems;
 - (8) Maintain frequency engineering and control records of USDA frequency resources;
 - (9) Publish a directive that establishes local policy regarding frequency management. The ENS Director must approve the directive and forward it to the Deputy Chief Information Officers and the CIO for approval; and
 - (10) Provide training to USDA agencies and staff offices in basic frequency management.
- f. The USDA Frequency Assignment Subcommittee representative shall:
- (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 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 shall:
- (1) Be responsible for providing 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 agencies and staff offices.
- h. The USDA SPS representative shall be responsible for assisting in the development of recommendations regarding spectrum support for new systems submitted by Federal agencies.
- i. Agency and Staff Office Spectrum Management Liaison Officers shall:
- (1) Serve as principal point of contact (POC) for all matters relating to radio communications and frequency management;
 - (2) Review and recommend to the IRAC representative, on an ongoing basis, revisions to NTIA's *Manual of Regulations and Procedures for Federal*

Radio Frequency Management. NTIA accepts comments on the Manual at any time;

- (3) Be familiar with NTIA policies;
- (4) Manage all radio frequencies used by the agency or staff office. This management includes the following:
 - (a) Maintain a file of all current RFAs for the agency or staff office;
 - (b) Submit agency or staff office requests for RFAs to the Frequency Assignment Subcommittee representative;
 - (c) Disseminate RFAs to the agency or staff office;
 - (d) Report and/or resolve radio interference or noncompliance with regulations;
 - (e) Coordinate radio planning efforts with the agency or staff office responsible for preparation of the agency or staff office Information Resources Management (IRM) plan; and
 - (f) Prepare and maintain a strategic plan covering FM LMR use within the agency or staff office. This plan is required by OMB each year.

7. POLICY EXCEPTIONS

- a. All USDA agencies and staff offices are required to conform to this policy. In the event that a specific policy requirement cannot be met, agency and staff office system owners may submit a policy waiver request to the ENS Director at ens.policy@ocio.usda.gov. The waiver request shall 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. 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 shall be recorded and tracked as a Plan of Action and Milestones (POA&M) item in the USDA Federal Information Security Modernization Act (FISMA) data management and reporting tool.
- c. Waivers will expire at the end of the fiscal year or six months from the date of approval, whichever is longer. Unless otherwise specified, agencies and staff offices shall 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-ENS, Telecommunications Management and Governance (TMG) at ens.policy@ocio.usda.gov.

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APPENDIX A

DEFINITIONS

- a. Federal Communications Commission (FCC). The regulatory organization that is responsible for managing all non-Federal radio spectrum use in the United States.
- b. Frequency Assignment Subcommittee. An IRAC subcommittee comprised of representatives from Federal agencies that use the spectrum. The Frequency Assignment Subcommittee assists NTIA, on the behalf of IRAC, in assigning and coordinating frequencies for use by Federal radio stations. The Frequency Assignment Subcommittee also develops procedures for the processing of requests for frequency assignments.
- c. 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.
- d. National Telecommunication and Information Administration (NTIA). The Federal Government radio spectrum manager and the principal Executive Branch advisor on telecommunications policy.
- e. 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.
- f. 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.
- g. 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 agency or staff office requests for spectrum support for new systems.

- h. 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.

APPENDIX B

ACRONYMS AND ABBREVIATIONS

CB	Citizens Band
CFR	Code of Federal Regulations
CIO	Chief Information Officer
DOC	Department of Commerce
DR	Departmental Regulation
ENS	Enterprise Network Services
FCC	Federal Communications Commission
FISMA	Federal Information Security Modernization Act
FM LMR	Frequency Modulated Land Mobile Radio
FOIA	Freedom of Information Act
FS	Forest Service
IRAC	Interdepartment Radio Advisory Committee
IRM	Information Resources Management
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
TMG	Telecommunications Management and Governance
TSC	Technical Subcommittee
U.S.C.	United States Code
USDA	United States Department of Agriculture

APPENDIX C

AUTHORITIES AND REFERENCES

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

Freedom of Information Act (FOIA), 5 U.S.C. 552, et seq.

NTIA, [Manual of Regulations and Procedures for Federal Radio Frequency Management](#), May 2013, revised May 2014

OMB, Circular No. [A-11](#), *Preparation, Submission, and Execution of the Budget*, July 2013

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