



U.S. Department of  
Transportation

Office of the Secretary  
of Transportation

# ORDER

DOT 5421.1

9-3-04

Subject:

**RADIO FREQUENCY SPECTRUM MANAGEMENT FOR EFFECTIVE  
AND EFFICIENT TELECOMMUNICATIONS SERVICE**

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1. PURPOSE. This Order establishes Department of Transportation (DOT) policy for using the radio frequency spectrum and for requesting funds for systems requiring radio frequency support.
2. BACKGROUND
  - a. The Communications Act of 1934, as amended, provides for the regulation of communications by radio. The use of radio frequencies by radio stations belonging to and operated by the U.S. Government is established under Presidential Authority contained in Section 305 of the Act (47 U.S.C. 305 (a)). This authority was delegated to the Administrator, National Telecommunications and Information Administration (NTIA) by Reorganization Plan No.1 of 1977 and implemented by Executive Order 12046 of March 1978, as amended. The Federal Communications Commission (FCC) controls nonfederal government use under the provisions of the Act.
  - b. DOT is engaged in a wide variety of operations and projects in which the use of radio frequencies is essential. Such use plays a vital role in all aspects of air, sea, highway, and rail transportation. In addition, through grants-in-aid, DOT supports organizations that will make use of non-government frequencies and is therefore concerned with both Government and non-government aspects of radio frequency management.
  - c. Policies, regulations, and technical standards governing the use of the radio frequency spectrum by Federal Government agencies, and the administrative procedures to be followed in frequency management matters, are promulgated by NTIA in the Manual of Regulations and Procedures for Federal Radio Frequency Management (referred to as the NTIA Manual). The NTIA Manual stipulates:
    - (1) Prior authorization by NTIA is required for the use of any portion of the radio frequency spectrum by a Federal Government agency, whether for experimental, developmental, or operational purposes;

- (2) Requests from Federal Government agencies for radio frequency assignments or other frequency management actions are processed through the Interdepartment Radio Advisory Committee (IRAC). The IRAC is responsible for assisting the NTIA in assigning frequencies to Federal Government radio stations and in developing the executive policies, programs, procedures, and technical criteria pertaining to the allocation, management, and use of the radio spectrum.
- d. OMB Circular A-11, Section 33, paragraph 33.4 "Radio spectrum-dependent communications-electronics systems," requires spectrum certification by the NTIA, Department of Commerce prior to submission of estimates for the development or procurement of major radio frequency spectrum-dependent systems.

### 3. POLICY.

- a. Use of the radio frequency spectrum is vital to the support of DOT programs, operations, and services to the traveling public. Sound engineering and administrative practices, consistent with NTIA policies, spectrum regulations and efficient use of resources shall be applied throughout DOT toward ensuring efficiency and effectiveness in the management and use of the radio frequency spectrum.
- b. Use of the radio frequency spectrum shall only be as authorized by NTIA or other competent frequency management authority within DOT, as in the case of foreign and emergency operations.
- c. The approval of programs and funding for any system, service, or equipment of an experimental, operational, or developmental nature requiring the assignment and protection of radio frequencies for their implementation or use should be withheld by the DOT operating administration pending assurance that such frequency support can be provided. Budget estimates of major systems will include certification that spectrum is available.

### 4. RESPONSIBILITIES.

- a. Each operating administration determines, in the light of its responsibilities and national and departmental policies, the extent to which radio frequency equipment is required to carry out its missions.
- b. DOT is authorized two representatives on the IRAC:
  - (1) One representative and an alternate shall be provided by the Office of the Secretary of Transportation (OST) to represent the overall spectrum interests of the Department to include specifically the frequency management interests



of all the surface mode operating administrations including the Federal Highway Administration, Federal Railroad Administration, Maritime Administration, the St. Lawrence Seaway Development Corporation, and the Research and Innovative Technologies Administration (RITA), including the Volpe National Transportation System Center (VNTSC)).

- (2) One representative and alternate shall be provided by the Federal Aviation Administration (FAA) to represent the frequency management interests of that agency.
- c. OST and FAA, through their IRAC representatives, are responsible for providing cognizant officials in the operating administrations with frequency management policy guidance and technical support in the determination of frequency requirements. These representatives are responsible for representing the administrations' spectrum interests to the IRAC.
- d. OST is the primary representative for the surface modes and RITA/VNTSC at the Frequency Assignment Subcommittee (FAS) meetings, and for the daily activities supporting the frequency coordination process of the FAS membership. Requests for a frequency action, i.e., requesting a new frequency, modifying or deleting an existing frequency assignment, shall be sent to OST for review and placement into the NTIA frequency approval process. The request for a frequency action process shall be accomplished in accordance with the guidance outlined in 5b.
- e. OST is responsible for overseeing the registration of Maritime Administration (MARAD) INMARSAT terminals installed on all MARAD-owned ships. The registration process, through appropriate private companies, provides the Maritime Mobile Service Identifier (MMSI), which is a unique identifier for each ship. MMSI coordination must include the receipt of the MMSI through the NTIA, when applicable.

## 5. ACTIONS.

- a. Each DOT operating administration shall issue the necessary directive to comply with the policy contained in paragraph 3. Each operating administration shall assure that proposals for new, improved, or expanded systems, services, or equipment receive consideration and evaluation from a spectrum engineering standpoint and assurance of spectrum support by NTIA prior to their approval or funding if the particular service, system, or equipment requires radio frequency support.
- b. Each surface mode operating administration requiring radio frequency support, or having an interest in frequency management matters, shall designate within its organization one person with an appropriate alternate(s) to serve as liaison or point of contact with the OST IRAC representative. The point of contact will additionally be involved in actions supporting

the verification of equipment currently in use, in support of the 5-year review process of the FAS. Normally, all requests for frequency management actions shall be processed through these liaison representatives and addressed to:

U.S. Department of Transportation  
Office of the Secretary of Transportation  
Office of Navigation and Spectrum Policy, P-50  
Nassif Building, Room 10223  
400 Seventh Street, S.W.  
Washington, D.C. 20590-0001  
Telephone FTS (202) 366-0353

- c. Each surface mode operating administration is encouraged to establish internal coordination procedures for the handling of frequency management matters that may be referred to them from time to time by the Department's IRAC representative. Such matters will generally be items introduced into the IRAC by the FCC or other Government agencies that affect DOT operations or responsibilities.
- d. RITA/VNTSC shall designate one representative, to serve as liaison or point of contact with the OST or FAA IRAC representative as appropriate. Requests for coordination of aviation related frequency management actions shall normally be processed through the liaison representative and addressed to:

U.S. Department of Transportation  
Federal Aviation Administration  
ATC Spectrum Engineering Services  
800 Independence Avenue, S.W.  
Washington, D.C. 20591  
Telephone FTS (202) 267-9715

- e. A copy of all directives, instructions, or designations made pursuant to this Order shall be furnished to the Office of Navigation and Spectrum Policy, P-50.

FOR THE SECRETARY OF TRANSPORTATION

  
Under Secretary for Policy