

THE WHITE HOUSE
WASHINGTON

Date 9/4

TO: *Tom Whitehead*

FROM: Peter Flanigan

FYI ✓

Draft reply

Please Handle

File

Other remarks



Telecommunications
THE SECRETARY OF COMMERCE
Washington, D.C. 20230

SEP 2 1969

Honorable Melvin R. Laird
Secretary of Defense
Washington, D. C. 20301

Dear Mel:

This is a follow-up to our meeting of July 24, 1969, when we discussed federal administration in the telecommunications field and a proposed role for the Department of Commerce.

During the meeting you stressed your concern whether, under telecommunication policy and electrospace allocations management by the Department of Commerce, the mission requirements of the Department of Defense and other government agencies would receive adequate priorities in relation to the needs of the business sector. You also inquired about our proposed concept for a frequency assignment process.

I am enclosing a discussion paper which is primarily concerned with the Department of Commerce approach to the electrospace assignment process for Federal Agencies. Other important telecommunications policy problems are not discussed in this paper. Briefly, we propose a policy officer at the Assistant Secretary level with continuing supporting staff, and a new permanent interagency policy advisory committee to consider all important questions of government policy in telecommunications, including allocations of the electrospace.

In establishing its organization on telecommunications functions, the Department would vest responsibility for allocations, assignments, standards and regulation for Federal uses of the electrospace in a new Federal Electrospace Administration. We propose introducing to the electrospace assignment process a central engineering assignment staff with a substantial computer facility. It would provide capability for rapid analysis and assignments, and allow greater decentralization of decisions by remote access from Agencies and regional centers. The Interdepartment Radio Advisory Committee (IRAC) would be retained, with responsibility for oversight of this

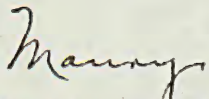
✓ cc: Peter Flanigan
The White House

process rather than the day-to-day assignments. The principal role of IRAC would be to focus upon broader questions of the process and on coordinated planning of Agency requirements. Provisions for review of decisions are outlined. An important component of the over-all new functions will be a research and engineering program. This program will include activities of the Institute for Telecommunication Sciences of the Environmental Science Services Administration, the Radio Standards Divisions, the Technical Analysis Division and other units of the National Bureau of Standards, and other appropriate Government and private resources. Additional technical and economic capabilities will be established within the program as necessary to support telecommunications policy-making and electrospace management.

On August 14, 1969, Dr. Tribus met with General G. B. Cauble, Mr. Willie Moore, and Captain Shugart, of the Department of Defense, to discuss the substance of the enclosed paper. He emphasized that the Department of Commerce regards full and proper provision for defense and other government agency telecommunication requirements as an essential feature of an adequate over-all telecommunication system for the nation. I understand that he did have a fruitful discussion, and your representatives felt that the enclosed paper would be a useful basis for review in your Department. We would appreciate having your comments as soon as is convenient for you, since we would like to move forward with these plans as rapidly as possible.

Please let me know if you have additional questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Manny".

Secretary of Commerce

Enclosure

PROPOSAL FOR FEDERAL AGENCY PARTICIPATION IN
TELECOMMUNICATIONS POLICY COORDINATION
AND IMPROVED ADMINISTRATION OF THE ELECTROSPACE
FOR THE FEDERAL AGENCIES

1. Introduction

Responsibilities proposed for a new executive telecommunications authority, under present legislation would include:

--Policy, e.g., policies and programs of the Executive Branch affecting domestic and international telecommunications; responsibilities of the Executive under the Communications Act and the Communications Satellite Act; liaison with and representations to the Federal Communications Commission on policy issues; federal-state activities; national allocations of the electrospace* in cooperation with the Federal Communications Commission; and, with the Department of State, international coordination of telecommunications matters.

--Telecommunications Management for Federal Departments and Agencies; allocation, assignment and regulation of Federal use of the electrospace; guidance and coordination of Government systems development, standards, and procurement criteria; inter-agency and federal-state telecommunications coordination.

--Research and Engineering; studies of electromagnetic waves and information transmission needed for efficient utilization of

*The term "electrospace" is used rather than "spectrum" or "frequency" as it projects better the multidimensional character of the radio resource.

the electrospace resource; economic and technical analyses to provide a basis, in part, for telecommunications policy and allocations; provide technical assistance to government agencies.

Until such a new scope of telecommunications responsibilities is clarified and assigned, it would be premature to attempt to describe organizational structure or detailed procedures. This document, rather, outlines certain features of the Commerce Department's approach toward (a) obtaining adequate interagency participation in policy development, and (b) providing continuity and improvement of processes for administration of electrospace utilization by Federal Agencies. The Department of Commerce regards proper provision for government telecommunications operations and electrospace utilization as an essential feature of an adequate overall telecommunications "system" for the nation.

2. Administration of Telecommunications

Overall responsibility for telecommunications policy, management and research would be vested in an Assistant Secretary for Telecommunications. He would manage the necessary agency structure, including that for electrospace administration for Federal Agencies.

A small carefully selected policy staff, headed by a Deputy Assistant Secretary, would draw upon the resources of all the major programs of the new telecommunications administration, and upon an external advisory structure, in gathering information and drafting proposed policy positions. The output would include among other forms, draft legislation, representations to the Federal Communications Commission, draft Executive Orders and Circulars.

The Department of Commerce would represent the coordinated Executive Branch position on major telecommunications policy issues before the Federal Communications Commission, with other Government Agency assistance as appropriate.

Responsibilities and processes for Federal electrospace administration are discussed below.

Another major division of functions and responsibilities would relate to matters of Federal telecommunications operations other than questions of electrospace. This would include, with the assistance of the Departments and Agencies, the provision of policy guidance for the National Communications System (NCS), Federal-State technical coordination, promulgation of Federal telecommunications technical specifications, standards, and procurement policies, and a continuing review of Agency telecommunications programs for policy, coordination and advisory purposes.

A third major component of the new program to be based at Boulder, Colorado, would provide technical and economic research, engineering assistance, and studies and development of standards for possible promulgation by the telecommunications administration. The policy development, telecommunications management and electrospace administration programs would rely heavily on this research and service-oriented engineering program for technical support in the conduct of their activities.

3. Telecommunications Advisory Process

For a long time there has existed no continuing broadly based, interagency body to advise on telecommunications policy for the Executive Branch. The Telecommunications Coordinating Committee of the Department of State has not functioned for years; the Director of Telecommunications Management has established ad hoc groups for certain issues.

We propose early establishment, by the Secretary or the President, of a permanent interagency Telecommunications Policy Advisory Committee (TPAC), the Chairman to be appointed by the Assistant Secretary for Telecommunications. Examples of major policy issues which should be considered by such a committee

include: allocations of the electrospace, and policies on overall efficient use of the electrospace resource; satellite communications; many international aspects of telecommunications; federal-state relationships; effects of new technology; federal procurement policies and telecommunication programs.

A non-government Telecommunications Advisory Board, with appropriate panels on electrospace administration and research would provide advice of experts from industry and academic areas.

4. Electrospace Administration for Federal Agency Telecommunications

The present system for allocation and management of frequency utilization for Federal Agencies uses the long established Interdepartment Radio Advisory Committee (IRAC), which reports to the Director of Telecommunications Management.

While the IRAC presently serves as a coordinating body for Executive Branch allocations policy, much of its activity concerns the day-to-day assignment of frequencies to government radio stations. This is handled principally by the Frequency Assignment Subcommittee (FAS) of the IRAC. Considerable time is routinely required to coordinate and complete government assignment

actions; the FAS must consider up to several thousand such items on the agenda of its regularly scheduled monthly meeting which normally requires several days. Many hours are spent in advance by IRAC members coordinating radio frequency requirements in preparation for these meetings.

4.1 Federal Electrospace Administration

Questions of policy and management for electrospace utilization would be dealt with by a new agency within the Department of Commerce, the Federal Electrospace Administration (FEA). The FEA would be responsible for the allocation and assignment of Federal electrospace and for day-to-day cooperation with the FCC in the management of the electrospace. The TPAC would advise on major allocations and policy issues, and allocations decisions would be subject to ratification by the Assistant Secretary for Telecommunications. The FEA would also be responsible for promulgation of electrospace utilization standards and regulations for Federal agencies.

4.2 Electrospace Assignment Process

It is proposed that the new FEA would establish a computer-based electrospace assignment system. An "electrospace assignment staff" would be organized, (see chart) utilizing a substantial central computer facility and master data file to make rapid assignments. In addition, regional assignment facilities and

processes would be established, using smaller computers and remote access to the central computer. Direct access to the computer system and the assignment process would be provided from remote data consoles at each of the agencies. Particularly concerning Department of Defense uses, the data of the Electromagnetic Compatibility Analysis Center (ECAC) would be accessed in such an overall system, with appropriate safeguards. The kinds of technical data files maintained by ECAC would be extended as appropriate to other uses of the electrospace.

All agencies would be kept informed of electrospace assignment actions and would have an opportunity to object if problems arose. The IRAC would now have oversight responsibility for this process, rather than day-to-day processing responsibility--one or more of the IRAC subcommittees might give close attention to particular aspects of the process.

4.3 Interdepartment Radio Advisory Committee (IRAC)

It has already been indicated that IRAC should be retained, with an oversight function over the assignment process rather than day-to-day operating responsibility. It would function as a panel of TPAC, along with other appropriate panels, such as a panel on the National Communications System. The Chairman

of the IRAC would be appointed by the Administrator of the FEA. IRAC is now and would remain an important source of information on Agency plans and requirements, and a vehicle for interagency coordination of electrospace utilization.

In the event that an electrospace assignment cannot be accommodated routinely, the IRAC would consider and make a recommendation. In case of Agency dissent from a decision regarding an electrospace assignment by the FEA staff, the decision would be reviewed by the Director of FEA, with the advice of IRAC. If the using agency desired, the FEA Director's decision on review, or any of his other actions, such as in allocations or regulation matters, could be brought before TPAC for comment and appropriate further decisions by the Assistant Secretary for Telecommunications.

4.4 Some Electrospace Management Priorities

While the coordination and advisory role of IRAC is a necessary one, it is by itself insufficient to assure developing maximum overall efficiency of use of the electrospace by the Government. The FEA will need to develop a substantial program to obtain accurate information, measures, and improved techniques for electrospace management. It will be the responsibility of the FEA to follow up on the most significant proposals for improved electrospace management arising in recent years from

studies of the President's Task Force on Communications Policy, the Bureau of the Budget, the Joint Technical Advisory Committee, the Commerce Technical Advisory Board, and other advisory groups. Some priorities, including the improved assignment process are recapitulated below.

MANAGEMENT INFORMATION SYSTEM

- Develop adequate measures of electrospace utilization.
- Obtain useful data on actual usage of electrospace to supplement bookkeeping records.
- Establish shared data base and computational processes for regional and national electrospace management system.

MANAGEMENT OPERATIONS

- Establish central Electrospace Assignment Engineering staff, supplemented gradually by regional management centers.
- Develop comprehensive computer systems for electrospace assignment engineering and records, to facilitate both central engineering assignment processes and remote access by agencies and regional management centers.
- Apply operations analysis techniques routinely to electrospace utilization to increase efficiency of use of the resource.

RESEARCH

Effective development of future electrospace utilization, for increased yield to meet growing needs and to permit new services, will depend in large part upon a first rate research program, using not only the laboratories of the new telecommunications authority, but a broad program including other government laboratories, industry, and universities.

- Operations analysis studies should be made of increasing intensive electrospace-sharing possibilities, including electromagnetic-wave considerations, and the various information transmission (modulation, coding, power, bandwidth) parameters.
- Extension of the useable electrospace to higher frequencies, i.e., millimeter waves and beyond.
- Examination of possibilities for improved standards for receivers and transmitters.
- Study of potential impact of new technology on electrospace utilization.
- Study of economic factors in electrospace allocation, e.g., "the value at the margin" of various uses of the spectrum; costs and benefits to various services,

and studies of alternatives; simulation of development of the overall system under certain policies-- such studies should be made with a view to providing in part, a valid basis for allocations or other administrative steps in electrospace management.

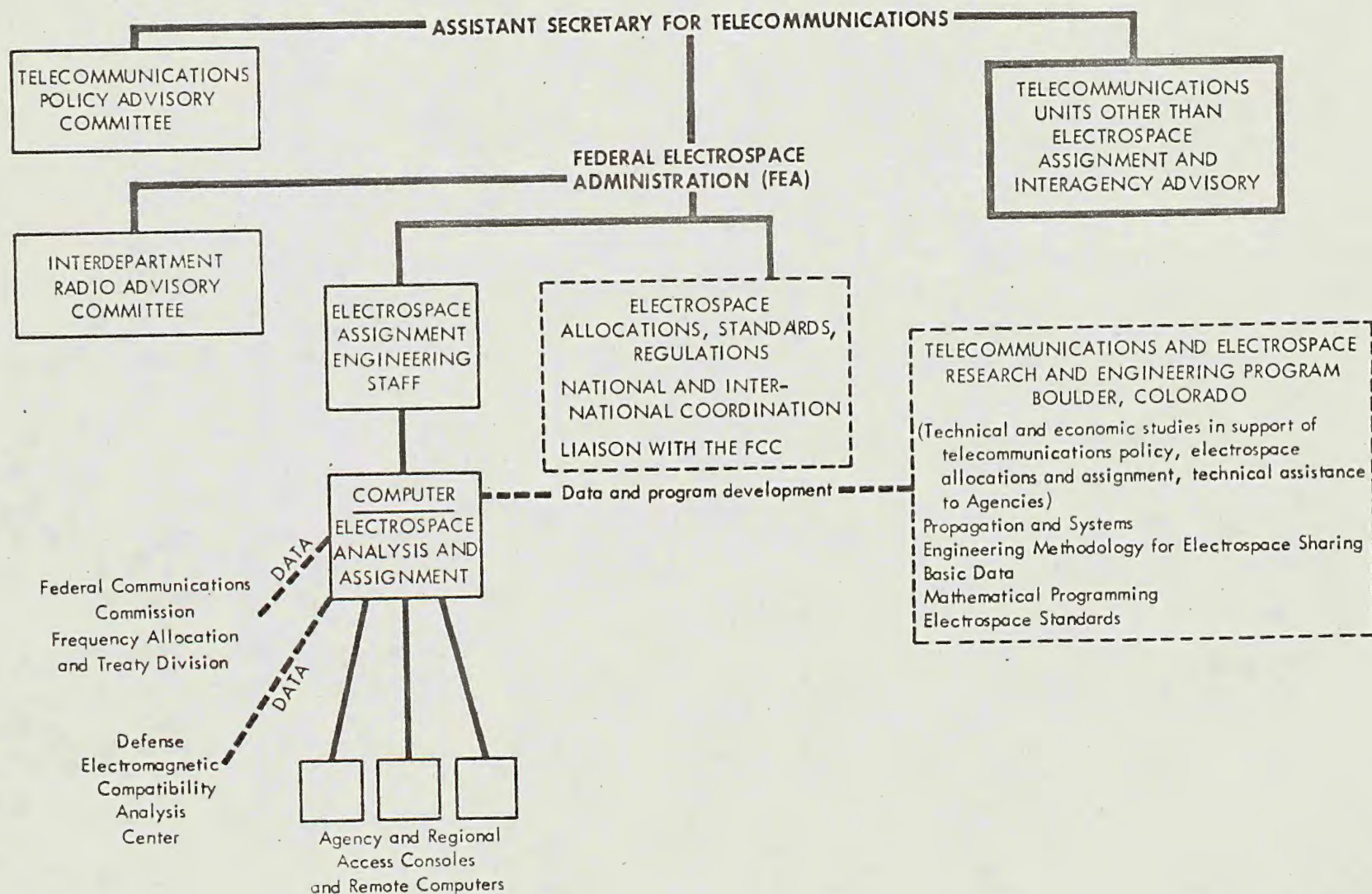
5. Review of Decisions

A process was described above for review of FEA electrospace assignment decisions upon dissent of an Agency. Similar processes would be established for review of decisions in other areas of responsibility of the new telecommunications authority. Rarely, an important issue in which there is ultimate disagreement between Agencies or between the authority and an agency, might, as at present, have to be resolved by the President. In order to assist the President in such an issue, it is desirable that he designate a staff assistant to be responsible in the telecommunications area. The Department of Commerce would recommend that such a White House Staff member be designated, and that he participate in the meetings of the Telecommunications Policy Advisory Committee and the Telecommunications Advisory Board.

Office of the Assistant Secretary
for Science and Technology
Department of Commerce

August 22, 1969

Proposed Department of Commerce Structure for **FEDERAL ELECTROSPACE ASSIGNMENT** and **INTERAGENCY ADVISORY FUNCTIONS**



Telecommunication

September 9, 1969

To: Robert Froehlke

From: Tom Whitehead

My impression was that off-the-record you were more flexible on point 2 as to which department got the responsibility -- given the decision to go to an executive department. Also I want to make sure you are clear we are talking about not only the current Office of Emergency Preparedness responsibilities but also a new responsibility for national communications policy generally.

Enclosure

cc: Mr. Whitehead

CTWhitehead:ed



ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

September 5, 1969

ADMINISTRATION

MEMORANDUM FOR Mr. Laird

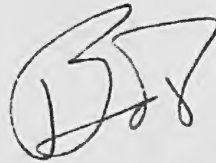
Subject: Communications

Tom Whitehead of the White House Staff called this morning to determine our position relative to the Commerce Department being assigned the responsibilities for national communications policy which are presently assumed by the Office of Emergency Preparedness. He did not want any official position but was just interested in our preliminary thoughts. I told him our position was:

- 1) We believe that the policy responsibilities should remain as a White House function, and preferably as a separate Office for Telecommunications. We think the office is sufficiently important that it needs that status. In addition, there are a number of axes to be ground and we like the responsibilities to be in the hands of an "honest broker."
- 2) If the decision were made that one Cabinet member were to be assigned the new responsibilities, we would want to consider the proposal carefully before stating our position as to which Executive Department should assume the function.
- 3) Tom and I discussed the fact that the Boulder, Colorado operation of the Department of Commerce was being used by them as a basis for assuming these new responsibilities. I told Tom that, based strictly on hearsay, I was very unimpressed with the Boulder operation. He indicated he shared my lack of enthusiasm and added that should Commerce get this new assignment it would have to be entirely separate from the Boulder operation.

Mr. Clay T. Whitehead

If you or any of the others receiving a copy of this memo disagree with my stated position, let me know. Otherwise, I will assume that I correctly reported the present thinking.



Robert F. Froehlke

Is this an accurate report, Tom?

~~Bob: My impression was that
off-the-record you were more
flexible on point (2) -- given
the decision -- as to which
Department got the responsibility.
That decision has not yet been
made, but we are getting down to
the wire & the President needs all the
flexibility we can muster at this stage.~~

THE SECRETARY OF DEFENSE
WASHINGTON

DOT - 1 1989

MEMORANDUM FOR THE ASSISTANT TO THE PRESIDENT
FOR NATIONAL SECURITY AFFAIRS -

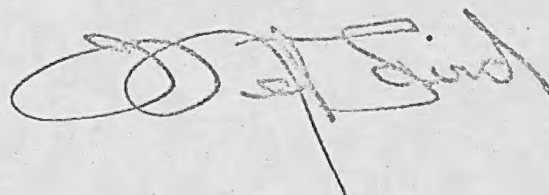
SUBJECT: Federal Telecommunications Management

The Department of Defense is particularly sensitive to the source and content of telecommunications policy direction due to our worldwide responsibilities which are so dependent on effective communications. Telecommunications is not only the nervous system of DoD's command and control system but it serves the Presidency and the State Department in the carrying out of vital diplomatic functions and is a sine qua non for the gathering of critical intelligence data. From my viewpoint as both Secretary of Defense and Executive Agent for the National Communications System, I am troubled by recent studies and proposals to transfer varying degrees of national telecommunications policy and radio frequency management from the Office of the Director of Telecommunications Management (and the FCC) to locations within such Departments as Commerce or Transportation. Mr. Charles C. Joyce of your NSC Staff is aware of the background of these studies.

The most recent proposal to transfer telecommunications management functions is contained in a letter from the Secretary of Commerce to me. While this proposal falls short of Commerce assuming national telecommunications authority (i.e. certain responsibilities of the FCC for non-federal government and civil users plus all federal government activities), it would still assume all Federal authority currently the responsibility of the Director of Telecommunications Management. I am strongly opposed to the concept of placing such authority in any location except in its present one, the Executive Office of the President, where due consideration of national security and other national viewpoints

can be considered in policy formulation. My reply to Secretary Stans which dwells on this and other major points is attached.

I am certain that after you have had time to consider this matter, you will wish to forestall any precipitous moves in this telecommunications management area that might come to the attention of the President or the National Security Council. I believe there would be serious national security implications if communications policy were transferred to an environment constrained by the limited view of the national interest which would exist within an Executive Department, especially one far removed from questions of national defense. I understand that Mr. J. D. O'Connell, the Director of Telecommunications Management, has already expressed similar concerns in a Memorandum for the President of September 11th. In any case, the implications are such that all factors should be considered and all interested parties consulted prior to the making of any decisions relating to the management of telecommunications at the national level.

A handwritten signature in dark ink, appearing to read "J. D. O'Connell", with a long, sweeping horizontal stroke extending to the right.

Attachment

(Ltr to Stans dtd 1 Oct 69)

THE SECRETARY OF DEFENSE
WASHINGTON

OCT -1 1969

Honorable Maurice Stans
Secretary of Commerce
Washington, D. C. 20230

Dear Maury:

Thank you for your letters of September 2nd and July 31st and their attachments outlining your views on how the Department of Commerce would effect leadership in the telecommunications management area. As you can appreciate, the character and source of national telecommunications policy and radio frequency spectrum management are of vital concern to the Department of Defense.

This concern stems from our wide-ranging national security interests and responsibilities on both a national and international level. It is also due to our pluralistic character as owner and operator of vast international communications networks; assignee of over 67,000 radio frequencies, largest lessor of commercial communications services, sponsor of approximately three hundred million dollars of R&D annually in the communications field, and provider of essential communications services to other government elements that have responsibilities for national security and continuity of government. Moreover, I also serve as Executive Agent of the National Communications System (NCS), and my Defense Communications System constitutes 80% of that system; thus, telecommunications policy concerning the NCS and its eleven Operating Agencies is of vital interest to me in even a broader sense than just my Departmental role. With these interests in view, I have given your proposal considerable thought.

In comparing the September 2nd proposal with the correspondence and study previously provided on July 31st, I find it significant that your Department no longer proposes transfer of certain statutory responsibilities of the FCC to the Executive Branch. I am gratified by this change since I did not consider it appropriate for

the Executive Branch to propose that Congress transfer responsibility to regulate interstate and foreign commerce, insofar as telecommunications is concerned, from the FCC to the Executive Branch. Congress' delegation of this responsibility to the FCC, is, of course, contained in the Communications Act of 1934, as amended. That Act also reflects the intent of Congress that the radio frequency management powers of the FCC and the President be separate rather than in a single organization. Concentration of all radio frequency allocation and assignment authority wholly within the Executive Branch could have led to the President adjudicating frequency disputes between civil claimants in much the same manner, but on a more frequent basis, than he now does in settling air route controversies among international air carriers.

With the matter of continued separation of FCC and Executive frequency management responsibilities no longer at issue, I fail to see why the remaining functions, which are essentially those of the Director of Telecommunications Management (DTM) only, should be transferred from the Executive Office of the President. Indeed, I believe there are numerous cogent reasons for not placing total, or near total, Federal telecommunications management responsibilities within the Department of Commerce, or, for that matter, within any other Executive Department.

I do not believe that a Departmental location could provide the requisite perspective for national or Federal policy making. Only the Executive Office of the President provides the proper environment for adequate consideration and development of telecommunications policy. Retention of these functions in the Executive Office permits discussion and consideration of policy by all individuals and organizations concerned in examining the national interest, such as the President, National Security Council, Bureau of the Budget, Council of Economic Advisors, Office of Science & Technology, and Office of Emergency Preparedness, and provides access to the heads of all Departments and agencies. This broad perspective does not exist within an Executive Department.

Further, integration of national level policy functions into an organization having departmental operational responsibilities could lead to serious conflicts. Your Department, for example, vies with other Federal agencies for frequency allocations. I believe you have some 3000 frequency assignments and an investment of almost

\$100 million in communications-electronics equipment. Furthermore, your Weather Bureau networks are designated as assets of the NCS, and your Department is an NCS Operating Agency. Should a difference of view arise within the NCS, I, as Executive Agent, would attempt to resolve it. Presumably, if I were unable to effect resolution, under your proposed arrangement I would go to an Assistant Secretary of Commerce for a policy decision, rather than to the President as I do now. Moreover, in instances where your networks were party to the dispute, your agency's dual role as disputant and adjudicator would be a most difficult one.

Such questions aside, I do not believe that one Department of government should ever be put in the position of formulating or directing the policies of other Departments when those policies vitally affect the Departments' ability to perform their missions. I would have especially grave misgivings about such an arrangement in the telecommunications area since communications is so inherent a part of military command and control. I strongly believe that, from the viewpoint of the Department of Defense, the Executive Office provides the only viable location for telecommunications policy development and frequency management.

Most importantly, I cannot see how the President, as Commander in Chief, could delegate telecommunications management functions, which vitally affect the Armed Forces and other national security agencies, to one of the Executive Departments, particularly one that is not primarily concerned with national security matters.

With respect to existing coordination arrangements for spectrum management, I consider that the cooperative procedures between the President and the FCC, which have evolved over a period of years, are effective. Activities relating to Federal frequency management within the Office of the DTM, the President's delegate, are fully coordinated with the FCC through the Commission's liaison representative in that office. Any differences of view that arise in the coordination process are resolved by the DTM and the Chairman of the FCC.

To the extent that improvement in the present management of the frequency spectrum is needed -- and this need has been widely appreciated in recent years, I believe that the more promising course of action would be to provide additional technical and research

capabilities to the Office of the DTM and the FCC that would enable them to more effectively fulfill their responsibilities for allocating and assigning frequencies.

The fact that the Department of Commerce has certain radio research and analytical resources is not, to my mind, a compelling argument for the relocation of telecommunications management to Commerce. These same resources, together with complementary resources of other government agencies and industry, could work for the FCC and DTM just as effectively as they could for your proposed Assistant Secretary for Telecommunications, provided that the FCC and DTM were permitted adequate staffs and funds to contract for research and other support activities. The DTM's past efforts to obtain funds for increased technical and analytical support, I understand, have not been wholly successful, but this apparently was not due to his organizational location. Both your National Bureau of Standards (NBS) and Institute for Telecommunications Sciences (ITS) have contracted with the DTM in past years, which would indicate that proper utilization of Department of Commerce resources and the resources of other government agencies and industry could provide, on an expanded scale, a feasible means of supporting telecommunications policy and frequency management research.

In view of the foregoing, I do not consider your proposal offers any significant advantages but does present many disadvantages. Sharing your concern that national telecommunications management needs strengthening, I believe that clarifying any contradictions that might exist in the authorities relating to the status and responsibilities of the DTM; providing the FCC and DTM with more resources; and elevating the DTM to separate office status within the Executive Office of the President, as has been recommended by the Comptroller General, would be far more effective.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Edgar Hoover", is written over a circular stamp. The signature is fluid and cursive, with the first name "J." and last name "Hoover" clearly distinguishable.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON

October 22, 1969

MEMORANDUM FOR PETER FLANIGAN

FROM: Henry A. Kissinger *K*
SUBJECT: Federal Telecommunications Management

The attached memorandum was recently received from the Secretary of Defense. I understand that Charles Joyce, a member of my staff who is mentioned in Secretary Laird's letter, has recently been working with Mr. Whitehead to come up with an arrangement which is satisfactory from a national security viewpoint. I have informed the Secretary of this.

Please keep me informed on this matter.

Attachment

THE SECRETARY OF DEFENSE
WASHINGTON

OCT - 1 1983

MEMORANDUM FOR THE ASSISTANT TO THE PRESIDENT
FOR NATIONAL SECURITY AFFAIRS

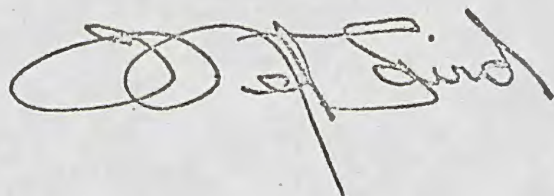
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can be considered in policy formulation. My reply to Secretary Stans which dwells on this and other major points is attached.

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In comparing the September 2nd proposal with the correspondence and study previously provided on July 31st, I find it significant that your Department no longer proposes transfer of certain statutory responsibilities of the FCC to the Executive Branch. I am gratified by this change since I did not consider it appropriate for

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I do not believe that a Departmental location could provide the requisite perspective for national or Federal policy making. Only the Executive Office of the President provides the proper environment for adequate consideration and development of telecommunications policy. Retention of these functions in the Executive Office permits discussion and consideration of policy by all individuals and organizations concerned in examining the national interest, such as the President, National Security Council, Bureau of the Budget, Council of Economic Advisors, Office of Science & Technology, and Office of Emergency Preparedness, and provides access to the heads of all Departments and agencies. This broad perspective does not exist within an Executive Department.

Further, integration of national level policy functions into an organization having departmental operational responsibilities could lead to serious conflicts. Your Department, for example, vies with other Federal agencies for frequency allocations. I believe you have some 3000 frequency assignments and an investment of almost

\$100 million in communications-electronics equipment. Furthermore, your Weather Bureau networks are designated as assets of the NCS, and your Department is an NCS Operating Agency. Should a difference of view arise within the NCS, I, as Executive Agent, would attempt to resolve it. Presumably, if I were unable to effect resolution, under your proposed arrangement I would go to an Assistant Secretary of Commerce for a policy decision, rather than to the President as I do now. Moreover, in instances where your networks were party to the dispute, your agency's dual role as disputant and adjudicator would be a most difficult one.

Such questions aside, I do not believe that one Department of government should ever be put in the position of formulating or directing the policies of other Departments when those policies vitally affect the Departments' ability to perform their missions. I would have especially grave misgivings about such an arrangement in the telecommunications area since communications is so inherent a part of military command and control. I strongly believe that, from the viewpoint of the Department of Defense, the Executive Office provides the only viable location for telecommunications policy development and frequency management.

Most importantly, I cannot see how the President, as Commander in Chief, could delegate telecommunications management functions, which vitally affect the Armed Forces and other national security agencies, to one of the Executive Departments, particularly one that is not primarily concerned with national security matters.

With respect to existing coordination arrangements for spectrum management, I consider that the cooperative procedures between the President and the FCC, which have evolved over a period of years, are effective. Activities relating to Federal frequency management within the Office of the DTM, the President's delegate, are fully coordinated with the FCC through the Commission's liaison representative in that office. Any differences of view that arise in the coordination process are resolved by the DTM and the Chairman of the FCC.

To the extent that improvement in the present management of the frequency spectrum is needed -- and this need has been widely appreciated in recent years, I believe that the more promising course of action would be to provide additional technical and research

capabilities to the Office of the DTM and the FCC that would enable them to more effectively fulfill their responsibilities for allocating and assigning frequencies.

The fact that the Department of Commerce has certain radio research and analytical resources is not, to my mind, a compelling argument for the relocation of telecommunications management to Commerce. These same resources, together with complementary resources of other government agencies and industry, could work for the FCC and DTM just as effectively as they could for your proposed Assistant Secretary for Telecommunications, provided that the FCC and DTM were permitted adequate staffs and funds to contract for research and other support activities. The DTM's past efforts to obtain funds for increased technical and analytical support, I understand, have not been wholly successful, but this apparently was not due to his organizational location. Both your National Bureau of Standards (NBS) and Institute for Telecommunications Sciences (ITS) have contracted with the DTM in past years, which would indicate that proper utilization of Department of Commerce resources and the resources of other government agencies and industry could provide, on an expanded scale, a feasible means of supporting telecommunications policy and frequency management research.

In view of the foregoing, I do not consider your proposal offers any significant advantages but does present many disadvantages. Sharing your concern that national telecommunications management needs strengthening, I believe that clarifying any contradictions that might exist in the authorities relating to the status and responsibilities of the DTM; providing the FCC and DTM with more resources; and elevating the DTM to separate office status within the Executive Office of the President, as has been recommended by the Comptroller General, would be far more effective.

Sincerely,

SETH
M. LANE



SEP 2 1969

Honorable Melvin R. Laird
Secretary of Defense
Washington, D. C. 20301

Dear Mel:

This is a follow-up to our meeting of July 24, 1969, when we discussed federal administration in the telecommunications field and a proposed role for the Department of Commerce.

During the meeting you stressed your concern whether, under telecommunication policy and electrospace allocations management by the Department of Commerce, the mission requirements of the Department of Defense and other government agencies would receive adequate priorities in relation to the needs of the business sector. You also inquired about our proposed concept for a frequency assignment process.

I am enclosing a discussion paper which is primarily concerned with the Department of Commerce approach to the electrospace assignment process for Federal Agencies. Other important telecommunications policy problems are not discussed in this paper. Briefly, we propose a policy officer at the Assistant Secretary level with continuing supporting staff, and a new permanent interagency policy advisory committee to consider all important questions of government policy in telecommunications, including allocations of the electrospace.

In establishing its organization on telecommunications functions, the Department would vest responsibility for allocations, assignments, standards and regulation for Federal uses of the electrospace in a new Federal Electrospace Administration. We propose introducing to the electrospace assignment process a central engineering assignment staff with a substantial computer facility. It would provide capability for rapid analysis and assignments, and allow greater decentralization of decisions by remote access from Agencies and regional centers. The Interdepartment Radio Advisory Committee (IRAC) would be retained, with responsibility for oversight of this

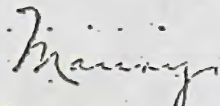
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process rather than the day-to-day assignments. The principal role of IRAC would be to focus upon broader questions of the process and on coordinated planning of Agency requirements. Provisions for review of decisions are outlined. An important component of the over-all new functions will be a research and engineering program. This program will include activities of the Institute for Telecommunication Sciences of the Environmental Science Services Administration, the Radio Standards Divisions, the Technical Analysis Division and other units of the National Bureau of Standards, and other appropriate Government and private resources. Additional technical and economic capabilities will be established within the program as necessary to support telecommunications policy-making and electrospace management.

On August 14, 1969, Dr. Tribus met with General G. B. Cauble, Mr. Willie Moore, and Captain Shugart, of the Department of Defense, to discuss the substance of the enclosed paper. He emphasized that the Department of Commerce regards full and proper provision for defense and other government agency telecommunication requirements as an essential feature of an adequate over-all telecommunication system for the nation. I understand that he did have a fruitful discussion, and your representatives felt that the enclosed paper would be a useful basis for review in your Department. We would appreciate having your comments as soon as is convenient for you, since we would like to move forward with these plans as rapidly as possible.

Please let me know if you have additional questions.

Sincerely,



Secretary of Commerce

Enclosure

PROPOSAL FOR FEDERAL AGENCY PARTICIPATION IN
TELECOMMUNICATIONS POLICY COORDINATION
AND IMPROVED ADMINISTRATION OF THE ELECTROSPACE
FOR THE FEDERAL AGENCIES

1. Introduction

Responsibilities proposed for a new executive telecommunications authority, under present legislation would include:

--Policy, e.g., policies and programs of the Executive Branch affecting domestic and international telecommunications; responsibilities of the Executive under the Communications Act and the Communications Satellite Act; liaison with and representations to the Federal Communications Commission on policy issues; federal-state activities; national allocations of the electrospace* in cooperation with the Federal Communications Commission; and, with the Department of State, international coordination of telecommunications matters.

--Telecommunications Management for Federal Departments and Agencies; allocation, assignment and regulation of Federal use of the electrospace; guidance and coordination of Government systems development, standards, and procurement criteria; inter-agency and federal-state telecommunications coordination.

--Research and Engineering; studies of electromagnetic waves and information transmission needed for efficient utilization of

*The term "electrospace" is used rather than "spectrum" or "frequency" as it projects better the multidimensional character of the radio resource.

the electrospace resource; economic and technical analyses to provide a basis, in part, for telecommunications policy and allocations; provide technical assistance to government agencies.

Until such a new scope of telecommunications responsibilities is clarified and assigned, it would be premature to attempt to describe organizational structure or detailed procedures. This document, rather, outlines certain features of the Commerce Department's approach toward (a) obtaining adequate interagency participation in policy development, and (b) providing continuity and improvement of processes for administration of electrospace utilization by Federal Agencies. The Department of Commerce regards proper provision for government telecommunications operations and electrospace utilization as an essential feature of an adequate overall telecommunications "system" for the nation.

2. Administration of Telecommunications

Overall responsibility for telecommunications policy, management and research would be vested in an Assistant Secretary for Telecommunications. He would manage the necessary agency structure, including that for electrospace administration for Federal Agencies.

A small carefully selected policy staff, headed by a Deputy Assistant Secretary, would draw upon the resources of all the major programs of the new telecommunications administration, and upon an external advisory structure, in gathering information and drafting proposed policy positions. The output would include among other forms, draft legislation, representations to the Federal Communications Commission, draft Executive Orders and Circulars.

The Department of Commerce would represent the coordinated Executive Branch position on major telecommunications policy issues before the Federal Communications Commission, with other Government Agency assistance as appropriate.

Responsibilities and processes for Federal electrospace administration are discussed below.

Another major division of functions and responsibilities would relate to matters of Federal telecommunications operations other than questions of electrospace. This would include, with the assistance of the Departments and Agencies, the provision of policy guidance for the National Communications System (NCS), Federal-State technical coordination, promulgation of Federal telecommunications technical specifications, standards, and procurement policies, and a continuing review of Agency telecommunications programs for policy, coordination and advisory purposes.

A third major component of the new program to be based at Boulder, Colorado, would provide technical and economic research, engineering assistance, and studies and development of standards for possible promulgation by the telecommunications administration. The policy development, telecommunications management and electrospace administration programs would rely heavily on this research and service-oriented engineering program for technical support in the conduct of their activities.

3. Telecommunications Advisory Process

For a long time there has existed no continuing broadly based, interagency body to advise on telecommunications policy for the Executive Branch. The Telecommunications Coordinating Committee of the Department of State has not functioned for years; the Director of Telecommunications Management has established ad hoc groups for certain issues.

We propose early establishment, by the Secretary or the President, of a permanent interagency Telecommunications Policy Advisory Committee (TPAC), the Chairman to be appointed by the Assistant Secretary for Telecommunications. Examples of major policy issues which should be considered by such a committee

include: allocations of the electrospace, and policies on overall efficient use of the electrospace resource; satellite communications; many international aspects of telecommunications; federal-state relationships; effects of new technology; federal procurement policies and telecommunication programs.

A non-government Telecommunications Advisory Board, with appropriate panels on electrospace administration and research would provide advice of experts from industry and academic areas.

4. Electrospace Administration for Federal Agency Telecommunications

The present system for allocation and management of frequency utilization for Federal Agencies uses the long established Interdepartment Radio Advisory Committee (IRAC), which reports to the Director of Telecommunications Management.

While the IRAC presently serves as a coordinating body for Executive Branch allocations policy, much of its activity concerns the day-to-day assignment of frequencies to government radio stations. This is handled principally by the Frequency Assignment Subcommittee (FAS) of the IRAC. Considerable time is routinely required to coordinate and complete government assignment

actions; the FAS must consider up to several thousand such items on the agenda of its regularly scheduled monthly meeting which normally requires several days. Many hours are spent in advance by IRAC members coordinating radio frequency requirements in preparation for these meetings.

4.1 Federal Electrospace Administration

Questions of policy and management for electrospace utilization would be dealt with by a new agency within the Department of Commerce, the Federal Electrospace Administration (FEA). The FEA would be responsible for the allocation and assignment of Federal electrospace and for day-to-day cooperation with the FCC in the management of the electrospace. The TPAC would advise on major allocations and policy issues, and allocations decisions would be subject to ratification by the Assistant Secretary for Telecommunications. The FEA would also be responsible for promulgation of electrospace utilization standards and regulations for Federal agencies.

4.2 Electrospace Assignment Process

It is proposed that the new FEA would establish a computer-based electrospace assignment system. An "electrospace assignment staff" would be organized, (see chart) utilizing a substantial central computer facility and master data file to make rapid assignments. In addition, regional assignment facilities and

processes would be established, using smaller computers and remote access to the central computer. Direct access to the computer system and the assignment process would be provided from remote data consoles at each of the agencies. Particularly concerning Department of Defense uses, the data of the Electromagnetic Compatibility Analysis Center (ECAC) would be accessed in such an overall system, with appropriate safeguards. The kinds of technical data files maintained by ECAC would be extended as appropriate to other uses of the electrospace.

All agencies would be kept informed of electrospace assignment actions and would have an opportunity to object if problems arose. The IRAC would now have oversight responsibility for this process, rather than day-to-day processing responsibility--one or more of the IRAC subcommittees might give close attention to particular aspects of the process.

4.3 Interdepartment Radio Advisory Committee (IRAC)

It has already been indicated that IRAC should be retained, with an oversight function over the assignment process rather than day-to-day operating responsibility. It would function as a panel of TPAC, along with other appropriate panels, such as a panel on the National Communications System. The Chairman

of the IRAC would be appointed by the Administrator of the FEA. IRAC is now and would remain an important source of information on Agency plans and requirements, and a vehicle for interagency coordination of electrospace utilization.

In the event that an electrospace assignment cannot be accommodated routinely, the IRAC would consider and make a recommendation. In case of Agency dissent from a decision regarding an electrospace assignment by the FEA staff, the decision would be reviewed by the Director of FEA, with the advice of IRAC. If the using agency desired, the FEA Director's decision on review, or any of his other actions, such as in allocations or regulation matters, could be brought before TPAC for comment and appropriate further decisions by the Assistant Secretary for Telecommunications.

4.4 Some Electrospace Management Priorities

While the coordination and advisory role of IRAC is a necessary one, it is by itself insufficient to assure developing maximum overall efficiency of use of the electrospace by the Government. The FEA will need to develop a substantial program to obtain accurate information, measures, and improved techniques for electrospace management. It will be the responsibility of the FEA to follow up on the most significant proposals for improved electrospace management arising in recent years from

studies of the President's Task Force on Communications Policy, the Bureau of the Budget, the Joint Technical Advisory Committee, the Commerce Technical Advisory Board, and other advisory groups. Some priorities, including the improved assignment process are recapitulated below.

MANAGEMENT INFORMATION SYSTEM

- Develop adequate measures of electrospac utilization.
- Obtain useful data on actual usage of electrospac to supplement bookkeeping records.
- Establish shared data base and computational processes for regional and national electrospac management system.

MANAGEMENT OPERATIONS

- Establish central Electrospac Assignment Engineering staff, supplemented gradually by regional management centers.
- Develop comprehensive computer systems for electrospac assignment engineering and records, to facilitate both central engineering assignment processes and remote access by agencies and regional management centers.
- Apply operations analysis techniques routinely to electrospac utilization to increase efficiency of use of the resource.

RESEARCH

Effective development of future electrospace utilization, for increased yield to meet growing needs and to permit new services, will depend in large part upon a first rate research program, using not only the laboratories of the new telecommunications authority, but a broad program including other government laboratories, industry, and universities.

- Operations analysis studies should be made of increasing intensive electrospace-sharing possibilities, including electromagnetic-wave considerations, and the various information transmission (modulation, coding, power, bandwidth) parameters.
- Extension of the useable electrospace to higher frequencies, i.e., millimeter waves and beyond.
- Examination of possibilities for improved standards for receivers and transmitters.
- Study of potential impact of new technology on electrospace utilization.
- Study of economic factors in electrospace allocation, e.g., "the value at the margin" of various uses of the spectrum; costs and benefits to various services,

and studies of alternatives; simulation of development of the overall system under certain policies-- such studies should be made with a view to providing in part, a valid basis for allocations or other administrative steps in electrospace management.

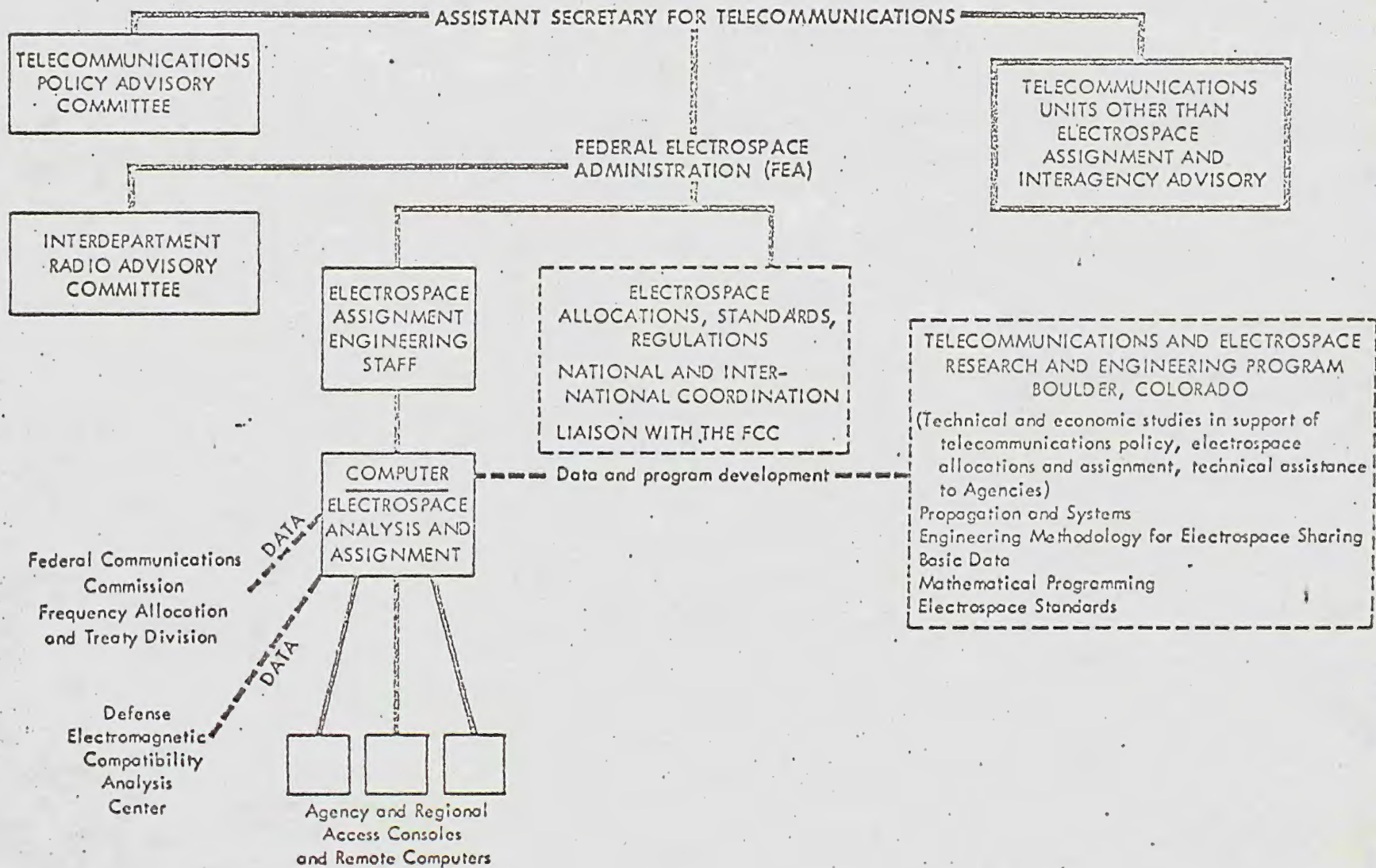
5. Review of Decisions

A process was described above for review of FEA electrospace assignment decisions upon dissent of an Agency. Similar processes would be established for review of decisions in other areas of responsibility of the new telecommunications authority. Rarely, an important issue in which there is ultimate disagreement between Agencies or between the authority and an agency, might, as at present, have to be resolved by the President. In order to assist the President in such an issue, it is desirable that he designate a staff assistant to be responsible in the telecommunications area. The Department of Commerce would recommend that such a White House Staff member be designated, and that he participate in the meetings of the Telecommunications Policy Advisory Committee and the Telecommunications Advisory Board.

Office of the Assistant Secretary
for Science and Technology
Department of Commerce

August 22, 1969

Proposed Department of Commerce Structure for **FEDERAL ELECTROSPACE ASSIGNMENT** and **INTERAGENCY ADVISORY FUNCTIONS**





THE ASSISTANT SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

DEC 8 1958

MEMORANDUM FOR MR. CLAY T. WHITEHEAD
STAFF ASSISTANT
THE WHITE HOUSE

SUBJECT: Telecommunications

It would be very helpful to us in our planning to assume greater responsibility in Telecommunications if you would establish communications for us with appropriate personnel in the Department of Defense.

Dr. Richardson of my staff is beginning to survey statutes, prepare departmental orders and plan specific organizations. I want him to confer with DoD representatives to insure that we properly take their needs into account. Will you please assist us?

A brief memo from you to me confirming your intentions would also be helpful. I must prepare budget justifications. I would also like to discuss the matter with Mr. Rooney, the chairman of our appropriations committee.

Myron Tribus

Myron Tribus



OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON 25, D. C.

20 March 1970

Mr. Clay T. Whitehead
Special Assistant to the President
Executive Office Building
Washington, D. C. 20500

Dear Mr. Whitehead:

Mr. Packard asked that the enclosed memorandum on the proposed Assistant to the Secretary of Defense (Telecommunications) be forwarded to you.

Sincerely,

A handwritten signature in cursive script, reading "James G. Boatner".

James G. Boatner
Colonel, USA

Military Assistant to the
Deputy Secretary of Defense

Enclosure
As stated

Assistant to the Secretary of Defense (Telecommunications)

I. GENERAL

Pursuant to the authority vested in the Secretary of Defense and the provisions of the National Security Act of 1947, as amended, including the DoD Reorganization Act of 1958, the position of Assistant to the Secretary of Defense (Telecommunications) is hereby established with responsibilities, functions, and authorities as prescribed herein.

II. RESPONSIBILITIES

The Assistant to the Secretary of Defense (Telecommunications) is the principal staff assistant to the Secretary of Defense on telecommunications matters. He is also the principal assistant to the Secretary of Defense for the National Communications System.

III. FUNCTIONS

Under the direction, authority and control of the Secretary of Defense, the Assistant to the Secretary of Defense (Telecommunications) shall perform the following functions:

A. General

1. Serve as principal staff assistant to the Secretary of Defense for telecommunications matters.
2. Act as DoD coordinator in the area of telecommunications, including telecommunications for, but not the function of, command and control.

3. Act as the DoD coordinator for those special telecommunications of a sensitive nature, e.g., those related to the support of intelligence functions.
4. Monitor non-telecommunications actions with respect to their impact upon telecommunications plans and programs.
5. Serve as the DoD central point of contact on telecommunications matters to organizations external to DoD.
6. Perform such other functions as the Secretary of Defense may assign.

B. National Communications System (NCS)

1. Serve as the principal assistant to the Secretary of Defense in his role as Executive Agent, NCS.
2. Coordinate as necessary with all agencies participating in the NCS.
3. Review progress in fulfilling NCS responsibilities and recommend to the Executive Agent for the NCS, as appropriate, measures for improving the NCS and for securing efficiency, effectiveness, and economy.
4. Provide for the receipt and processing of requests from any agency having requirements for service from the NCS to include determining feasibility, developing alternative methods of implementation, and recommending appropriate priorities.
5. Recommend NCS related tasks to be assigned to the Manager, NCS, or to other governmental agencies as appropriate.

C. Policy and Planning

1. Develop, coordinate and recommend DoD telecommunications policy.

2. Develop implementing directives to support approved telecommunications policy and to provide processes for telecommunications planning.
3. Serve as a member of the Defense System Acquisition Review Council.
4. Coordinate efforts within the Office of the Secretary of Defense to insure that adequate controls exist for:
 - a. The development and procurement of integrated secure means of telecommunications.
 - b. Achievement of compatibility between telecommunications systems and their related cryptomaterials.
 - c. The necessary interchange of technical information between interested agencies.
5. Serve as a central point for coordination and review of telecommunications plans of the NCS, Services and DoD agencies.

D. Programming and Budgeting

1. Coordinate and provide recommendations on program/budget policies and procedures as they relate to telecommunications.
2. Coordinate and provide recommendations on telecommunications programs, budgets, financial plans and related financial management activity.
3. Serve as principal DoD witness to testify on telecommunications programs/budgets before committees of the Congress.
4. Review NSA submissions on telecommunications security equipment and decisions with respect thereto for consistency with other telecommunications programs.

IV. SCOPE

The scope of telecommunications for which the Assistant to the Secretary of Defense (Telecommunications) has responsibility is delineated below:

A. Categories of Telecommunications

1. The Defense Communications System as defined in DoD Directive 5105.19 including transportable contingency assets for extension or restoral of the DCS.
2. Camp, post, base, and station telecommunications.
3. Fixed and/or transportable non-DCS telecommunications facilities which are not included in telecommunications equipment/systems considered to be organic to military forces/units.
4. Telecommunications equipment/systems considered to be organic to military forces/units.
5. DoD elements of the National Communications System (to the extent this category is not included in the DCS).
6. Those special telecommunications of a sensitive nature, e.g., those related to the support of intelligence functions.
7. Telecommunications security (COMSEC) equipment insofar as reviewing such matters for consistency with other telecommunications matters.
8. Telecommunications for command and control, including directly coupled displays, consoles, processors, and other terminals whose primary function is telecommunications, and special subsystems such as Minimum Essential Emergency Communications Network (MEECON).

9. Areas indicated below are specifically excluded except to the extent necessary to establish interface and radio frequency compatibility with other systems:

- a. Electronics including sensors such as radars, SIGINT (COMINT and ELINT), and electronic warfare systems.
- b. Telecommunications integral to weapons systems designed for and usually delivered with and as a part of the airplane, missile complex, ship, tank, etc., whose costs are normally included in the cost of the weapons system.

B. The responsibilities for management and operational direction of telecommunications resources will remain with the Services and the Defense Communications Agency.

V. RELATIONSHIPS

A. In the performance of his functions, the Assistant to the Secretary of Defense (Telecommunications) shall:

- 1. Coordinate actions, as appropriate, with DoD components having collateral or related functions.
- 2. Make full use of established facilities in the Office of the Secretary of Defense and other DoD components rather than unnecessarily duplicating such facilities.
- 3. Maintain active liaison for the exchange of information and advice with DoD components as appropriate.

B. The heads of all Department of Defense components and their staffs shall cooperate fully with the Assistant to the Secretary of Defense (Telecommunications) and his staff in a continuous effort to achieve efficient

administration of the DoD and to carry out effectively the direction, authority, and control of the Secretary of Defense.

VI: AUTHORITIES

The Assistant to the Secretary of Defense (Telecommunications), in the course of exercising staff functions, is hereby specifically delegated authority to:

- A. Issue instructions and one-time directive-type memoranda, in writing, appropriate to carrying out policies approved by the Secretary of Defense for his assigned fields of responsibilities in accordance with DoD Directive 5025.1. Instructions to the military departments will be issued through the Secretaries of the departments or their designees.
- B. Obtain such reports and information and assistance from the military departments and other DoD agencies as may be necessary to the performance of his assigned functions.
- C. Communicate directly with the Secretaries of the military departments, the Joint Chiefs of Staff, the Directors of the Defense Agencies and the Director, National Security Agency.
- D. Establish arrangements for DoD participation in those non-defense governmental programs for which he has been assigned primary staff cognizance.
- E. Communicate directly with all governmental agencies participating with DoD in those non-defense governmental programs for which he has been assigned primary staff cognizance.
- F. Establish procedural arrangements for the discharge of over-all responsibilities of the Executive Agent for the NCS.

- G. Request such reports, information and assistance from governmental agencies participating in the NCS, as may be necessary.
- H. Communicate directly with all governmental agencies participating in the NCS and, after appropriate clearance, with representatives of other nations on NCS matters.

VII. EFFECTIVE DATE

This directive is effective immediately. Necessary follow-on organizational and implementing actions will be taken as rapidly as possible. Whenever the Assistant to the Secretary of Defense (Telecommunications) assumes responsibility for a function assigned him under the terms of this directive, all DoD Components will review their existing directives, instructions, and other issuances for conformity. Two copies of all publications issued in implementation shall be forwarded to the Assistant Secretary of Defense (Administration) within 60 days for record purposes.