



DEPARTMENT OF THE NAVY

CHIEF INFORMATION OFFICER  
1000 NAVY PENTAGON  
WASHINGTON, DC 20350-1000

30 November 2006

MEMORANDUM FOR DEPARTMENT OF THE NAVY DEPUTY CHIEF INFORMATION  
OFFICER (NAVY)  
DEPARTMENT OF THE NAVY DEPUTY CHIEF INFORMATION  
OFFICER (MARINE CORPS)

Subj: RADIO FREQUENCY AUTHORIZATION (RFA)

This memorandum provides guidance and justification for exemption of Radio Frequency Authorization (RFA) information pursuant to the Freedom of Information Act (FOIA).

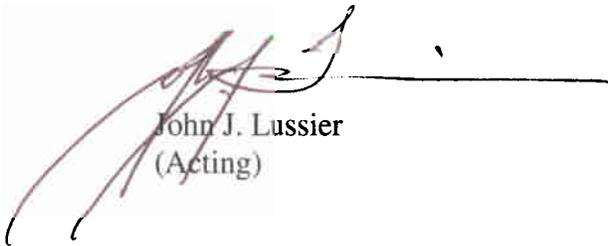
The RFAs contained in the Government Master File (GMF) are withheld pursuant to Exemption 1, in the interest of national security, and Exemption 2, in that the records are related solely to internal personnel and practices.

With respect to Exemption 1, disclosure of RFAs could compromise the telecommunications networks of the United States. Although most of the RFAs are unclassified per se, lists of unclassified frequency assignment records in a given area can be classified under the provisions of Sections 1.5(a), 1.5(c), 1.5(e), and 1.5(f) of Executive Order 12958 of April 20, 1995 (attachment 1) as RFAs en toto provide sufficient information which could lead to disclosure of military operations, intelligence activities, scientific and technological matters, including vulnerabilities or capabilities of systems, which all relate to national security. RFAs, when compiled, can indicate the overall strategic telecommunications capabilities of the United States and their disclosure could cause damage to national security. Accordingly, RFAs must be appropriately handled.

With respect to Exemption 2, case law provides protection to information concerning vital communication systems and analogous information for internal security purposes. Institute for Policy Studies v. Department of the Air Force, No. 87-0916 (D.D.C. October 9, 1987), and Hall v. United States Department of Justice, et. al., No. 87-0474 (D.D.C. March 8, 1989). Specifically, RFAs are prepared for internal use and their distribution is appropriately limited even within the Department of the Navy (DON). RFAs are provided to DON on classified CD-ROMs and are required to be logged and secured in classified repositories. Accordingly, the RFAs are used solely for internal purposes relating to the operation of DON systems.

FOIA's Exemption 1 and Exemption 2 provisions are applicable to all DON RFAs. There are no reasonably non-exempt portions of the RFAs which may be disclosed as exempt and non-exempt information is inextricably intertwined. All DON RFAs are to be marked as exempt from release to the public under FOIA.

My point of contact for this policy is Mr. Thomas Kidd, Director, Department of the Navy Strategic Spectrum Plans and Policy, [thomas.kidd@navy.mil](mailto:thomas.kidd@navy.mil).

  
John J. Lussier  
(Acting)