

Federal Communications Commission

§2.104

the Commission does not intend to seek international protection for assignments made pursuant to paragraphs (h) (1)(ii) and (2) of this section; this results in the following constraints upon the circuits/assignments.

(i) The Commission will not accept responsibility for protection of the circuits from harmful interference caused by foreign operations.

(ii) In the event that a complaint of harmful interference resulting from operation of these circuits is received from a foreign source, the offending circuit(s) must cease operation on the particular frequency concerned.

(iii) In order to accommodate the situations described in paragraphs (h)(3) (i) and (ii) of this section, equipments shall be capable of transmitting and receiving on any frequency in the bands assigned to the particular operation and capable of immediate change among the frequencies.

[49 FR 2373, Jan. 19, 1984, 70 FR 46585, Aug. 10, 2005]

§2.103 Federal use of non-Federal frequencies.

(a) Federal stations may be authorized to use non-Federal frequencies in the bands above 25 MHz (except the 764–776 MHz and 794–806 MHz public safety bands) if the Commission finds that such use is necessary for coordination of Federal and non-Federal activities: Provided, however, that:

(1) Federal operation on non-Federal frequencies shall conform with the conditions agreed upon by the Commission and NTIA (the more important of which are contained in paragraphs (a)(2), (a)(3) and (a)(4) of this section);

(2) Such operations shall be in accordance with Commission rules governing the service to which the frequencies involved are allocated;

(3) Such operations shall not cause harmful interference to non-Federal stations and, should harmful interference result, that the interfering Federal operation shall immediately terminate; and

(4) Federal operation has been certified as necessary by the non-Federal licensees involved and this certification has been furnished, in writing, to the Federal agency with which communication is required.

(b) Federal stations may be authorized to use channels in the 764–776 MHz, 794–806 MHz and 4940–4990 MHz public safety bands with non-Federal entities if the Commission finds such use necessary; where:

(1) The stations are used for interoperability or part of a Federal/non-Federal shared or joint-use system;

(2) The Federal entity obtains the approval of the non-Federal (State/local government) licensee(s) or applicant(s) involved;

(3) Federal operation is in accordance with the Commission's Rules governing operation of this band and conforms with any conditions agreed upon by the Commission and NTIA; and

(4) Interoperability, shared or joint-use systems are the subject of a mutual agreement between the Federal and non-Federal entities. This section does not preclude other arrangements or agreements as permitted under part 90 of the rules. See 47 CFR 90.179 and 90.421 of this chapter.

[63 FR 58650, Nov. 2, 1998, as amended at 68 FR 38638, June 30, 2003; 70 FR 46586, Aug. 10, 2005]

§2.104 International Table of Frequency Allocations.

(a) The International Table of Frequency Allocations is subdivided into the Region 1 Table (column 1 of §2.106), the Region 2 Table (column 2 of §2.106), and the Region 3 Table (column 3 of §2.106). The International Table is included for informational purposes only.

(b) *Regions*. For the allocation of frequencies the International Telecommunication Union (ITU) has divided the world into three Regions¹ as shown in Figure 1 of this section and described as follows:

(1) *Region 1*. Region 1 includes the area limited on the east by line A (lines A, B and C are defined below) and on the west by line B, excluding any of the territory of the Islamic Republic of Iran which lies between these limits. It also includes the whole of the territory of Armenia, Azerbaijan, the Russian

¹It should be noted that where the words "regions" or "regional" are without a capital "R," they do not relate to the three Regions here defined for purposes of frequency allocation.