



**United States
Department of
Agriculture**

**Office of the
General
Counsel**

**Washington,
D.C.
20250-1400**

December 4, 2023

Ms. Catherine McMullen
Chief, Disclosure Unit
U.S. Office of Special Counsel
1730 M Street, NW, Suite 218
Washington, DC 20036

ATTN: David Tuteur
Attorney, Disclosure Unit

SUBJECT: Whistleblower Complaint – Chattahoochee-Oconee National Forests
OSC File Nos. DI-23-00278 and DI-23-001057
OSC Referral to United States Department of Agriculture
Office of the General Counsel (USDA-OGC)

Dear Ms. McMullen:

Pursuant to your Agency's request, USDA-OGC has continued to investigate the whistleblower complaint filed by Forest Service law enforcement officer Jason Arrowood alleging the failure of the USDA's United States Forest Service (FS) to provide land mobile radio communications for the agency's law enforcement officers serving the Chattahoochee-Oconee National Forests in Georgia.

The investigation was conducted by Attorneys Judith McKenzie-Abraham of USDA-OGC's Atlanta Office and Ellen Hornstein of USDA-OGC's Washington Office. Enclosed please find the updated report of the investigation, including relevant attachments.

The updated report shows that the complex issues involved in the complaint have nearly been resolved. We have been assured by the FS that all Georgia LEOs will have operable radios that will be able to connect to emergency services throughout the area of responsibility by the end of January 2024. As a stopgap measure, the FS has offered satellite telephones for emergency communications to the Georgia LEOs and provided them to the three Georgia LEOs who wanted them. We therefore respectfully request that the matter be closed.

If you have any questions or require additional information, please do not hesitate to contact Ms. McKenzie-Abraham or Ms. Hornstein at 470-716-0751 or 202-720-2619, respectively.

Sincerely,

INGA BUMBARY-LANGSTON
Deputy General Counsel

cc: Thomas J. Vilsack, Secretary of Agriculture
Mary Beth Schultz, Principal Deputy General Counsel
Randy Moore, Chief, The Forest Service

INVESTIGATION OF WHISTLEBLOWER COMPLAINT INVOLVING FAILURE TO PROVIDE RADIO COMMUNICATIONS TO UNITED STATES FOREST SERVICE LAW ENFORCEMENT OFFICERS IN THE CHATTAHOOCHEE-OCONEE NATIONAL FORESTS

Prepared by

Judith McKenzie-Abraham, USDA Office of the General Counsel (USDA-OGC), Atlanta
Ellen R. Hornstein, Senior Counsel, USDA-OGC, Washington, DC

Updated December 1, 2023

I. SUMMARY OF WHISTLEBLOWER COMPLAINT

A United States Department of Agriculture, United States Forest Service (FS), law enforcement officer (LEO) assigned to the Chattahoochee-Oconee National Forests (CONF) in Georgia filed a whistleblower complaint with the U.S. Office of Special Counsel (OSC) regarding the failure of the FS's Law Enforcement and Investigations Staff (LEI) in the Southern Region (R8) to provide adequate land mobile radio (radio) communications to the LEOs in Georgia as required by FS directives in Forest Service Manual (FSM) 5385.4. The whistleblower alleged that LEOs in Georgia have not had sufficient radio coverage since 2018 and have been serving in their areas of responsibility (AORs) since that time without the ability to perform their jobs properly and safely.¹

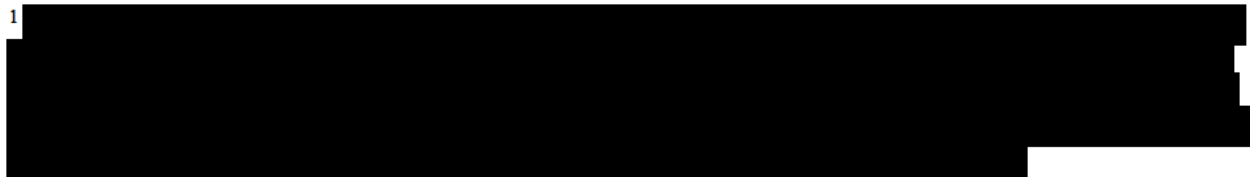
On March 7, 2023, in lieu of referral to the Secretary of Agriculture, OSC referred the Complaint to USDA-OGC for informal investigation and resolution pursuant to 5 U.S.C. § 1213. Judith McKenzie-Abraham in USDA-OGC's Atlanta Office and Ellen Hornstein in USDA-OGC's Washington, DC, Office have been assigned to conduct the investigation of the Complaint and draft the report of the investigation. Subsequently, after another whistleblower made similar allegations, on September 25, 2023, OSC referred the complaints to USDA for investigation and reports of investigation.

II. APPLICABLE LEGAL REQUIREMENTS AND RESPONSIBILITIES

A. FS Chief Information Office

The Federal Information Technology Acquisition Reform Act (FITARA), Title VIII, Subtitle D, of the National Defense Authorization Act for Fiscal Year 2015, Pub. L. No. 113-291, was enacted December 19, 2014. FITARA provides for a government-wide software

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purchasing program with a goal of eliminating or reducing information technology waste in the federal government.

Under FITARA, the FS's Chief Information Office (CIO) became responsible for the purchase, servicing, and maintenance of all information technology for the FS, including LEI radios, which are the responsibility of the CIO's Land Mobile Radio Program (LMR). Before enactment of FITARA, LEI was responsible for the purchase, servicing, and maintenance of LEI radios.

The LMR is responsible for purchasing radio equipment and radio equipment firmware and software needed for the FS to access state and local radio systems; for programming radio equipment needed by the FS with the requisite firmware and software; and for installing the radio equipment in LEOs' law enforcement vehicles.

The type of radio equipment and radio equipment firmware and software needed to access state and local radio systems vary depending on the digital protocol used by the systems. For example, a radio system may employ the Nexedge protocol, which is a proprietary digital narrow banding protocol used primarily by Kenwood radios; the Mototrbo protocol, which is a proprietary digital protocol used by Motorola radios; or the Project 25 protocol, which includes a suite of standards for interoperable digital two-way radio products. The Project 25 protocol was developed for public safety applications. Although the Nexedge and Mototrbo protocols are used for public safety purposes, they were not designed for those purposes.

The LMR is responsible for obtaining a radio frequency authorization (RFA) from the National Telecommunications and Information Administration (NTIA) for FS use of each frequency on state and county conventional radio systems, which have a dedicated frequency for each set of users. For the LMR to obtain an RFA for a state or county frequency, the frequency must have a valid license from the Federal Communications Commission (FCC).

The LMR also coordinates agreements for FS access to state and local trunking radio systems, which use a pool of channels that are available to many different sets of users and typically operate at 700 to 800 megahertz (MHz). For example, the LMR worked with LEI in the FS's Alaska Region to execute an agreement with the State of Alaska for LEI to have access to the State's trunking radio system. FCC licenses and RFAs are not required for the FS to use frequencies on state and local trunking radio systems.

B. LEI

FSM 5385.4, Communication Equipment for Law Enforcement Vehicles, states:

Special agents in charge (SACs) shall ensure that field-going special agents and law enforcement officers possess sufficient radio equipment to ensure 24-hour direct communication with either Forest Service dispatchers or adjacent cooperating law enforcement agencies within the predominant area of operation.

The SAC shall ensure that the installation, type of radios, and frequencies utilized by law enforcement personnel within the region are standardized (FSM 5385.04b).

Radio frequencies for law enforcement are managed by the regional/national frequency manager (FSM 6640.42). Keep these frequencies confidential and unpublished. See FSM 6641.36 for the policy on programming frequency synthesized radios.

The FS does not have its own radio dispatch services for law enforcement. The FS's radio dispatch services are for firefighting. The FS's firefighting radio dispatch services are available only during business hours, not during evenings or on weekends and holidays, and only during fire season in the southeast. Moreover, FS firefighting dispatch service personnel lack the training and equipment necessary to access public safety criminal justice systems such as the national Criminal Justice Information System (CJIS), which are necessary to perform law enforcement checks or functions. To have adequate, round-the-clock radio communications, LEOs must have access to state and county radio frequencies. Access to state and county radio frequencies gives LEOs access to the CJIS and the ability to hear incident reports, communicate directly with a state or county agency when responding to an incident, verify license plates, perform background checks, and request assistance from the closest state or local law enforcement personnel. LEI refers to all these communications and information functions as law enforcement dispatch services.

For LEOs to have access to a particular state or county radio frequency, the relevant SAC must ensure that the LEOs have the requisite radio equipment for that frequency, with the requisite radio firmware and software, installed in their law enforcement vehicles. The relevant SAC must coordinate with the regional FS frequency manager, LMR, spectrum management, to ensure that these requirements are met.

For LEOs to have access to a particular state or county radio frequency on a conventional radio system, the relevant SAC also must execute an agreement with that state or county using FS Grants and Agreements form FS-1500-15A, Memorandum of Understanding for Cooperative Frequency Use. For LEOs to have access to a particular state or county radio frequency on a trunking radio system, the relevant SAC must execute an agreement with the system operator and an agreement with each state agency and county in LEOs' AORs that is on the system. The SAC needs to coordinate with the regional G&A Staff (G&A) in executing form FS-1500-15A and agreements for access to a trunking radio system. Georgia has multiple trunking radio systems covering multiple counties. Access to some trunking radio systems requires payment of a fee. The amount of the fee varies.

For conventional radio systems, the relevant SAC must coordinate with the regional FS frequency manager, LMR, spectrum management, to ensure a valid FCC license is on file before requesting an RFA from the NTIA for each state or county radio frequency to be used by that SAC's LEOs on a conventional radio system. The SAC is also responsible for coordinating with the regional FS frequency manager, LMR, spectrum management, to execute any agreements with states or counties and the system operator for FS access to their trunking radio systems. The

SAC is responsible for ensuring LEOs in the SAC's region take any training required for access to their state's portal to the CJIS.

In addition to FS access to state and county radio frequencies, FS use of state and county dispatch services requires a separate agreement between the affected state agency or county and the FS. State agencies and counties may charge a fee for their dispatch services. The relevant SAC is responsible for executing agreements for FS use of state and county dispatch services.

C. G&A

The Washington Office of G&A is responsible for maintaining form FS-1500-15A, including ensuring compliance with the Paperwork Reduction Act and coordinating with LEI regarding needed revisions to the form. The regional offices of G&A are responsible for working with SACs on execution of form FS-1500-15A and agreements for FS use of trunking radio systems and maintaining a record of all executed forms FS-1500-15A and executed agreements for FS use of state and local trunking radio systems.

III. FACTS

Currently there are a patrol captain, three LEOs, and one LEO trainee assigned to the CONF. Though on its face the Complaint references a lack of radio support only in the CONF in Georgia, it became clear early in the investigation that the issue also involves the national forests in South Carolina.²

We conducted numerous interviews³ to assess the validity of the allegations made by the whistleblower, the steps being taken to address them, and the best means to ensure the LEOs in Georgia are provided the radio support they need. The interviewees were speaking from their individual perspectives and in some cases without the benefit of relevant information possessed by other interviewees. Few interviewees were engaged in the matter from beginning to end, which also presented challenges to us in compiling a complete and accurate record of events. The facts in this report reflect our best efforts to reconcile any conflicting information.

From the inception of this issue, R8 LEI managers at all levels have had insufficient information as to the level and type of radio support the Georgia LEOs required and possessed. The insufficient information arose from a failure to identify and address radio frequency changes

² A separate whistleblower complaint has been filed by an LEO in South Carolina. That complaint was formally referred to the Secretary of Agriculture for investigation, findings, and corrective action, if necessary, on September 11, 2023. The Secretary of Agriculture referred that complaint to USDA-OGC for investigation.

³ Interviews were conducted with the Assistant Director, Enforcement and Liaison, LEI; the Deputy Director, LEI; the R8 SAC; the R8 Patrol Commander; the whistleblower LEO, CONF; LEO #1, CONF; LEO #2, CONF; the Branch Chief, LMR, Program Management, CIO; the Branch Chief, Technical Services, Spectrum Management, CIO; the LEI LMR Program Manager, LMR Program Management, CIO; the Electronics Technician, LEI LMR Support, LMR Program, CIO; the Telecommunications Manager, R8, CIO; and the R8 Director, G&A.

in Georgia counties; unfamiliarity with current FS authority, roles, and responsibilities for land mobile radio, resulting in a lack of coordination between R8 LEI and LMR at the regional and national levels regarding the purchasing, programming, and installation of the requisite radio equipment, ensuring the requisite FCC licenses are on file, and obtaining the requisite RFAs from the NTIA; and a lack of coordination between R8 LEI and R8 G&A regarding maintaining and updating form FS-1500-15A for R8 LEI access to frequencies on state and county conventional radio systems and executing agreements for trunking radio systems in Georgia.

All parties interviewed during this investigation agree that the situation in Georgia is unusual due to the large number of state and local cooperators in Georgia LEOs' AORs. There are 29 cooperators—28 counties and Georgia Department of Natural Resources (DNR)—that cover National Forest System lands in Georgia. Further complicating the situation, DNR and county radio communications in Georgia use a mix of conventional and trunking radio systems with multiple protocols (including Nexedge, Mototrbo, and Project 25) covering the very high frequency (VHF), ultra-high frequency (UHF), and 700 to 800 MHz frequency spectra. For the LEOs to perform their jobs properly and safely, they must be able to communicate with DNR and counties in their AORs on these radio systems, and they must have access to state or county dispatch services in their AORs.

It is unclear when cooperators in Georgia began to transition from analog radio systems to digitally encrypted radio systems. There was no uniformity in the radio systems acquired by the cooperators. LEOs in Georgia began to report reductions in communications from that transition in approximately 2018 or earlier. The FS radios used by these LEOs were unable to operate on the new state and local radio systems, and the LEOs' radio support from cooperators gradually ceased.

As DNR and more and more counties converted to digital systems, the Complaint alleges that the LEOs in Georgia notified their managers and supervisors of the need for upgrades and that their requests were ignored. On March 13, 2022, the whistleblower emailed the Patrol Captain, [REDACTED] immediate supervisor, to express concern regarding the lack of radio coverage after DNR and counties began upgrading their radio systems and to suggest options for obtaining new radios that could communicate with the state and local digital radio systems. The email highlighted the dangerous conditions under which Georgia LEOs were operating because of little or no access to cooperators' radio frequencies. The whistleblower also communicated [REDACTED] concerns to multiple Forest Supervisors on March 17, 2022. The Forest Supervisors contacted the Patrol Captain to offer assistance with purchasing radios for LEOs in the CONF.

After the President of Local 5300 of the National Federation of Federal Employees, was engaged and made inquiries into the matter in April 2022, the Electronics Technician, LEI, CIO, LMR Program Management, was asked to work on the issue. On May 12, 2022, the Patrol Commander and Electronics Technician discussed obtaining six radios for LEOs in the CONF. The Electronics Technician told the Patrol Commander that only two radios could be purchased. The possibility of the Forest Supervisors' purchasing the radios was explored but ruled out due to FITARA requirements that all radios be procured by CIO.

Later in May 2022, CIO purchased six Kenwood radios for LEOs in Georgia. The purchased Kenwood radios required a software package for programming that was specific to the FS. The purchase order for the radios was subject to the requirements in FITARA. Eventually, the purchase order was processed, but the arrival of the shipment was delayed by microchip shortages and international supply chain issues associated with the COVID-19 pandemic.

Due to the delay in the shipment, the Assistant Director, Enforcement and Liaison, LEI, was engaged to assist with locating suitable radios from other FS regions. On August 9, 2022, the Electronics Technician noted that six radios in the FS's Pacific Northwest Region (R6) had been located and would be shipped to a third-party contractor, Mountain Communications (MC), for programming. The Electronics Technician noted that LEI would have to purchase cables for the radios. There was uncertainty whether one radio could be obtained that would be able to communicate with all cooperators in Georgia LEOs' AORs.

Upon receipt of the R6 radios, it was discovered that the shipment did not include the wiring or programming harnesses necessary for final installation. MC began programming one of the R6 radios upon receipt as state and county frequencies had already been provided by R8 LEI. On August 25, 2022, the Assistant Director, Enforcement and Liaison, LEI, conducted a meeting with R8 LEI to discuss the radio issue in R8. The whistleblower, LEI, and the Deputy Director, LEI, were included in the meeting. The meeting helped to update the Assistant Director, Enforcement and Liaison, LEI, and the Deputy Director, LEI, on R8 radio communications.

The shipment of purchased radios arrived in January 2023. As the necessary equipment for programming and installing the R6 radios was missing, the R6 radios were returned, and programming of the purchased radios was attempted. The purchased Kenwood radios were factory-set for FS firmware, rather than commercial firmware. Georgia cooperators were using Kenwood radios with commercial firmware. MC could not therefore easily transfer the program for the state and local radio systems, known as a code plug, into the purchased FS radios' firmware. The installation would have required MC to rewrite the code plug, which MC was unwilling to undertake.

As a result, CIO was forced to find a third set of radios for the LEOs in Georgia. Surplus commercial Kenwood radios that could be programmed with commercial software were located in the FS's Eastern Region (R9) and arrived within a week. Though the commercial Kenwood radios were obtained around March 2023, as of May 26, 2023, they still had not been programmed.

In conjunction with the programming of the third set of radios, R8 LEI must execute form FS-1500-15A with each cooperator (DNR and county) in Georgia LEOs' AORs with radio frequencies on a conventional radio system. R8 G&A had no record of any existing or expired executed forms FS-1500-15A for cooperators in Georgia. R8 LEI must also coordinate with R8 LMR to ensure that a valid FCC license and an RFA are on file for these state and county radio frequencies. R8 LEI must ensure that Georgia LEOs take the training required for access to Georgia's portal to the CJIS and that one or more dispatch service agreements covering Georgia LEOs' AORs are executed.

IV. CONCLUSIONS

A. Requirements for Fully Operational Radio Communications in Georgia

For Georgia LEOs to have fully operational radio communications in their AORs:

1. Georgia LEOs must have radio equipment with radio firmware and software (radio equipment) that is compatible with conventional and trunking radio systems used by Georgia cooperators in the LEOs' AORs, hereinafter referred to as "radio systems."
2. The frequencies on the radio systems (radio frequencies) must be verified and programmed into Georgia LEOs' radio equipment.
3. The radio equipment must be installed in Georgia LEOs' law enforcement vehicles.
4. Form FS-1500-15A or trunking radio system agreements that cover each of the radio frequencies must be executed.
5. A valid FCC license and an RFA must be on file for each of the radio frequencies on a conventional radio system.
6. Georgia LEOs must take the training required for access to Georgia's portal to the CJIS.
7. One or more dispatch service agreements covering Georgia LEOs' AORs must be executed.

B. Compliance with FSM 5385.4

Through our investigation, we determined that Georgia LEOs have been without radio communications required to perform their jobs properly and safely. In the Complaint, the whistleblower alleges that R8 LEI is not in compliance with FSM 5385.4. Our evaluation of compliance with the FS directive considers the entire period reflected in the Complaint. During that period, there were deficiencies in the radio communications supporting each LEO referenced in the Complaint.⁴

During our investigation, it was clear that a lack of communication among affected FS staffs compounded the problem. Once USDA-OGC got involved, the FS moved more quickly towards resolving the issue. As appropriate staffs engaged, progress began to be made. Obstacles were identified and started to be overcome, and towards the end of our investigation, LEI, CIO, and G&A started working collaboratively to address outstanding concerns.

⁴ As of March 13, 2022, the whistleblower was relying on a cellular telephone for 99% of emergency communications. Most of [REDACTED] AORs do not have cellular service. In some situations, he had no ability to radio for help and had to drive to areas with cellular coverage to request assistance.

As of June 1, 2023, LEO #2, CONF, had only one of five counties in [REDACTED] AORs with 24/7 radio support. All others had moved to a digital platform.

As of March 21, 2023, LEO #1, CONF, had communications with only three of eight counties in [REDACTED] AORs. He had communications with Putnam County only because the County loaned him a radio until a FS radio was installed. He had no communications with the State, and FS frequencies had not been updated since 2017.

Since our June 7, 2023, report was submitted, the FS has made great strides toward resolution of the issues involved in the Complaint and is much closer to full compliance with FSM 5385.4 in Georgia. This progress is due to weekly reports required from CIO and R8 LEI on steps taken to address remaining issues and elevation of resolution of the Complaint to the Washington Office of LEI on August 31, 2023. On September 11, 2023, the Washington Office of LEI assigned the Assistant Director, Enforcement and Liaison, LEI, to lead resolution of the remaining issues raised by the Complaint.

C. Resolution of Remaining Issues Involved in the Complaint

1. Acquisition of Satellite Telephones

As a stopgap measure, the Assistant Director, Enforcement and Liaison, LEI, offered satellite telephones for emergency communications to the Georgia LEOs and acquired and provided them to the three Georgia LEOs who wanted them. A replacement battery is being acquired for one of the satellite telephones. The three satellite telephones have been activated. In addition, one Georgia LEO has a radio loaned by a cooperator that works for most of the LEO's AOR.

2. Requisite Radio Equipment with Requisite Radio Firmware and Software

The requisite radio equipment for use of frequencies on state and local conventional radio systems in Georgia LEOs' AORs has been installed in all Georgia LEOs' law enforcement vehicles. The radio equipment that has been installed is multideck, meaning it can accommodate VHF, UHF, and 800 MHz frequencies.

The requisite radio firmware and software for use of frequencies on state and local conventional radio systems in Georgia LEOs' AORs have been uploaded onto one Georgia LEO's multideck radio equipment and are being field tested. The FS has identified issues with the software (code plug) on the multideck radio equipment and is working on resolving those issues.

In the meantime, the FS will try installing the code plug from a cooperator's single deck radio equipment, which can accommodate only VHF frequencies, onto FS single deck radio equipment. The FS believes the cooperator's code plug is regional and will work in 90% of Georgia LEOs' AORs. The FS will continue to resolve the issues with the code plug on the multideck radio equipment because it is needed to access UHF frequencies on conventional radio systems and 800 MHz frequencies on trunking radio systems. The FS anticipates that the multideck radio equipment will be fully operational by the end of January 2024.

3. Executed Form FS-1500-15A

Form FS-1500-15A has been executed for 27 of the 28 counties in Georgia LEOs' AORs. The FS is awaiting signature of form FS-1500-15A by the remaining county and anticipates that the form will be signed by mid-December 2023. The FS already has access to that county's frequency on a trunking radio system.

The FS is awaiting signature of Form FS-1500-15A by DNR for emergency access to its legacy conventional VHF radio system.

4. FCC Licenses and Other County-Specific Access Issues

Three of the twenty-eight counties in Georgia LEOs' AORs do not have a current FCC license for their radio frequencies, and their frequencies are not on a trunking radio system. Therefore, the FS is unable to obtain an RFA for those frequencies. The FS is working with the three counties regarding their expired FCC licenses so that the FS can obtain an RFA for use of their frequencies.

In reviewing executed forms FS-1500-15A, the FS has identified inconsistencies between the frequencies listed in the forms and the frequencies in use for multiple counties in Georgia. The FS is awaiting clarification on the frequencies from the counties in question and will make any corrections to the forms as needed.

One Georgia county will not release its frequencies to the FS. However, the county will allow the FS to use the county's staff or approved vendors to program the county's frequencies onto FS radios. The FS anticipates that the programming will occur by mid-December 2023.

Another Georgia county uses an obsolete system for which even the county cannot obtain new radios. The county is transitioning to a modern Project 25 system in the next 24 months and in the interim has provided the one LEO who works in that county with a radio that works on the county's existing system.

5. Executed Trunking Radio System Agreements

There are three trunking radio systems in Georgia: Tennessee Valley Community Radio System (TVCRS), Oconee Area-Wide Radio System (OARS), and Georgia State-Wide SouthernLinc LTE System (Southern Linc).

TVCRS is an 800 MHz Project 25-compliant system that covers three counties in Georgia LEOs' AORs. The FS has the radios needed to access the system and has had needed maintenance performed on them. The FS needs to verify whether the radios need a firmware update to work on the system. If so, the FS will have them reprogrammed. The FS has submitted an agreement for access to TVCRS. In November 2023, TVCRS's governing board will vote on the agreement. The FS anticipates it will have access to the system by mid-December 2023.

OARS is an 800 MHz Project 25-compliant system that covers two other counties in Georgia. The radio equipment needed to access the system is likely in LEI's inventory. The FS is awaiting system specifications and requirements to determine whether firmware updates to the radio equipment are needed for compatibility with OARS. The FS currently has an agreement for access to one county's frequencies on OARS and is not paying a fee for that access. The FS has submitted an agreement to the other county for access to its frequencies on either OARS or the

county's conventional radio system. The FS anticipates it will have access to the second county's frequencies in January 2024.

SouthernLinc is a statewide cellular (LTE) system that commenced deployment in September 2023. Radios needed to access the system are being distributed to Georgia officers for testing and use. Full deployment is anticipated by late spring 2024. The system is designed to connect seamlessly to all other radio systems in Georgia via patches. Counties must agree to have their radio systems added to SouthernLinc and must agree to allow others to access their frequencies on SouthernLinc. It may not be necessary for the FS to access the other two trunking radio systems in Georgia if the counties on those systems are added to SouthernLinc and the coverage on SouthernLinc is good. Use of SouthernLinc requires a triband and LTE radio, which would need to be acquired by the FS. The FS plans to purchase the requisite radios through SouthernLinc after obtaining access to the system and verifying that the radio equipment needed to access the system has not changed. The FS anticipates maintaining forms FS-1500-15A for counties in Georgia LEOs' AORs even after the FS has access to SouthernLinc because there may be dead zones in some areas on that system, particularly on National Forest System lands in northern Georgia.

6. Completion of Required Training

To access CJIS through Georgia's portal, Georgia LEOs must take a five-hour training course. The FS is working on scheduling the requisite training for Georgia LEOs and will ensure that any required documentation of completed training is submitted to Georgia.

7. Executed Dispatch Service Agreements

The FS has submitted a request for dispatch services on SouthernLinc to the Georgia Department of Public Safety. If this request is approved, Georgia LEOs would have full dispatch services statewide. The FS hopes to have approval of the request in January 2024.

In the interim, during the week of November 6, 2023, Washington Office LEI staff met in person with at least seven cooperators in Georgia that are willing to execute dispatch service agreements with the FS. The FS is awaiting copies of the appropriate Georgia Bureau of Investigation forms to document these agreements. Once the forms are received, the FS will complete them and submit them for approval by the cooperators. The FS anticipates execution of these agreements in early December 2023.

D. Estimated Date of Resolution of All Issues

The FS estimates that all the issues involved in the Complaint will be 90% resolved by the end of January 2024.

The FS will continue to work with affected Georgia cooperators to address any remaining issues raised by the Complaint, including those identified above and those that may arise as cooperators continue to transition to new radio systems.

The FS is now a member of the Federal Partnership for Interoperable Communications (FPIC), which serves as a coordinating and advisory body for addressing technical and operational wireless issues relative to interoperability in the public safety emergency communications community. FPIC interfaces with representatives from federal, state, local, territorial, and Tribal organizations. The FS is using FPIC resources to assist in finding solutions to remaining interoperability issues in Georgia.

In addition, CIO and LEI will continue to report weekly to USDA-OGC on their progress in addressing any remaining issues involved in the Complaint until they are fully resolved to the extent practicable. CIO and LEI will ensure that the requisite staff maintain radio communications for Georgia LEOs consistent with FSM 5385.4.