

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Parts 2 and 15**

[GN Docket No. 12–268; FCC 14–50]

**Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions****AGENCY:** Federal Communications Commission.**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** On August 15, 2014, the Commission released a Report and Order, “Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions.” This document announces an effective date for several sections in the final regulations that appeared in the **Federal Register** on August 15, 2014 (79 FR 48442).

**DATES:** 47 CFR 2.1033(c)(19)(iii); 15.713(b)(2)(iv) and 15.713(h)(10), published in the **Federal Register** on August 15, 2014 (79 FR 48442) are effective December 11, 2014.

**FOR FURTHER INFORMATION CONTACT:** Nancy Brooks, Office of Engineering and Technology, (202) 418–2454 or email [Nancy.Brooks@fcc.gov](mailto:Nancy.Brooks@fcc.gov).

**SUPPLEMENTARY INFORMATION:****Background**

The final regulations that are the subject of this document relate to “Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions” under the dates section for §§ 2.1033(c)(19)(iii); 15.713(b)(2)(iv) and 15.713(h)(10) of the rules.

**Need for Correction**

As published, the **DATES** section contains errors, which may prove to be misleading.

In the **DATES** section of the **Federal Register** §§ 2.1033(c)(19)(iii); 15.713(b)(2)(iv) and 15.713(h)(10) were inadvertently listed with sections that were not yet effective. These sections do not contain new or modified information collection requirements that require approval by the Office of Management and Budget.

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

[FR Doc. 2014–28896 Filed 12–10–14; 8:45 am]

BILLING CODE 6712–01–P

**DEPARTMENT OF COMMERCE****National Telecommunications and Information Administration****47 CFR Part 300**

[Docket Number: 141201999–4999–01]

RIN 0660–AA28

**Revision to the Manual of Regulations and Procedures for Federal Radio Frequency Management****AGENCY:** National Telecommunications and Information Administration, U.S. Department of Commerce.**ACTION:** Final rule.

**SUMMARY:** The National Telecommunications and Information Administration (NTIA) is making certain changes to its regulations relating to the public availability of the Manual of Regulations and Procedures for Federal Radio Frequency Management (NTIA Manual). Specifically, NTIA is releasing an update to the current edition of the NTIA Manual, with which federal agencies must comply when requesting use of radio frequency spectrum.

**DATES:** This regulation is effective on December 11, 2014. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of December 11, 2014.

**ADDRESSES:** A reference copy of the NTIA Manual, including all revisions in effect, is available in the Office of Spectrum Management, 1401 Constitution Avenue NW., Room 1087, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** William Mitchell, Office of Spectrum Management at (202) 482–8124 or [wmitchell@ntia.doc.gov](mailto:wmitchell@ntia.doc.gov).

**SUPPLEMENTARY INFORMATION:****Background**

NTIA authorizes the U.S. Government’s use of radio frequency spectrum. 47 U.S.C. 902(b)(2)(A). As part of this authority, NTIA developed the NTIA Manual to provide further guidance to applicable federal agencies on the use of the radio frequency spectrum for radio transmissions for telecommunications or for other purposes. The NTIA Manual is the compilation of policies and procedures that govern the use of the radio frequency spectrum by the U.S. Government. Federal government agencies are required to follow these policies and procedures in their use of spectrum.

Part 300 of title 47 of the Code of Federal Regulations provides information about the process by which NTIA regularly revises the NTIA Manual and makes public this document and all revisions. Federal agencies are required to comply with the specifications in the NTIA Manual when requesting frequency assignments. See 47 U.S.C. 901 *et seq.*, Executive Order 12046 (March 27, 1978), 43 FR 13349, 3 CFR 1978 Comp. at 158.

This rule updates section § 300.1(b) of title 47 of the Code of Federal Regulations to specify the edition of the NTIA Manual with which federal agencies must comply when requesting frequency assignments. In particular, this rule amends § 300.1(b) by replacing “2013 Edition of the NTIA Manual, dated May 2013.” with “2013 Edition of the NTIA Manual, as revised through May 2014.” See Revision to the Manual of Regulations and Procedures for Federal Radio Frequency Management, 78 FR 52097, 52097–98 (Aug. 22, 2013) (revising the Manual through May 2013). Upon the effective date of this rule, federal agencies must comply with the requirements set forth in the 2013 edition of the NTIA Manual, as revised through May 2014.

The NTIA Manual is scheduled for revision in January, May, and September of each year and is submitted to the Director of the Federal Register for Incorporation by Reference approval. The Director of the Federal Register approved this incorporation by reference in accordance with 5 U.S.C. 552(a) and part 51 of title 1 of the Code of Federal Regulations. The NTIA Manual is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, by referring to Catalog Number 903–008–00000–8. A reference copy of the NTIA Manual, including all revisions in effect, is available in the Office of Spectrum Management, 1401 Constitution Avenue NW., Room 1087, Washington, DC 20230, by calling William Mitchell on (202) 482–8124, and available online at <http://www.ntia.doc.gov/page/2011/manual-regulations-and-procedures-federal-radio-frequency-management-redbook>. The NTIA Manual is also on file at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**Paperwork Reduction Act**

This action does not contain collection of information requirements subject to the Paperwork Reduction Act

(PRA). Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number.

#### Executive Order 12866

This rule has been determined to be not significant for purposes of Executive Order 12866.

#### Administrative Procedure Act/ Regulatory Flexibility Act

NTIA finds good cause under 5 U.S.C. 553(b)(3)(B) to waive prior notice and opportunity for public comment as it is unnecessary. This action amends the regulations to include the date of the most current edition of the NTIA Manual. These changes do not impact the rights or obligations to the public. The NTIA Manual applies only to federal agencies. Because these changes impact only federal agencies, NTIA finds it unnecessary to provide for the notice and comment requirements of 5 U.S.C. 553. NTIA finds good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness for the reasons provided above. Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

#### Congressional Review Act

The NTIA Manual provides for policies and procedures for federal agencies' use of spectrum. The NTIA Manual and the changes thereto do not substantially affect the rights or obligations of the public. As a result, this notice is not a "rule" as defined by the Congressional Review Act, 5 U.S.C. 804(3)(C).

#### Executive Order 13132

This rule does not contain policies having federalism implications as that term is defined in Executive Order 13132.

#### Regulatory Text

##### List of Subjects in 47 CFR Part 300

Communications, Incorporation by reference, Radio.

For the reasons set forth in the preamble, NTIA amends the Code of Federal Regulations, title 47, part 300 as follows:

#### PART 300—MANUAL OF REGULATIONS AND PROCEDURES FOR FEDERAL RADIO FREQUENCY MANAGEMENT

■ 1. The authority citation for part 300 continues to read as follows:

**Authority:** 47 U.S.C. 901 *et seq.*, Executive Order 12046 (March 27, 1978), 43 FR 13349, 3 CFR 1978 Comp., p. 158.

■ 2. Section 300.1(b) is revised to read as follows:

##### § 300.1 Incorporation by reference of the Manual of Regulations and Procedures for Federal Radio Frequency Management.

\* \* \* \* \*

(b) The federal agencies shall comply with the requirements set forth in the 2013 edition of the NTIA Manual, as revised through May 2014, which is incorporated by reference with approval of the Director, Office of the Federal Register in accordance with 5. U.S.C. 552(a) and 1 CFR part 51.

\* \* \* \* \*

Dated: December 4, 2014.

**Lawrence E. Strickling,**

*Assistant Secretary for Communications and Information.*

[FR Doc. 2014-28841 Filed 12-10-14; 8:45 am]

**BILLING CODE 3510-60-P**

#### DEPARTMENT OF DEFENSE

##### Defense Acquisition Regulations System

##### 48 CFR Part 203

RIN 0750-AI48

##### Defense Federal Acquisition Regulation Supplement: Deletion of Certification Requirement Regarding Separation of Duties of Senior Leaders (DFARS Case 2015-D003)

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to delete the requirement for DoD departments and agencies to certify every two years that no senior leader has performed multiple roles in the acquisition of a major weapon system or major service.

**DATES:** Effective December 11, 2014.

**FOR FURTHER INFORMATION CONTACT:** Ms. Amy G. Williams, telephone 571-372-6106.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

DFARS 203.170(a) implements a Defense Procurement and Acquisition Policy (DPAP) memorandum, dated September 17, 2008, which has now been rescinded because the necessary information is incorporated in the DFARS and the DFARS companion document, "Procedures, Guidance, and Information (PGI)." However, departments and agencies are no longer required to submit every two years to DPAP (Contract Policy and International Contracting) a certification that no senior leader has performed multiple roles in source selection for a major weapon system or major service acquisition.

#### II. Publication of This Final Rule for Public Comment Is Not Required by Statute

"Publication of proposed regulations", 41 U.S.C. 1707, is the statute that applies to the publication of the Federal Acquisition Regulation. Paragraph (a)(1) of the statute requires that a procurement policy, regulation, procedure or form (including an amendment or modification thereof) must be published for public comment if it relates to the expenditure of appropriated funds, and has either a significant effect beyond the internal operating procedures of the agency issuing the policy, regulation, procedure or form, or has a significant cost or administrative impact on contractors or offerors. This final rule is not required to be published for public comment, because it only affects the roles of senior leaders within the Department of Defense in source selection for a major weapon system or major service acquisition. These requirements affect only the internal operating procedures of the Government.

#### III. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This