

Dated: February 20, 2018.

Michael M. Grimm,

*Assistant Administrator for Mitigation,
Federal Insurance and Mitigation
Administration, Department of Homeland
Security, Federal Emergency Management
Agency.*

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 15 and 74

[GN Docket No. 14-166, ET Docket No. 14-165, GN Docket No. 12-268: DA 17-709]

Promoting Spectrum Access for Wireless Microphone Operations

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's *Promoting Spectrum Access for Wireless Microphone Operations*, Order (*Order*)'s Consumer Disclosure and Labeling rules, adopted in 2017. This document is consistent with the *Order*, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules.

DATES: The amendments to 47 CFR 15.37(k) and 74.851(l) published at 80 FR 71702, November 17, 2015, are effective April 11, 2018. OMB approved the information collection requirements for §§ 15.37(k), 74.851(k), and 74.851(l) on January 18, 2018.

FOR FURTHER INFORMATION CONTACT: Paul Murray, Office of Engineering and Technology Bureau, at (202) 418-0688, or email: Paul.Murray@fcc.gov.

SUPPLEMENTARY INFORMATION: This document announces that, on January 18, 2018, OMB approved, for a period of three years, the information collection requirements relating to the consumer disclosure and labeling rules contained in the Commission's *Wireless Microphones Report and Order* (R&O), FCC 15-100 (80 FR 71702, November 17, 2015) (as revised in the *Wireless Microphones Order on Reconsideration*, FCC 17-95 (82 FR 41549, September 1, 2017)) and the Commission's *Order*, DA 17-709, adopted on July 24, 2017, and published elsewhere in this issue of the **Federal Register**. The OMB Control Number is 3060-1250. The Commission

publishes this document as an announcement of the effective date of the specific Consumer Alert language in the consumer disclosure rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1-A620, 445 12th Street SW, Washington, DC 20554. Please include the OMB Control Number, 3060-1250, in your correspondence. The Commission will also accept your comments via email at PRA@fcc.gov.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on January 18, 2018, for the information collection requirements contained in the modifications to the Commission's rules in 47 CFR parts 15 and 74.

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060-1250.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060-1250.

OMB Approval Date: January 18, 2018.

OMB Expiration Date: January 31, 2021.

Title: Sections 15.37(k), 74.851(k), and 74.851(l), Consumer Disclosure and Labeling.

Form Number: N/A.

Respondents: Business or other for-profit, and Not-for-profit institutions.

Number of Respondents and

Responses: 5,100 respondents; 127,500 responses.

Estimated Time per Response: .25 hours.

Frequency of Response: Third party disclosure requirement (disclosure and labeling requirement).

Obligation to Respond: Required to provide at time of sale, lease, or distribution. Statutory authority for this collection of information is contained in 47 U.S.C. 151, 154(i), 154(j), 301, 302a, 303(f), 303(g), and 303(r).

Total Annual Burden: 31,875 hours.

Total Annual Cost: \$1,625,000.

Nature and Extent of Confidentiality: No information is requested that would require assurance of confidentiality.

Privacy Act: No impact(s).

Needs and Uses: On July 24, 2017, the Consumer and Governmental Affairs Bureau, Wireless Telecommunications Bureau, and the Office of Engineering and Technology of the Federal Communications Commission released an Order, *Promoting Spectrum Access for Wireless Microphone Operations*, Amendment of part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37, and, Amendment of part 74 of the Commission's Rules for Low Power Auxiliary Stations in the Repurposed 600 MHz Band and 600 MHz Duplex Gap, Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, Order, GN Docket No. 14-166, ET Docket No. 14-165, and GN Docket No. 12-268. In this Order, the Consumer and Governmental Affairs Bureau, Wireless Telecommunications Bureau, and the Office of Engineering and Technology provided the specific Consumer Alert language that must be used in the consumer disclosure required by the Commission in its 2015 *Wireless Microphones Report and Order*, as set forth in Sections 15.37(k) and 74.851(l) of the Commission's rules. As the Order explains, the consumer disclosure requirement is applicable to persons who manufacture, sell, lease, or offer for sale or lease, wireless microphone or video assist devices *to the extent that these devices are capable of operating on the specific frequencies associated with the 600 MHz service band (617-652 MHz/663-698 MHz)*. This disclosure also informs consumers that, consistent with the Commission's decision in the 2015 *Wireless Microphones Report and Order*, wireless microphone users must cease any wireless microphone operations in the 600 MHz service band no later than July 13, 2020, and that in many instances they may be required to cease use of these devices earlier if their use has the potential to cause harmful interference

to 600 MHz service licensees' wireless operations in the band.

Federal Communications Commission.

Julius P. Knapp,

Chief, Office of Engineering and Technology.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 15 and 74

[GN Docket No. 14-166, ET Docket No. 14-165, GN Docket No. 12-268: DA 17-709]

Consumer Disclosure and Labeling; Promoting Spectrum Access for Wireless Microphone Operations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document the Consumer and Governmental Affairs Bureau, Wireless Telecommunications Bureau, and the Office of Engineering and Technology of the Federal Communications Commission adopt specific language for the consumer disclosures which the Commission adopted in 2015 and which concern the operation of wireless microphone (licensed or unlicensed) or video assist devices capable of operating in the 600 MHz service frequency band. With the close of the incentive auction on April 13, 2017, the 600 MHz service band has been reallocated for new wireless services, and wireless microphones and video assist devices must cease operations in this band no later than July 13, 2020 to avoid harmful interference to new wireless services. This disclosure requirement, including the specific Consumer Alert language, applies to persons who manufacture, sell, lease, or offer for sale or lease, wireless microphones or video assist devices authorized pursuant to and informs consumers of the changes that will affect their use of these devices in the newly established 600 MHz service band.

DATES: This rule is effective April 11, 2018.

FOR FURTHER INFORMATION CONTACT: Paul Murray, Office of Engineering and Technology, 202-418-0688, Paul.Murray@fcc.gov. For additional information concerning the Paperwork Reduction Act information collection requirements contained in this document, send an email to PRA@fcc.gov or contact Nicole Ongele at (202) 418-2991.

SUPPLEMENTARY INFORMATION: The Commission will not send a CRA for this document because it only constitutes specific language to the consumer disclosure rules that were adopted by the Commission in 2015 in the *Wireless Microphones R&O*, 80 FR 71702, November 17, 2015, as revised in 2017 in the *Wireless Microphones Order on Reconsideration*, 82 FR 41549, September 1, 2017. The Commission submitted the *Wireless Microphones R&O*, which included the rule provisions adopting the consumer disclosure requirements, to Congress, GAO, etc. This document revises the Commission's rules to provide the specific language consumer disclosure text associated with the previously adopted rules, which the Commission had directed in 2015 that the Consumer and Governmental Affairs Bureau provide once the incentive auction closed. The document implements what the Commission had directed in 2015.

This document contains the specific Consumer Alert text associated with new information collection requirements that are subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. This language was submitted to the Office of Management and Budget (OMB) in November 2017 for review under section 3507(d) of the PRA, and on January 18, 2018, OMB approved this information collection, published elsewhere in this issue of the **Federal Register**. In addition, we note that, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4), we previously sought specific comment on how the Commission might further reduce the information collection burden for small business concerns with fewer than 25 employees. In this present document, we have assessed the effects of the requirement that entities provide this specified consumer disclosure text with regard to the manufacture, sale, lease, or offer for sale or lease, of wireless microphones that operate in the 600 MHz service band, and find that by allowing such entities—including businesses with fewer than 25 employees—several ways to comply with the consumer disclosure requirement to display this specified text (*e.g.*, providing a label or sticker on a product box, or prominently displaying the text next to the device in a catalogue or electronic sales material), the Commission has effectively minimized the burden of compliance.

This is a summary of the Order adopted by the Consumer and Governmental Affairs Bureau, the Wireless Telecommunications Bureau,

and the Office of Engineering and Technology, GN Docket No. 14-166, ET Docket NO. 14-165, GN Docket No. 12-268, DA 17-709, adopted July 24, 2017 and released July 24, 2017. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY-A257), 445 12th Street SW, Washington, DC 20554. The full text may also be downloaded at: http://transition.fcc.gov/Daily_Releases/Daily_Business/2017/db0724/DA-17-709A1.pdf. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Synopsis

1. In this Order, the Consumer and Governmental Affairs Bureau, the Wireless Telecommunications Bureau, and the Office of Engineering and Technology provide the specific language that must be used in the consumer disclosure required by the Commission in 2015 in §§ 15.37(k) and 74.851(l) of the Commission's rules. It is applicable to persons who manufacture, sell, lease, or offer for sale or lease, wireless microphone or video assist devices—either (a) wireless microphones or other low power auxiliary stations ("wireless microphones") or video assist devices, authorized pursuant to part 74, Subpart H of the Commission's rules, or (b) unlicensed wireless microphones authorized pursuant to § 15.236—to the extent that these devices are capable of operating in the 600 MHz service band (617–652 MHz/663–698 MHz). This specific Consumer Alert text in the consumer disclosure rules informs consumers of the specific frequencies associated with the 600 MHz service band and also informs them that wireless microphone users must cease any wireless microphone operations in the 600 MHz service band no later than July 13, 2020. In addition, in many instances the text informs consumers that they may be required to cease use of these devices earlier if their use has the potential to cause harmful interference to 600 MHz service licensees' wireless operations in the band.

2. On August 5, 2015, the Commission adopted the *Wireless Microphones R&O*, 80 FR 71702, November 17, 2015, which established various rules applicable to wireless microphones (and other low power auxiliary stations) that operate in the TV bands (which at that time