

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Parts 27 and 90**

[WT Docket No. 06–150; CC Docket No. 94–102; WT Docket No. 01–309; WT Docket No. 03–264; WT Docket No. 06–169; PS Docket No. 06–229; WT Docket No. 96–86; WT Docket No. 07–166; FCC 07–132]

**Service Rules for the 698–806 MHz Band, Revision of the Commission's Rules Regarding Public Safety Spectrum Requirements, and a Declaratory Ruling on Reporting Requirement Under the Commission's Anti-Collusion Rule**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that certain rules adopted in the Service Rules for the 698–806 MHz Band proceeding, to the extent they contained information collection requirements that required approval by the Office of Management and Budget (OMB), were approved, October 28, 2011.

**DATES:** The final rules published on August 24, 2007, 72 FR 48814, amending 47 CFR 27.14(g) through (l), 27.15, 27.50 and 90.176 are effective November 21, 2011.

**FOR FURTHER INFORMATION CONTACT:**

Linda Chang, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th St. SW., Washington, DC 20554 at (202) 418–1339.

**SUPPLEMENTARY INFORMATION:** 1. In a *Second Report and Order* (“*Second R & O*”) released on August 10, 2007, FCC 07–132, and published in the **Federal Register** on August 24, 2007 at 72 FR 48814, the Commission adopted rules which contained information collection requirements subject to the Paperwork Reduction Act (PRA). The *Second R&O* stated that, upon OMB approval of the information collection requirements, the Commission would publish in the **Federal Register** a document announcing the effective date of these rules. On October 28, 2011 the OMB approved, for a period of three years, the information collection requirements contained in 47 CFR 27.14(g) through (l), 27.15, 27.50 and 90.176 of the Commission's rules under OMB Control No. 3060–1161.

2. On October 28, 2011, OMB approved the public information collection associated with these rule changes under OMB Control No. 3060–1161.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 2011–30049 Filed 11–18–11; 8:45 am]

**BILLING CODE 6712–01–P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[MB Docket No. 11–137; RM–11637, DA 11–1863]

**Television Broadcasting Services; Montgomery, AL**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission grants a petition for rulemaking filed by Channel 32 Montgomery, LLC (“Channel 32”), the licensee of WNCN(TV), channel 32, Montgomery, Alabama, requesting the substitution of channel 31 for channel 32 at Montgomery. Channel 32 believes that operation on channel 31 would allow fuller replication of the station's former analog service area, which will significantly increase the geographic area within the station's protected contour. Therefore, the public interest will be served by substituting channel 31 for channel 32 at Montgomery.

**DATES:** This rule is effective December 21, 2011.

**FOR FURTHER INFORMATION CONTACT:**

Joyce L. Bernstein, [joyce.bernstein@fcc.gov](mailto:joyce.bernstein@fcc.gov), Media Bureau, (202) 418–1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 11–137, adopted November 4, 2011, and released November 9, 2011. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY–A257, 445 12th Street SW., Washington, DC 20554. This document will also be available via ECFS (<http://fjallfoss.fcc.gov/ecfs/>). This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone 1 (800) 478–3160 or via the company's Web site, <http://www.bcipweb.com>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (tty).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional review Act, *see* 5 U.S.C. 801(a)(1)(A).

**List of Subjects in 47 CFR Part 73**

Television.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

**Final Rule**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

**PART 73—RADIO BROADCAST SERVICES**

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336, and 339.

**§ 73.622 [Amended]**

■ 2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Alabama, is amended by removing channel 32 and adding channel 31 at Montgomery.

[FR Doc. 2011–30003 Filed 11–18–11; 8:45 am]

**BILLING CODE 6712–01–P**

**NATIONAL TRANSPORTATION SAFETY BOARD****49 CFR Part 805**

**Notice of Rescission of Certain Regulations**

**AGENCY:** National Transportation Safety Board (NTSB).

**ACTION:** Final rule.

**SUMMARY:** The NTSB's regulations on Employee Responsibilities and Conduct, located at 49 CFR part 805 (part 805), have been superseded by regulations of the Office of Government Ethics (OGE) issued pursuant to the provisions of the Ethics in Government Act of 1978, as

amended, and codified at 5 CFR parts 2634 and 2635. Accordingly, the NTSB is rescinding part 805 in its entirety.

**DATES:** *Effective Date:* November 21, 2011.

**FOR FURTHER INFORMATION CONTACT:**

William C. Love, NTSB Designated Agency Ethics Official, 490 L'Enfant Plaza East SW., Washington, DC 20594; telephone (202) 314-6088; email [loveb@ntsb.gov](mailto:loveb@ntsb.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

In 1989, the President's Commission on Federal Ethics Law Reform recommended that individual agency standards of conduct be replaced with a single regulation applicable to all employees of the executive branch. Acting upon that recommendation, President Bush signed *Executive Order 12674* on April 12, 1989, which was subsequently modified and restated by Executive Order 12731 (Executive Order), signed by President Bush on October 17, 1990. Section 201(a) of the Executive Order required the OGE to promulgate regulations that "establish a single, comprehensive, and clear set of executive-branch standards of conduct". Accordingly, OGE published a final rule entitled "Standards of Ethical Conduct for Employees of the Executive Branch" (Standards) on August 7, 1992, with an effective date of February 3, 1993. The Standards, as amended, are codified at 5 CFR part 2635, and established uniform standards of ethical conduct applicable to all executive branch personnel.

Upon the effective date of the Standards, the NTSB's regulations contained in part 805, which relate to employee responsibilities and conduct, were superseded.

**Rescission and Reservation**

By this notice, the NTSB rescinds part 805 in its entirety, reserving such part for future use. The regulations contained in part 805 deal with employee responsibilities and conduct, and have been superseded by the Standards or by 5 CFR part 2634.

*Administrative Procedure Act*

The rescission of part 805 is exempt from the notice and comment procedure normally required by the Administrative Procedure Act. See 5 U.S.C. 553(a). Notice and comment before the effective date are being waived because this rule concerns matters of agency organization, practice and procedure.

*Executive Orders 12866 and 12988*

Because this rule relates to NTSB personnel, it is exempt from the provisions of Executive Orders Nos. 12866 and 12988.

*Regulatory Flexibility Act*

The NTSB has determined, pursuant to the Regulatory Flexibility Act, 5 U.S.C. chapter 6, that this rescission will not have a significant economic impact on a substantial number of small entities because it only affects NTSB employees.

*Paperwork Reduction Act*

The Paperwork Reduction Act, 44 U.S.C. chapter 35, does not apply to this rescission because it does not involve any collection of information subject to the approval of the Office of Management and Budget.

*Congressional Review Act*

The NTSB has determined that the rescission of the aforementioned regulations is not a rule as defined in 5 U.S.C. 804, and thus, does not require review by Congress.

**List of Subjects in 49 CFR Part 805**

Conflict of interest, Government employees, Standards of conduct.

**The Amendment**

In consideration of the foregoing, the National Transportation Safety Board amends chapter 8 of title 49, Code of Federal Regulations, as follows:

**PART 805—[REMOVED AND RESERVED]**

- 1. Remove and reserve part 805.

Dated: November 15, 2011.

**Candi R. Bing,**

*Federal Register Liaison Officer.*

[FR Doc. 2011-29835 Filed 11-18-11; 8:45 am]

**BILLING CODE 7533-01-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 21**

[FWS-R9-MB-2011-0088; 91200-1231-9BPP]

**RIN 1018-AX98**

**Migratory Bird Permits; States Delegated Falconry Permitting Authority; Technical Corrections to the Regulations**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The States of Indiana, Iowa, Nebraska, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Tennessee, Virginia, and Wyoming have requested that we delegate permitting for falconry to the State, as provided under our regulations. We have reviewed regulations and supporting materials provided by these States, and have concluded that their regulations comply with the Federal regulations. We change the falconry regulations accordingly. This rule also makes certain nonsubstantive editorial changes to correct minor errors and to clarify the regulations.

**DATES:** This rule is effective January 1, 2012.

**FOR FURTHER INFORMATION CONTACT:** Dr. George T. Allen, (703) 358-1825.

**SUPPLEMENTARY INFORMATION:**

**Background**

We, the U.S. Fish and Wildlife Service, published a final rule in the **Federal Register** on October 8, 2008 (73 FR 59448), to revise our regulations governing falconry in the United States. These regulations are found in title 50 of the Code of Federal Regulations (CFR) at § 21.29. The regulations provide that, when a State meets the requirements for operating under the regulations, falconry permitting must be delegated to the State.

The States of Indiana, Iowa, Nebraska, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Tennessee, Virginia, and Wyoming have submitted revised falconry regulations and supporting materials and have requested to be allowed to operate under the revised Federal regulations. We have reviewed the regulations administered by these States and have determined that their regulations meet the requirements of 50 CFR 21.29(b). According to the regulations at § 21.29(b)(4), we must issue a rule to add a State to the list at § 21.29(b)(10) of approved States with a falconry program. Therefore, we change the Federal regulations accordingly, and a Federal permit will no longer be required to practice falconry in the States of Indiana, Iowa, Nebraska, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Tennessee, Virginia, and Wyoming beginning January 1, 2012.

In addition, to conform with the provisions of the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), we change wording in 50 CFR 21.29(a)(1)(ii) by replacing the word "used" with the words "taken from the wild."

We also make three nonsubstantive improvements to the falconry regulations in 50 CFR 21.29. Paragraph