

## SUPPLEMENT NO. 4 TO PART 744—ENTITY LIST—Continued

Country	Entity	License requirement	License review policy	Federal Register citation
	Zhu Kuibao, No. 51 Yongding Rd., Haidian District, Beijing, China; and No. 37 Xueyuan Road, Haidian District, Beijing, China.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial .....	79 FR [INSERT FR PAGE NUMBER] May 1, 2014.
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Dated: April 28, 2014.

**Matthew S. Borman,**

*Deputy Assistant Secretary for Export  
Administration.*

[FR Doc. 2014–10035 Filed 4–30–14; 8:45 am]

**BILLING CODE 3510–33–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG–2014–0303]

#### Drawbridge Operation Regulation; Miner Slough, Near Rio Vista, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from  
drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the California Department of Transportation, Hwy 84 drawbridge across Miner Slough, mile 5.5, near Rio Vista, CA. The deviation is necessary to allow the bridge owner to repair the damaged deck system of the bridge. This deviation allows the bridge to remain in the closed-to-navigation position with a 7 foot reduction in vertical clearance during the deviation period.

**DATES:** This deviation is effective without actual notice from May 1, 2014 through 6 p.m. on July 21, 2014. For the purposes of enforcement, actual notice will be used from 7 a.m. on April 23, 2014, until May 1, 2014.

**ADDRESSES:** The docket for this deviation, [USCG–2014–0303], is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this deviation. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington,

DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email David H. Sulouff, Chief, Bridge Section, Eleventh Coast Guard District; telephone 510–437–3516, email [David.H.Sulouff@uscg.mil](mailto:David.H.Sulouff@uscg.mil). If you have questions on viewing the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** The California Department of Transportation has requested a temporary change to the operation of the Hwy 84 drawbridge, mile 5.5, over Miner Slough near Rio Vista, CA. The drawbridge navigation span ordinarily provides 17 feet vertical clearance above Mean High Water in the closed-to-navigation position. Containment installed below low steel of the bridge reduces vertical clearance by 7 feet and will be lighted at night with red lights. In accordance with 33 CFR 117.173 Miner Slough, the draw of the California Department of Transportation highway bridge, mile 5.5 between the northerly end of Ryer Island and Holland Tract, shall open on signal if at least 12 hours notice is given to the drawtender at the Rio Vista bridge across the Sacramento River, mile 12.8. Navigation on the waterway is commercial and recreational.

The drawspan will be secured in the closed-to-navigation position from 7 a.m. on April 23, 2014 to 6 p.m. on July 21, 2014, to allow Caltrans to repair the damaged deck system of the bridge. This temporary deviation has been coordinated with the waterway users. No objections to the proposed temporary deviation were raised.

Vessels able to pass through the bridge in the closed position with a 7 foot reduction in vertical clearance due to containment installed below the bridge, may do so at any time. The bridge will not be able to open for emergencies during this deviation. The Sacramento Deep Water Channel and Steamboat Slough can be used as

alternate routes for vessels unable to pass through the bridge in the closed position, and with containment installed. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessels can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule and all encroachments in the navigational openings shall be removed, immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: April 21, 2014.

**D.H. Sulouff,**

*District Bridge Chief, Eleventh Coast Guard  
District.*

[FR Doc. 2014–09986 Filed 4–30–14; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG–2014–0285]

RIN 1625–AA09

#### Drawbridge Operation Regulation; Elizabeth River, Elizabeth, NJ

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing the existing drawbridge operation regulation for the First Street Bridge across the Elizabeth River at mile 0.4, at Elizabeth, New Jersey. The drawbridge was converted to a fixed bridge in July 2010, and the operating regulation is no longer necessary.

**DATES:** This rule is effective May 1, 2014.

**ADDRESSES:** The docket for this final rule, [USCG–2014–0285] is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this final rule. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Mr. Joe Arca, Project Officer, First Coast Guard District Bridge Program, telephone 212–668–7165, email [joe.m.arca@uscg.mil](mailto:joe.m.arca@uscg.mil). If you have questions on viewing or submitting material to the docket, call Cheryl Collins, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:**

**A. Regulatory History and Information**

The Coast Guard is issuing this final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are “impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the First Street Bridge, that once required draw operations in 33 CFR 117.718(b), was removed and converted to a fixed bridge in July 2010. Therefore, the regulation is no longer applicable and shall be removed from publication. It is unnecessary to publish an NPRM because this regulatory action does not purport to place any restrictions on mariners but rather removes a restriction that has no further use or value.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective in less than 30 days after publication in the **Federal Register**. The bridge has been a fixed bridge for four years and this rule merely requires an administrative change to the **Federal Register**, in order to omit a regulatory requirement that is no longer applicable or necessary. The modification has already taken place and the removal of the regulation will not affect mariners currently operating

on this waterway. Therefore, a delayed effective date is unnecessary.

**B. Basis and Purpose**

The First Street Bridge across the Elizabeth River at mile 0.4, was converted to a fixed bridge in July 2010. It has come to the attention of the Coast Guard that the governing regulation for this drawbridge was never removed subsequent to the conversion to a fixed bridge. The elimination of this drawbridge necessitates the removal of the drawbridge operation regulation, 33 CFR 117.718(b), pertaining to the former drawbridge.

The purpose of this rule is to remove the paragraph of 33 CFR 117.718(b) that refers to the First Street Bridge at mile 0.4, from the Code of Federal Regulations since it governs a bridge that is no longer able to be opened.

**C. Discussion of Rule**

The Coast Guard is changing the regulation in 33 CFR 117.718(b) by removing restrictions and the regulatory burden related to the draw operations for this bridge that is no longer a drawbridge. The change removes the paragraph of the regulation governing the First Street Bridge since the bridge has been converted to a fixed bridge. This Final Rule seeks to update the Code of Federal Regulations by removing language that governs the operation of the First Street Bridge, which in fact is no longer is a drawbridge. This change does not affect waterway or land traffic. This change does not affect nor does it alter the operating schedules in 33 CFR 117.718 that govern the remaining active drawbridges on the Elizabeth River.

**D. Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes or executive orders.

*1. Regulatory Planning and Review*

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders.

The Coast Guard does not consider this rule to be “significant” under that Order because it is an administrative

change and does not affect the way vessels operate on the waterway.

*2. Impact on Small Entities*

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will have no effect on small entities since this drawbridge has been converted to a fixed bridge and the regulation governing draw operations for this bridge is no longer applicable. There is no new restriction or regulation being imposed by this rule; therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities.

*3. Collection of Information*

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

*4. Federalism*

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

*5. Protest Activities*

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the “For Further Information Contact” section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

*6. Unfunded Mandates Reform Act*

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the

aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

#### 7. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### 8. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### 9. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that might disproportionately affect children.

#### 10. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### 11. Energy Effects

This action is not a "significant energy action" under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

#### 12. Technical Standards

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### 13. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that this action is one of a category of actions that do not

individually or cumulatively have a significant effect on the human environment. This rule involves the drawbridge operation for the First Street Bridge which has been converted to a fixed bridge. This rule is categorically excluded, under figure 2-1, paragraph (32) (e), of the Instruction.

Under figure 2-1, paragraph (32) (e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule.

#### List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05-1; Department of Homeland Security Delegation No. 0170.1.

#### § 117.718 [Amended]

■ 2. Remove § 117.718(b) and redesignate § 117.718(c) as § 117.718(b) respectively.

Dated: April 17, 2014.

**V.B. Gifford, Jr.,**

*Captain, U.S. Coast Guard, Acting Commander, First Coast Guard District.*

[FR Doc. 2014-09999 Filed 4-30-14; 8:45 am]

**BILLING CODE 9110-04-P**

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Parts 2 and 15

[ET Docket No. 13-49; FCC 14-30]

#### Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Commission rules governing the operation of unlicensed National Information Infrastructure (U-NII) devices in the 5 GHz band to make broadband technologies more widely available for consumers and businesses by increasing power and permitting outdoor use in the U-NII-1 band and by adding 25 megahertz to the U-NII-3 band; it also takes steps to reduce the potential for harmful interference to incumbent operations. The proceeding

satisfies the requirements of the Spectrum Act, by which Congress required that the Commission begin a proceeding regarding U-NII devices in the 5 GHz band within a year if it determined, after consultation with NTIA, that incumbents will be protected and their missions will not be compromised.

**DATES:** Effective June 2, 2014 except for § 15.407(j), which contains information collection requirements that have not been approved by OMB. The Commission will publish a document in the **Federal Register** announcing the effective date.

**FOR FURTHER INFORMATION CONTACT:** Aole Wilkins, Office of Engineering and Technology, 202-418-2406, [Aole.Wilkins@fcc.gov](mailto:Aole.Wilkins@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's First Report and Order, ET Docket No. 13-49, FCC 14-30 adopted March 31, 2014, and released April 1, 2014. 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 complete text of this document also may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov). 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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

#### Summary of First Report and Order

1. In 2013, the Commission issued the *Notice of Proposed Rule Making*, 78 FR 21320, April 10, 2013, that initiated this proceeding, with the goal of supporting the growing needs of businesses and consumers for fixed and mobile broadband communications using Unlicensed National Information Infrastructure (U-NII) devices in the 5.15-5.35 GHz and 5.47-5.85 GHz bands. At the same time, it recognized the need to modify its rules to better ensure that these devices do not cause harmful interference to authorized Federal and non-Federal users in these bands. U-NII devices are unlicensed intentional radiators, which use wideband digital modulation techniques to provide a wide array of high-data-rate mobile and fixed communications used by individuals, businesses, and institutions, particularly for wireless