

■ 30. Amend § 101.139 by revising paragraph (h) to read as follows:

**§ 101.139 Authorization of transmitters.**

(h) 71–76 GHz; 81–86 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz. For equipment employing digital modulation techniques, the minimum bit rate requirement is 0.125 bit per second per Hz.

■ 31. Amend § 101.147 by adding ten entries to the list of frequency bands in paragraph (a) and revising the paragraph (z) subject heading and paragraph (z)(2) to read as follows:

**§ 101.147 Frequency assignments.**

(a) \* \* \*  
95,000–100,000 MHz  
102,000–109,500 MHz  
111,800–114,250 MHz  
122,250–123,000 MHz  
130,000–134,000 MHz  
141,000–148,500 MHz  
151,500–158,500 MHz  
174,500–174,800 MHz  
231,500–232,000 MHz  
240,000–241,000 MHz

(z) 71–76 GHz, 81–86 GHz, 92–94 GHz, 94.1–95 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz.

(2) Prior links shall be protected using the interference protection criteria set forth in § 101.105. For transmitters employing digital modulation techniques and operating in the 71–76 GHz, 81–86 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz bands, the licensee must construct a system that meets a minimum bit rate of 0.125 bits per second per Hertz of bandwidth. For transmitters that operate in the 92,000–94,000 MHz or 94,100–95,000 MHz bands, licensees must construct a system that meets a minimum bit rate of 1.0 bit per second per Hertz of bandwidth. If it is determined that a licensee has not met these loading requirements, then the database will be modified to limit coordination rights to the spectrum that is loaded and the licensee will lose protection rights on spectrum that has not been loaded.

**Subpart Q—Service and technical rules for the 70/80/90 GHz and above 95 GHz Bands**

■ 32. Amend subpart Q by revising the subpart heading to read as set forth above.

■ 33. Revise § 101.1501 to read as follows:

**§ 101.1501 Service areas.**

The 71–76 GHz, 81–86 GHz, 92–95 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz bands are licensed on the basis of non-exclusive nationwide licenses. There is no limit to the number of non-exclusive nationwide licenses that may be granted for these bands, and these licenses will serve as a prerequisite for registering individual links.

■ 34. Amend § 101.1505 by adding paragraph (c) to read as follows:

**§ 101.1505 Segmentation plan.**

(c) An entity may request any portion of the 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz bands.

■ 35. Revise § 101.1507 to read as follows:

**§ 101.1507 Permissible operations.**

Licensees may use the 71–76 GHz, 81–86 GHz, 92–95 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz bands for any point-to-point, non-broadcast service. The segments may be unpaired or paired, but pairing will be permitted only in a standardized manner (e.g., 71–72.25 GHz may be paired only with 81–82.25 GHz, and so on). The segments may be aggregated without limit.

■ 36. Amend § 101.1523 by revising paragraph (a) to read as follows:

**§ 101.1523 Sharing and coordination among non-Government licensees and between non-Government and Government services.**

(a) Registration of each link in the 71–76 GHz, 81–86 GHz, 92–95 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz bands will be in the Universal Licensing System until the

Wireless Telecommunications Bureau announces by public notice the implementation of a third-party database.

■ 37. Revise § 101.1525 to read as follows:

**§ 101.1525 RF safety.**

Licensees in the 71–76 GHz, 81–86 GHz, 92–95 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz bands are subject to the exposure requirements found in §§ 1.1307(b), 2.1091 and 2.1093 of this chapter, and will use the parameters found therein.

■ 38. Amend § 101.1527 by revising paragraph (a) and paragraph (b) introductory text to read as follows:

**§ 101.1527 Canadian and Mexican coordination.**

(a) A licensee of bands 71–76 GHz, 81–86 GHz, 92–95 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz must comply with § 1.928(f) of this chapter, which pertains to coordination with Canada.

(b) A licensee of bands 71–76 GHz, 81–86 GHz, 92–95 GHz, 95–100 GHz, 102–109.5 GHz, 111.8–114.25 GHz, 122.25–123 GHz, 130–134 GHz, 141–148.5 GHz, 151.5–158.5 GHz, 174.5–174.8 GHz, 231.5–232 GHz, and 240–241 GHz must coordinate with Mexico in the following situations:

[FR Doc. 2018–06179 Filed 3–30–18; 8:45 am]

BILLING CODE 6712–01–P

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MB Docket No. 18–23; FCC 18–20]

**Elimination of Obligation To File Broadcast Mid-Term Report (Form 397) Under Section 73.2080(f)(2)**

AGENCY: Federal Communications Commission.

ACTION: Propose rule; correction.

SUMMARY: This document corrects the preamble to a proposed rule published in the **Federal Register** on March 21, 2018 regarding the EEO Broadcast Mid-Term Report. The comment periods in

the **DATES** section of the proposed rule published on March 21, 2018, inaccurately reflected a 60-day comment period and 90-day reply comment period, instead of the 30-day comment, 45-day reply comment deadline stated in the proposed rule. Any comments made before this correction is published will be considered.

**DATES:** Comments are due on or before April 30, 2018; reply comments are due on or before May 15, 2018.

**ADDRESSES:** You may submit comments, identified by MB Docket No. 18–20, by any of the following methods:

- *Federal Communications Commission's website:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- *Mail:* Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's
  - Secretary, Office of the Secretary, Federal Communications Commission.
  - *People With Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: (202) 418–0530 or TTY: (202) 418–0432. For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact Jonathan Mark, [Jonathan.Mark@fcc.gov](mailto:Jonathan.Mark@fcc.gov), of the Media Bureau, Policy Division, (202) 418–3634. Direct press inquiries to Janice Wise at (202) 418–8165.

*Correction:* In the **Federal Register** of March 21, 2018, in FR Doc. 2018–05726, on page 12313, in the third column, correct the **DATES** caption to read:

**DATES:** Comments are due on or before April 30, 2018; reply comments are due on or before May 15, 2018.

Dated: March 28, 2018.  
Federal Communications Commission.

**Katura Jackson,**

*Federal Register Liaison Officer, Office of the Secretary.*

[FR Doc. 2018–06599 Filed 3–30–18; 8:45 am]

**BILLING CODE 6712–01–P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 578

[Docket No. NHTSA–2018–0017]

RIN 2127–AL94

#### Civil Penalties

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes a civil penalty rate applicable to automobile manufacturers that fail to meet applicable corporate average fuel economy (CAFE) standards and are unable to offset such a deficit with compliance credits. The agency is proposing this civil penalty rate based on a tentative determination regarding the applicability of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, and in accordance with the Energy Policy and Conservation Act of 1975 (EPCA) and the Energy Independence and Security Act of 2007 (EISA).

**DATES:** *Comments:* Comments must be received by May 2, 2018.

**ADDRESSES:** You may submit comments to the docket number identified in the heading of this document by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, M–30, U.S. Department of Transportation, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery or Courier:* U.S. Department of Transportation, West Building, Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m. Eastern time, Monday through Friday, except Federal holidays.
- Fax: 202–493–2251

#### FOR FURTHER INFORMATION CONTACT:

Kerry Kolodziej, Office of Chief Counsel, NHTSA, telephone (202) 366–2992, facsimile (202) 366–3820, 1200 New Jersey Ave, SE, Washington, DC 20590.

#### SUPPLEMENTARY INFORMATION:

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#### A. Executive Summary

NHTSA has almost forty years of experience in implementing the corporate average fuel economy (CAFE) program and its civil penalty component. This includes oversight and administration of the program's operation, how the automobile manufacturers respond to CAFE standards and increases, and the role of civil penalties in achieving the CAFE program's objectives. NHTSA has carefully considered these objectives in reconsidering the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Inflation Adjustment Act or 2015 Act) and its application to the CAFE civil penalty statute NHTSA administers.

As a result of this review, NHTSA is proposing to retain the current civil penalty rate in 49 U.S.C. 32912(b) of \$5.50 per tenth of a mile per gallon for automobile manufacturers that do not meet applicable CAFE standards and are unable to offset such a deficit with compliance credits. NHTSA's proposal is based on its tentative determination that the CAFE civil penalty rate is not a “civil monetary penalty,” as defined by the 2015 Act, that must be adjusted for inflation. NHTSA's previous **Federal Register** notices on its inflation adjustments under the 2015 Act did not consider whether the CAFE civil penalty rate fit the definition of a “civil monetary penalty” subject to adjustment under the 2015 Act, instead