

is expected to observe the ordinary courtesy of first obtaining permission from the Indian and of observing any conditions attached to this permission.

**§ 5.16 When must I ask permission from Indian groups and communities?**

Anyone who desires to take pictures, including motion pictures, or to make a television production or a soundtrack of Indian communities, churches, kivas, plazas, or ceremonies performed in these places, must:

(a) Obtain prior permission from the proper officials of the place or community; and

(b) Scrupulously observe any limitations imposed by the officials who grant the permission.

**§ 5.17 When must I get a lease or permit?**

If filming pictures or making a television production or a soundtrack requires the actual use of Indian lands, you must obtain a lease or permit under 25 CFR part 162.

**§ 5.18 What wages must I pay to Indian employees?**

Any motion picture or television producer who obtains a lease or permit for the use of Indian land under 25 CFR part 162 must pay a fair and reasonable wage to any Indian employed in connection with the production.

**Title 50—Wildlife and Fisheries**

**SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM**

**PART 27—PROHIBITED ACTS**

■ 4. The authority citation for part 27 is revised to read as follows:

**Authority:** 5 U.S.C. 685, 752, 690d; 16 U.S.C. 460k, 460l–6d, 664, 668dd, 685, 690d, 715i, 715s, 725; 43 U.S.C. 315a.

■ 5. The heading for subpart G is revised to read as follows:

**Subpart G—Disturbing Violations: Filming, Photography, and Light and Sound Equipment**

■ 6. Section 27.71 is revised to read as follows:

**§ 27.71 Commercial filming and still photography and audio recording.**

(a) We authorize commercial filming and still photography on national wildlife refuges under the provisions of 43 CFR part 5.

(b) Audio recording does not require a permit unless:

(1) It takes place at location(s) where or when members of the public are not allowed;

(2) It uses equipment that cannot be carried or held by one person;

(3) It uses equipment that requires an external power source; or

(4) We would incur additional administrative costs to provide management and oversight of the permitted activity to:

(i) Avoid unacceptable impacts and impairment to wildlife or resource values;

(ii) Minimize health or safety risks to the visiting public

(c) Failure to comply with any provision of 43 CFR part 5 is a violation of this section.

(d) The location fee schedule for still photography conducted according to a permit issued under 43 CFR part 5 will apply to audio recording permits issued under this part.

(e) We will collect and retain cost recovery charges associated with processing permit requests and monitoring the permitted activities.

(f) *Information collection.* A Federal agency may not conduct or sponsor and you are not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The information collection requirements contained in this section have been approved by the OMB under 44 U.S.C. 3501 *et seq.* and assigned control number 1018–0102. The information is being collected to provide agency managers data necessary to issue permits and grant administrative benefits. The obligation to respond is required to obtain or retain a benefit. You may send comments on this information collection requirement to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 1849 C Street NW., Mailstop 2042–PDM, Washington, DC 20240.

**David J. Hayes,**

*Deputy Secretary of the Interior.*

[FR Doc. 2013–20441 Filed 8–21–13; 8:45 am]

**BILLING CODE 4312–EJ–P**

**DEPARTMENT OF COMMERCE**

**National Telecommunications and Information Administration**

**47 CFR Part 300**

[Docket Number: 130809702–3702–01]

**RIN 0660–AA27**

**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, which relate to the public availability of the Manual of Regulations and Procedures for Federal Radio Frequency Management (NTIA Manual). Specifically, NTIA is releasing a new edition of the NTIA Manual, which Federal agencies must comply with when requesting use of radio frequency spectrum.

**DATES:** This regulation is effective on August 22, 2013. The incorporation by reference of certain publications listed in the rule is approved by the Director of the Federal Register as of August 22, 2013.

**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. 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 that federal agencies must comply with when requesting frequency assignments. In particular, this rule amends § 300.1(b) by replacing “2008 edition of the NTIA Manual, as revised through May 2012” with “2013 Edition

of the NTIA Manual, dated May 2013.” See Revision to the Manual of Regulations and Procedures for Federal Radio Frequency Management, 77 FR 75567, 75567–68 (Dec. 21, 2012) (revising the Manual through May 2012). Upon the effective date of this rule, federal agencies must comply with the requirements set forth in the 2013 edition of the NTIA Manual.

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 903–008–00048–2. It is also 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 because it is unnecessary. This action amends the regulations to incorporate by reference the most recent edition of the NTIA Manual. These changes do not impact the rights or obligations of the public because 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 also 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 the policies and procedures for federal agencies’ use of spectrum. The NTIA Manual does 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 title 47, part 300 as follows:

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

■ 1. The authority citation 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, dated May 2013, 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: August 16, 2013.

**Angela M. Simpson,**

*Acting Deputy Assistant Secretary for Communications and Information.*

[FR Doc. 2013–20413 Filed 8–21–13; 8:45 am]

**BILLING CODE 3510–60–P**