

| Source of flooding and location  | # Depth in feet above ground.<br>* Elevation in feet (NGVD) |
|--|---|
| Approximately 700 feet downstream of State Route 158 .....   | *2,739  |
| Approximately 920 feet upstream of FM 715 .....  | *2,744  |
| <b>Industrial Channel:</b>   |   |
| Approximately 900 feet upstream of confluence with Midland Draw .....  | *2,751  |
| Approximately 300 feet downstream of Fairgrounds Road .....  | *2,759  |
| Approximately 800 feet upstream of Fairgrounds Road .....  | *2,763  |
| Approximately 400 feet downstream of South Lee Street .....  | *2,768  |
| <b>Upper South Draw:</b>   |   |
| Approximately 1,240 feet upstream of South County Route 1180 .....   | *2,751  |
| Approximately 800 feet upstream of Cotton Flat Road .....  | *2,767  |
| Approximately 1,150 feet upstream of Santa Rosa .....  | *2,795  |
| Approximately 150 feet upstream of Interstate Route 20 .....   | *2,812  |
| <b>JA1 Draw:</b>   |   |
| Approximately 1,320 feet downstream of North I Street .....  | *2,789  |
| Just upstream of Maxwell Drive .....   | *2,805  |
| Approximately 1,000 feet downstream of Loop 250 ..   | *2,830  |
| Approximately 150 feet downstream of Crowley Boulevard .....   | *2,836  |
| <b>Midland Draw:</b>   |   |
| Approximately 400 feet upstream of Fairgrounds Road .....  | *2,759  |
| Approximately 1,310 feet upstream of Loop 250 .....  | *2,788  |
| Approximately 5,700 feet upstream of Mockingbird Lane .....  | *2,805  |
| Approximately 5,630 feet upstream of Greentree Boulevard .....   | *2,820  |
| <b>Maps are available for inspection at City Hall, 300 North Lorain, Midland, Texas.</b>   |   |
| <b>Midland County (Unincorporated Areas) (FEMA Docket No. 7242)</b>  |   |
| <b>Monahans Draw:</b>  |   |
| Approximately 2.1 miles downstream of County Road 1160 .....   | *2,694  |
| Approximately 4,300 feet upstream of Tower Road .....  | *2,753  |
| <b>Monahans Draw (Near Ector County Boundary):</b>   |   |
| Approximately 1,000 feet downstream of Ector-Midland County boundary .....   | *2,833  |
| At Ector-Midland County boundary .....   | *2,834  |
| <b>Maps are available at the Midland County Engineering and Development Office, 300 North Lorraine, Fifth Floor, Midland, Texas.</b> |   |

| Source of flooding and location  | # Depth in feet above ground.<br>* Elevation in feet (NGVD) |
|--|---|
| <b>Seguin (City) Guadalupe County (FEMA Docket No. 7294)</b>                         |   |
| <b>Walnut Branch:</b>  |   |
| Approximately 400 feet downstream of West Kein Street .....                          | *484  |
| Just upstream of University Lane .....   | *527  |
| Approximately 200 feet downstream of Interstate 10 .....                             | *546  |
| <b>Maps are available for inspection at 210 East Gonzales Street, Seguin, Texas.</b> |   |

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

**Michael J. Armstrong,**

*Associate Director for Mitigation.*

[FR Doc. 99-29168 Filed 11-5-99; 8:45 am]

BILLING CODE 6718-04-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 0, 1, 21, 27, 68, and 90

[FCC 99-172]

### Establishment of the Enforcement and Consumer Information Bureaus

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Commission's rules to promote a more efficient and effective organizational structure. The Commission has concluded that the proper dispatch of its business and the public interest will best be served by consolidating enforcement and consumer information functions into an Enforcement Bureau and a Consumer Information Bureau, respectively. The Commission also eliminates the Compliance and Information Bureau and the Office of Public Affairs and creates a small Office of Media Relations that will serve as the Commission's liaison with the news media and manage the agency's internet site.

**DATES:** Effective November 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Doreen McCarthy, 202-418-0795.

**SUPPLEMENTARY INFORMATION:** To promote a more efficient and effective organizational structure, the Commission has concluded that the proper dispatch of its business and the public interest will best be served by

consolidating enforcement and consumer information functions into an Enforcement Bureau and a Consumer Information Bureau, respectively, and by eliminating the Compliance and Information Bureau. In the Order adopted July 12, 1999 and released October 27, 1999, we amend the Commission's Rules to reflect the creation of the new Bureaus, describe their functions and delegated authority and to make other conforming changes. We also note that the new Bureaus will have delegated authority to act on petitions for reconsideration of decisions of their predecessor Bureaus or Offices on matters within the scope of their relevant delegated authority. The Order also eliminates the Office of Public Affairs and creates a small Office of Media Relations that will serve as the Commission's liaison with the news media and manage the agency's internet site.

Authority for the adoption of the foregoing revisions is contained in Sections 4(i), 4(j), 5(b), 5(c), 201(b) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 155(b), 201(b) and 303(r).

The amendments adopted herein pertain to agency organization, procedure and practice. Consequently, the notice and comment provision of the Administrative Procedure Act contained in 5 U.S.C. 553(b) is inapplicable.

Accordingly, it is ordered that Parts 0, 1, 21, 27, 68 and 90 of the Commission's Rules, set forth in Title 47 of the Code of Federal Regulations, are amended effective November 8, 1999.

### List of Subjects

#### 47 CFR Part 0

Organizations and functions (Government agencies).

#### 47 CFR Part 1

Communications common carriers, Telecommunications.

#### 47 CFR Part 21

Radio.

#### 47 CFR Part 27

Communications common carriers.

#### 47 CFR Part 68

Communications equipment, Telephone.

#### 47 CFR Part 90

Common carriers, Radio.

Federal Communications Commission.  
**Magalie Roman Salas,**  
*Secretary.*

## Rule Changes

Parts 0, 1, 21, 27, 68 and 90 of Title 47 of the Code of Federal Regulations are amended as follows:

### PART 0—COMMISSION ORGANIZATION

1. The authority citation for Part 0 continues to read as follows:

**Authority:** Secs. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155, 225, unless otherwise noted.

2. Section 0.5 is amended by revising paragraph (a) to read as follows:

#### § 0.5 General description of Commission organization and operations.

(a) *Principal staff units.* The Commission is assisted in the performance of its responsibilities by its staff, which is divided into the following principal units:

- (1) Office of Managing Director.
- (2) Office of Engineering and Technology.
- (3) Office of General Counsel.
- (4) Office of Plans and Policy.
- (5) Office of Media Relations.
- (6) Office of Legislative Affairs.
- (7) Office of Inspector General.
- (8) Office of Communications Business Opportunities.
- (9) Office of Administrative Law Judges.
- (10) Common Carrier Bureau.
- (11) Wireless Telecommunications Bureau.
- (12) International Bureau.
- (13) Cable Services Bureau.
- (14) Mass Media Bureau.
- (15) Enforcement Bureau.
- (16) Consumer Information Bureau.

3. The undesignated centerheading immediately preceding § 0.15 is revised to read as follows:

#### Office of Media Relations

4. Section 0.15 is revised to read as follows:

#### § 0.15 Functions of the Office.

(a) Enhance public understanding of and compliance with the Commission's regulatory requirements through dissemination of information to the news media.

(b) Act as the principal channel for communicating information to the news media on Commission policies, programs, and activities.

(c) Advise the Commission on information dissemination as it affects liaison with the media.

(d) Manage the FCC's Internet site and oversee the agency's Web standards and guidelines.

(e) Maintain liaison with the Consumer Information Bureau on press and media issues concerning consumer assistance and information including informal consumer complaints.

5. Section 0.17 is amended by adding paragraph (g) to read as follows:

#### § 0.17 Functions of the Office.

(g) Coordinate with the Consumer Information Bureau on issues involving informal consumer complaints and other general inquiries by consumers.

6. Section 0.31 is amended by adding paragraph (n) to read as follows:

#### § 0.31 Functions of the Office.

(n) To assist the Consumer Information Bureau on issues involving informal consumer complaints and other general inquiries by consumers.

7. Section 0.51 is amended by adding paragraph (s) to read as follows:

#### § 0.51 Functions of the Bureau.

(s) To assist the Consumer Information Bureau on issues involving informal consumer complaints and other general inquiries by consumers.

8. Section 0.61 is amended by removing and reserving paragraph (c), revising paragraph (f) and adding paragraph (g) to read as follows:

#### § 0.61 Functions of the Bureau.

(f) Handle equal employment opportunity enforcement and political broadcasting and fairness doctrine complaints involving broadcast stations, cable operators and other multichannel video program distributors.

(g) To assist the Consumer Information Bureau on issues involving informal consumer complaints and other general inquiries by consumers.

9. Section 0.91 is amended by revising paragraphs (a), (c) and (h) to read as follows:

#### § 0.91 Functions of the Bureau.

(a) Advises and makes recommendations to the Commission, or acts for the Commission under delegated authority, in matters pertaining to the regulation and licensing of communication common carriers and ancillary operations (other than matters pertaining exclusively to the regulation and licensing of wireless telecommunications services and

facilities). This includes: Policy development and coordination; adjudicatory and rule making proceedings, including rate and service investigations; determinations regarding lawfulness of carrier tariffs; action on applications for service and facility authorizations; review of carrier performance; economic research and analysis; administration of Commission accounting and reporting requirements; compliance and enforcement activities not otherwise within the responsibility of the Enforcement Bureau; and any matters concerning wireline carriers that also affect wireless carriers in cooperation with the Wireless Telecommunications Bureau.

(c) Advises and assists the public, other government agencies and industry groups on wireline common carrier regulation and related matters. Also assists the Consumer Information Bureau with informal consumer complaints and other general inquiries by consumers regarding wireline common carrier regulation and related matters.

(h) Administers the Telecommunications Service Priority System with the concurrence of the Enforcement Bureau, and resolves matters involving assignment of priorities and other issues pursuant to part 64 of this chapter.

10. Section 0.101 is amended by revising paragraph (d) to read as follows:

#### § 0.101 Functions of the Bureau.

(d) Advises and assists, the public, other government agencies and industry groups. Also assists the Consumer Information Bureau with informal consumer complaints and other general inquiries by consumers regarding cable regulations and related matters.

11. The undesignated centerheading immediately preceding § 0.111 is revised to read as follows:

#### Enforcement Bureau

12. Section 0.111 is revised to read as follows:

#### § 0.111 Functions of the Bureau.

(a) Serve as the primary Commission entity responsible for enforcement of the Communications Act and other communications statutes, the Commission's rules, Commission orders and Commission authorizations, other than matters that are addressed in the

context of a pending application for a license or other authorization or in the context of administration, including post-grant administration, of a licensing or other authorization or registration program.

(1) Resolve complaints, including complaints filed under section 208 of the Communications Act, regarding acts or omissions of common carriers (wireline, wireless and international).

**Note to paragraph (a)(1):** The Consumer Information Bureau has primary responsibility for informally resolving individual informal complaints from consumers against common carriers (wireline, wireless and international) and against other wireless licensees, and informal consumer complaints involving access to telecommunications services and equipment for persons with disabilities. The Common Carrier Bureau has primary responsibility regarding compliance with common carrier accounting and related requirements, including those imposed under section 220 of the Communications Act, and complaints regarding connection of equipment to the telephone network under part 68 of the Commission's rules. The International Bureau has primary responsibility for complaints regarding international settlements rules and policies. The Cable Services Bureau has primary responsibility for pole attachment complaints under section 224 of the Communications Act.

(2) Resolve complaints regarding acts or omissions of non-common carriers subject to the Commission's jurisdiction under Title II of the Communications Act and related provisions, including complaints against aggregators under section 226 of the Communications Act and against entities subject to the requirements of section 227 of the Communications Act.

**Note to paragraph (a)(2):** The Consumer Information Bureau has primary responsibility for informally resolving individual informal complaints from consumers against non-common carriers subject to the Commission's jurisdiction under Title II of the Communications Act and related provisions, other than complaints involving access to communications services and equipment for persons with disabilities.

(3) Resolve formal complaints regarding accessibility to telecommunications services and equipment for persons with disabilities, including complaints filed pursuant to sections 225 and 255 of the Communications Act.

(4) Resolve complaints regarding radiofrequency interference and complaints regarding radiofrequency equipment and devices, including complaints of violations of sections 302 and 333 of the Communications Act.

**Note to paragraph (a)(4):** The Cable Services Bureau has shared responsibility for

cable signal leakage complaints and the Office of Engineering and Technology has shared responsibility for radiofrequency equipment and device complaints.

(5) Resolve complaints regarding compliance with the Commission's Emergency Alert System rules.

(6) Resolve complaints regarding the lighting and marking of radio transmitting towers under section 303(q) of the Communications Act.

**Note to paragraph (a)(6):** The Wireless Telecommunications Bureau has responsibility for administration of the tower registration program.

(7) Resolve complaints regarding compliance with statutory and regulatory provisions regarding indecent communications subject to the Commission's jurisdiction.

(8) Resolve complaints regarding the broadcast and cable television children's television programming commercial limits contained in section 102 of the Children's Television Act.

**Note to paragraph (a)(8):** The Mass Media Bureau has responsibility for enforcement of these limits in the broadcast television renewal context.

(9) Resolve complaints regarding unauthorized construction and operation of communications facilities, including complaints of violations of section 301 of the Communications Act.

(10) Resolve complaints regarding false distress signals under section 325(a) of the Communications Act.

(11) Resolve other complaints against Title III licensees and permittees.

**Note to paragraph (a)(11):** The Mass Media Bureau has primary responsibility for complaints regarding children's television programming requirements, and for political and related programming matters and equal employment opportunity matters involving broadcasters, cable operators and other multichannel video programming distributors. The relevant licensing Bureau has primary responsibility for complaints involving tower siting and the Commission's environmental rules. The Cable Services Bureau has primary responsibility for complaints regarding the Commission's Cable Antenna Relay Service rules.

(12) Resolve complaints regarding other matters assigned to it by the Commission, matters that do not fall within the responsibility of another Bureau or Office or matters that are determined by mutual agreement with another Bureau or Office to be appropriately handled by the Enforcement Bureau.

(13) Identify and analyze complaint information, conduct investigations, conduct external audits and collect information, including pursuant to sections 218, 308(b), 403 and 409(e) through (k) of the Communications Act,

in connection with complaints, on its own initiative or upon request of another Bureau or Office.

(14) Issue or draft orders taking or recommending appropriate action in response to complaints or investigations, including, but not limited to, admonishments, damage awards where authorized by law or other affirmative relief, notices of violation, notices of apparent liability and related orders, notices of opportunity for hearing regarding a potential forfeiture, hearing designation orders, orders designating licenses or other authorizations for a revocation hearing and consent decrees. Issue or draft appropriate orders after a hearing has been terminated by an Administrative Law Judge on the basis of waiver. Issue or draft appropriate interlocutory orders and take or recommend appropriate action in the exercise of its responsibilities.

(15) Encourage cooperative compliance efforts.

(16) Mediate and settle disputes.

(17) Provide information regarding pending complaints, compliance with relevant requirements and the complaint process, where appropriate and to the extent the information is not available from the Consumer Information Bureau or other Bureaus and Offices.

(18) Exercise responsibility for rulemaking proceedings regarding general enforcement policies and procedures.

(19) Advise the Commission or responsible Bureau or Office regarding the enforcement implications of existing and proposed rules.

(20) Serve as the primary point of contact for coordinating enforcement matters, including market and consumer enforcement matters, with other federal, state and local government agencies, as well as with foreign governments after appropriate consultation, and provide assistance to such entities. Refer matters to such entities, as well as to private sector entities, as appropriate.

(b) Serve as trial staff in formal hearings conducted pursuant to 5 U.S.C. 556 regarding applications, revocation, forfeitures and other matters designated for hearing.

(c) Under the general direction of the Defense Commissioner, coordinate the defense activities of the Commission and provide support to the Defense Commissioner with respect to his or her participation in the Joint Telecommunications Resources Board, and the National Security Telecommunications Advisory Committee and other organizations. Recommend national emergency plans

and preparedness programs covering Commission functions during national emergency conditions. Support the Chief of the Common Carrier, International and Wireless Telecommunications Bureaus on matters involving assignment of Telecommunications Service Priority System priorities and in administration of that system. The Chief, Enforcement Bureau, or that person's designee, acts as FCC Alternate Defense Coordinator and principal to the National Communications System. Perform such alternate functions as may be delegated during a national emergency or following activation of the President's war emergency powers as specified in section 706 of the Communications Act.

(d) In coordination with the International Bureau, participate in international conferences dealing with monitoring and measurement; serve as the point of contact for the U.S. Government in matters of international monitoring, fixed and mobile direction-finding and interference resolution; and oversee coordination of non-routine communications and materials between the Commission and international or regional public organizations or foreign administrations.

(e) In conjunction with the Office of Engineering and Technology, work with technical standards bodies.

(f) Administer the Commission's Emergency Alert System. Be responsible for rulemakings involving the Emergency Alert System.

(g) Oversee the Commission's privatized ship radio safety inspection program.

(h) Have authority to rule on emergency requests for Special Temporary Authority during non-business hours.

(i) Provide field support for, and field representation of, the Bureau, other Bureaus and Offices and the Commission. Coordinate with other Bureaus and Offices as appropriate.

(j) Handle congressional and other correspondence relating to or requesting specific enforcement actions, specific complaints or other specific matters within the responsibility of the Bureau, to the extent not otherwise handled by the Consumer Information Bureau, the Office of General Counsel (impermissible *ex parte* presentations) or another Bureau or Office.

(k) Have authority to issue non-hearing related subpoenas for the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, schedules of charges, contracts, agreements, and any other records deemed relevant to the investigation of matters within the

responsibility of the Bureau. Before issuing a subpoena, the Enforcement Bureau shall obtain the approval of the Office of General Counsel.

(l) Perform such other functions as may be assigned or referred to it by the Commission.

13. Section 0.121 is amended by revising paragraph (a) as follows:

**§ 0.121 Location of field installations.**

(a) Field offices are located throughout the United States. For the address and phone number of the closest office contact the Enforcement Bureau or see the U.S. Government Manual.

\* \* \* \* \*

14. Section 0.131 is amended by revising paragraphs (a), (h) and (i) to read as follows:

**§ 0.131 Functions of the Bureau.**

\* \* \* \* \*

(a) Advises and makes recommendations to the Commission, or acts for the Commission under delegated authority, in all matters pertaining to the licensing and regulation of wireless telecommunications, including ancillary operations related to the provision or use of such services; and any matters concerning wireless carriers that also affect wireline carriers in cooperation with the Common Carrier Bureau. These activities include: policy development and coordination; conducting rulemaking and adjudicatory proceedings, including licensing and complaint proceedings for matters not within the responsibility of the Enforcement Bureau; acting on waivers of rules; acting on applications for service and facility authorizations; compliance and enforcement activities for matters not within the responsibility of the Enforcement Bureau; determining resource impacts of existing, planned or recommended Commission activities concerning wireless telecommunications, and developing and recommending resource deployment priorities.

\* \* \* \* \*

(h) Develops and recommends policies, programs and rules to ensure interference-free operation of wireless telecommunications equipment and networks. Coordinates with and assists other Bureaus and Offices, as appropriate, concerning spectrum management, planning, and interference matters and issues, and in compliance and enforcement activities. Studies technical requirements for equipment for wireless telecommunications services in accordance with standards

established by the Chief, Office of Engineering and Technology.

(i) Advises and assists consumers, businesses and other government agencies on wireless telecommunications issues and matters related thereto. Also assists the Consumer Information Bureau with informal consumer complaints and other general inquiries by consumers regarding cable regulations and related matters.

\* \* \* \* \*

15. Add an undesignated center heading and 0.141 to read as follows:

**Consumer Information Bureau**

**§ 0.141 Functions of the Bureau.**

(a) Serve as the primary Commission entity responsible for communicating information to the general public regarding Commission policies, programs, and activities. Develop, recommend, coordinate and administer the Commission's consumer information program to enhance the public's understanding of and compliance with the Commission's regulatory requirements.

(1) Provide a single source "one-stop" shop or "FCC General Store" for handling general inquiries and informally resolving individual informal consumer complaints for the Commission.

(2) Provide information to the public on the Commission's policies, goals, objectives, and regulatory requirements in order to facilitate public participation in the Commission's decision-making processes.

(3) Plan, develop, and implement, in coordination with Bureaus and Offices, a Commission wide strategic information plan. Collect and analyze information received in the Bureau from incoming informal consumer complaints and inquiries, consumer forums, and other industry sources and act as an early warning system to alert the Commissioners and the other Bureaus and Offices of areas of concern or interest.

(4) In conjunction with appropriate Bureaus and Offices, conduct consumer forums to educate the public about important Commission regulatory programs and to solicit public feedback about the work of the Commission.

(5) In coordination with the Managing Director's Office, provide objectives and evaluation methods for the public information portions of the Agency's Government Performance and Results Act (GPRA) submissions and other Agency-wide strategic planning efforts.

(6) Provide expert advice and assistance to Bureaus and Offices

regarding compliance with accessibility requirements.

(7) Provide accessible formats for distribution of Commission material for use by individuals with disabilities, and ensure that individuals with disabilities have access to Commission processes in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.

(8) Develop and issue, in conjunction with appropriate Bureaus and Offices, consumer alerts and public service announcements to give consumers information about their rights and information to protect themselves from unscrupulous individuals and firms.

(9) Exercise responsibility for rulemaking proceedings regarding general consumer education policies and procedures, and any other related issues, as appropriate.

(b) Provide consumers with timely, up-to-date, and accurate information promptly and professionally, in a format that is most convenient to the consumer through the use of an integrated telephone, TTY, e-mail, web site, and correspondence center.

(1) Provide informal resolution of individual informal consumer complaints in accord with the Bureau's delegated authority (except those complaints filed regarding accessibility to communications services and equipment for persons with disabilities, including complaints filed pursuant to sections 225, 255, and 713 of the Communications Act, which are handled by the Enforcement Bureau.)

(i) Complete an electronic complaint form at the request of consumers and assist consumers with informal resolution of their complaints through service, facilitation, and informal resolution to address consumer-oriented problems.

(ii) Mediate and settle disputes in informal complaints as appropriate.

(2) Develop and implement approaches and delivery mechanisms to increase productivity and continuously improve service to consumers. Develop partnership with other federal, state, and local governments and industry in order to establish mechanisms to quickly address informal consumer complaints and issues.

(3) Identify and refer new, novel and/or hot consumer issues to the appropriate Commission Bureau or Office.

(4) Prepare and distribute information and documents of interest to consumers regarding their rights under applicable law.

(5) In coordination with other Bureaus and Offices, handle Congressional and other correspondence related to specific

informal consumer complaints, or other specific matters within the responsibility of the Bureau, to the extent not otherwise handled by the Office of General Counsel (impermissible *ex parte* presentations) or another Bureau or Office.

(c) Develop, plan, coordinate and operate the consolidated reference and research services center to ensure accessibility of the files and record systems for the public and Commission staff.

(1) Serve as the official FCC record custodian for designated records to include intake processing, organization and file maintenance, reference services, retirement, and retrieval of these records. Responsible for managing and maintaining the Electronic Comment Filing System.

(2) Certify records for adjudicatory and court proceedings.

(3) Convene periodic user group meetings to assist in defining requirements for automated reference and research services.

(4) Maintain files for Informal Consumer Complaints, Broadcast Ownership, AM/FM/TV, TV Translators, FM Translators, Cable TV, Wireless, Auction and Common Carrier Tariff and other public record systems in a current state by receiving, reviewing, and filing applications, authorizations, correspondence, technical data and other materials in accordance with established procedures and time frames. Maintain for public inspection Time Brokerage and Affiliation Agreements.

(5) Provide the public and the Commission staff prompt access to manual/computerized records and filing systems.

(6) Maintain court citation file and legislative histories concerning telecommunications dockets.

(d) Manage the Bureau's computer hardware, software, and database systems, such as the Bureau's Internet site, consumer information network systems, and the electronic comment filing system. Responsible for all design, systems development, presentation development, accessibility and coordination with the Chairman, Commissioners, and other Bureaus and Offices to ensure complete, timely, and accurate coverage of Bureau activities and Commission publications.

(1) Participate with the Internet Working Group to set standards and develop guidelines that govern the FCC Internet practices and procedures. Keep abreast of new developments and provide expert advice on how to attain new goals.

(2) In consultation with, and assisted by the Managing Director's Office, identify the role of the Information Technology Center in supporting the hardware, software, and systems needs of the Bureau.

(3) Provide leadership to Bureaus and Offices for dissemination of consumer information via the Internet.

(4) Coordinate with other Bureaus and Offices to develop and maintain Commission-wide databases for dissemination of consumer information and related documents.

(5) Provide technology and automation support to the Bureau to ensure smooth operation of daily business and ongoing work. Purchase, install and monitor use of new technology. Provide training as appropriate.

(6) Determine need for, develop statements of work, recommend, implement and manage automated information systems, electronic filing systems, telephone systems, electronic and document management systems.

(e) Develop, recommend, and implement policies, goals, and objectives to solicit public input in Commission policy-making proceedings to ensure that the Commission has the benefit of a wide spectrum of information and viewpoints in its decision-making processes.

(1) In coordination with the Commission's Bureaus and Offices, maintain liaison with consumer organizations and governmental agencies concerned with FCC regulatory activities to ensure a continuing exchange of views and information.

(2) Conduct consumer forums to educate the public about important Commission regulatory programs and to solicit public feedback from consumers and to encourage more public participation in the work of the Commission.

(3) Develop and maintain special databases for mailing, e-mailing, and sending facsimile material to groups affected by commission actions.

(4) Arrange briefings and seminars for educational institutions, consumer organizations or other groups interested in the operations of the Commission.

(5) In coordination with Bureaus and Offices, implement an informal work group for information sharing purposes to ensure coordination on all consumer information and outreach projects.

(6) Advise and assist the Chairman, Commissioners, and the Bureaus and Offices regarding public participation on consumer information/education matters.

(7) Exercise responsibility for rulemaking proceedings regarding

general consumer education policies and procedures and related matters.

(f) Plan, develop and implement, in coordination with Bureaus and Offices, a Commission-wide strategic information plan.

(1) Develop and establish a coordinated information collection and validation process with bureaus and offices to ensure accuracy and validity of information disseminated by the Bureau.

(2) Collect and analyze information received in the Bureau from incoming consumer complaints and inquiries, consumer forums, and other industry sources and act as an early warning system to alert the Commissioners and the other Bureaus and Offices of areas of concern or interest.

(3) Promote within the Commission an increased understanding of the concerns and viewpoints of the public through formal and informal coordinating procedures to ensure prompt service to the public who seek information about FCC proceedings and policies, and who seek assistance in participating in Commission activities.

(4) Oversee the graphics arts program for the Bureau. In coordination with other Bureaus and Offices, produce audio and video consumer alerts and public service announcements for dissemination to the public.

(5) In consultation with the Managing Director's Office, provide objectives and evaluation methods for the public information portion of the Agency's Government Performance and Results Act (GPRA) submissions and other Agency-wide strategic planning efforts.

(6) Ensure that alternative formats of Commission materials are available to Commission employees, Bureaus, Offices and members of the public. Develop a library of commonly requested materials on disability issues, and issues of interest to all consumers. Provide other Commission materials in alternative formats, upon request. Materials will be available in Braille, audio cassette, large print, computer diskette and CD-ROM.

(g) Appoint a Rehabilitation Act Officer with full authority to oversee FCC compliance with the requirements of the Rehabilitation Act of 1973 (29 U.S.C. 794), and to provide direction and assistance on all associated activities and initiatives to other Bureaus and Offices.

**Note to paragraph (g):** Responsibility for implementing section 501 requirements of the Rehabilitation Act are assigned to the Office of Workplace Diversity. Responsibility for implementing section 504 requirements of the Rehabilitation Act are assigned to the Disability Rights Office. Responsibility for

implementing section 508 requirements are assigned to the Office of the Managing Director.

(1) Coordinate with appropriate Bureau/Office experts to provide technical assistance on all accessibility related rules/proceedings. Coordinate with Disability and Business Technical Assistance Center's (DBTAC's) and represent the Commission on rehabilitation and accessibility related committees, working groups, and at associated conferences. Coordinate TTY directory publishing as required by the Telecommunications Accessibility Enhancement Act.

(2) Coordinate with Bureaus and Offices to develop recommendations and propose policies to ensure that telecommunications and mass media are accessible to persons with disabilities. Review relevant agenda items and other documents prepared by Bureaus or Offices to ensure that the documents are in conformance with existing disability laws and policies and that they support the Commission's goal of increasing accessibility of communications services and technologies for persons with disabilities. Provide expert advice on issues relevant to persons with disabilities. Initiate rulemaking proceedings as appropriate.

(3) Provide advice and assistance, as required, to other Bureaus as appropriate, on the requirements of the Americans with Disabilities Act (ADA), the Rehabilitation Act, and the Communications Act, including sections 255 and 713 and enforcement activities related to accessibility.

(4) Develop specialized disability outreach efforts to include postings on the Commission's web sites and maintaining an electronic disability outreach list and resource library of disability literature, including articles, publications and newsletters.

(5) Monitor legal developments affecting persons with disabilities by reviewing court and Commission decisions, professional publications, and trade press, and by researching legislation, decisions, opinions and regulation.

(6) Manage the Disabilities Issues Task Force and associated working groups.

(7) Coordinate training opportunities for Commission employees on accessibility issues.

(h) Perform such other functions as may be assigned or referred to the Bureau by the Commission.

16. Section 0.181 is amended by revising the introductory text and paragraphs (c), (d) and (h) to read as follows:

#### **§ 0.181 The Defense Commissioner.**

The Defense Commissioner is designated by the Commission. The Defense Commissioner directs the defense activities of the Commission and has the following duties and responsibilities:

\* \* \* \* \*

(c) To act as the Defense Coordinator in representations with other agencies with respect to planning for the continuity of the essential functions of the Commission under emergency conditions.

(d) To serve as a member of the Joint Telecommunications Resources Board (JTRB).

\* \* \* \* \*

(h) To approve national emergency plans and develop preparedness programs covering: provision of service by common carriers; broadcasting and cable facilities, satellite and the wireless radio services; radio frequency assignment; electromagnetic radiation; investigation and enforcement.

\* \* \* \* \*

17. Section 0.182 is revised to read as follows:

#### **§ 0.182 Chief, Enforcement Bureau.**

(a) Recommends national emergency plans and preparedness programs covering: Provision of service by common carriers, broadcasting and cable facilities, satellite and the wireless radio services; radio frequency assignment; electro-magnetic radiation; investigation and enforcement.

(b) Acts as Alternate Defense Coordinator in representations with other agencies with respect to planning for the continuity of the essential functions of the Commission under emergency conditions.

(c) Coordinates the FCC's responsibilities under the Interagency Advisory Group (IAG) of the Federal Emergency Management Agency.

(d) Provides administrative support for the National Advisory Committee (NAC) on Emergency Alert System (EAS) issues.

(e) Keeps the Defense Commissioner informed as to significant developments in the field of emergency preparedness and related defense activities.

(f) Coordinates the FCC's responsibilities under the Federal Response Plan, Catastrophic Disaster Response Group (CDRG) administered by the Federal Emergency Management Agency (FEMA).

(g) Serves as the FCC's representative on the National Communications System's Committees.

(h) Under the general direction of the Defense Commissioner coordinates the

National Security and Emergency Preparedness (NSEP) activities of the Commission including Continuity of Government Planning, the Emergency Alert System (EAS) and other functions as may be delegated during a national emergency or activation of the President's war emergency powers as specified in section 706 of the Communications Act. Maintains liaison with FCC Bureaus/Offices, represents the Defense Commissioner with other Government agencies and organizations, the telecommunications industry and FCC licensees on NSEP matters; and, as requested, represents the Commission at NSEP meetings and conferences.

(i) Is authorized to declare that a temporary state of communications emergency exists pursuant to § 97.401(c) of this chapter and to act on behalf of the Commission with respect to the operation of amateur stations during such temporary state of communications emergency.

#### **§ 0.183 [Removed]**

18. Remove § 0.183.

#### **§ 0.185 [Amended]**

19. In § 0.185(a), (b) and the introductory text, remove the words "Chief, Compliance and Information Bureau" and add, in their place, the words "Chief, Enforcement Bureau."

20. Section 0.261 is amended by revising paragraph (a)(15) to read as follows:

#### **§ 0.261 Authority delegated.**

(a) \* \* \*

(15) To interpret and enforce rules and regulations pertaining to matters under its jurisdiction and not within the jurisdiction of the Enforcement Bureau.

\* \* \* \* \*

21. Section 0.284 is amended by revising paragraphs (a)(1) and (a)(4) to read as follows:

#### **§ 0.284 Actions taken under delegated authority.**

(a) \* \* \*

(1) Complaints arising under section 315 of the Communications Act—Office of General Counsel.

\* \* \* \* \*

(4) Matters involving emergency communications, including the issuance of Emergency Alert System Authorizations (FCC Form 392)—Enforcement Bureau.

\* \* \* \* \*

22. Section 0.285 is revised to read as follows:

#### **§ 0.285 Record of actions taken.**

The history card, the station file, and other appropriate files are designated to

be the official records of action taken by the Chief of the Mass Media Bureau. The official records of action are maintained in the Reference Information Center in the Consumer Information Bureau.

23. Section 0.302 is revised to read as follows:

#### **§ 0.302 Record of actions taken.**

The application and authorization files are designated as the Commission's official records of action of the Chief, Common Carrier Bureau pursuant to authority delegated to the Chief. The official records of action are maintained in the Reference Information Center in the Consumer Information Bureau.

24. The undesignated centerheading immediately preceding § 0.311 is revised to read as follows:

#### **Enforcement Bureau**

25. Section 0.311 is revised to read as follows:

#### **§ 0.311 Authority delegated.**

The Chief, Enforcement Bureau, is delegated authority to perform all functions of the Bureau, described in § 0.111, provided that:

(a) The following matters shall be referred to the Commission en banc for disposition:

(1) Notices of proposed rulemaking and of inquiry and final orders in such proceedings.

(2) Applications for review of actions taken pursuant to delegated authority.

(3) Matters that present novel questions of law, fact or policy that cannot be resolved under existing precedents and guidelines.

(4) Forfeiture notices and forfeiture orders if the amount is more than \$100,000 in the case of common carriers or more than \$25,000 in the case of all other persons or entities.

(5) Orders concluding an investigation under section 208(b) of the Communications Act and orders addressing petitions for reconsideration of such orders.

(b) Action on complaints regarding compliance with section 705(a) of the Communications Act shall be coordinated with the Office of General Counsel.

(c) Action on emergency requests for Special Temporary Authority during non-business hours shall be promptly reported to the responsible Bureau.

**Note to paragraph (c):** See also § 0.182 of this chapter.

26. Section 0.314 is revised to read as follows:

#### **§ 0.314 Additional authority delegated.**

The *Regional Director, Deputy Regional Director, District Director or*

*Resident Agent* at each installation is delegated authority to act upon applications, requests, or other matters, which are not in hearing status, and direct the following activities necessary to conduct investigations or inspections:

(a) On informal requests from broadcast stations to extend temporary authority for operation without monitors, plate ammeter, plate voltmeter, base current meter, common point meter, and transmission line meter from FM and television stations.

(b)(1) Extend the Communications Act Safety Radiotelephony Certificate for a period of up to 90 days beyond the specified expiration date.

(b)(2) Grant emergency exemption requests, extensions or waivers of inspection to ships in accordance with applicable provisions of the Communications Act, the Safety Convention, the Great Lakes Agreement or the Commission's rules.

(c) To act on and make determinations on behalf of the Commission regarding requests for assignments and reassignments of priorities under the Telecommunications Service Priority System, Part 64 of the rules, when circumstances require immediate action and the common carrier seeking to provide service states that it cannot contact the National Communications System or the Commission office normally responsible for such assignments.

(d) Require special equipment and program tests during inspections or investigations to determine compliance with technical requirements specified by the Commission.

(e) Require stations to operate with the pre-sunrise and nighttime facilities during daytime hours in order that an inspection or investigation may be made by an authorized Commission representative to determine operating parameters.

(f) Issuance of notices and orders to operators of industrial, scientific, and medical (ISM) equipment, as provided in § 18.115 of this chapter.

(g) Requests for permission to resume operation of ISM equipment on a temporary basis, as provided by § 18.115 of this chapter, and requests for extensions of time within which to file final reports, as provided by § 18.117 of this chapter.

(h) Issuance of notices and orders to operators of Part 15 devices, as provided in § 15.5 of this chapter.

(i) Issuance of notices and orders to cable operators of harmful interference to radio communications services involving safety services, as provided in § 76.613 of this chapter.

(j) When deemed necessary by the *District Director or Resident Agent* of a Commission field facility to assure compliance with the Rules, a station licensee shall maintain a record of such operating and maintenance records as may be necessary to resolve conditions of interference or deficient technical operation.

27. Section 0.317 is revised to read as follows:

**§ 0.317 Record of action taken.**

The application, authorization, and other appropriate files of the Enforcement Bureau are designated as the Commission's official records of action taken pursuant to authority delegated under §§ 0.311 and 0.314, and shall constitute the official Commission minutes entry of such actions. The official records of action are maintained in the Reference Information Center in the Consumer Information Bureau.

28. Section 0.332 is amended by removing and reserving paragraph (a) and revising paragraphs (b) and (c) to read as follows:

**§ 0.332 Actions taken under delegated authority.**

\* \* \* \* \*

(b) Requests for waiver of tower painting and lighting specifications—Enforcement Bureau.

(c) Matters involving emergency communications—Enforcement Bureau.

\* \* \* \* \*

29. Section 0.347 is revised to read as follows:

**§ 0.347 Record of actions taken.**

The official record of all actions taken by an Administrative Law Judge, including initial and recommended decisions and actions taken pursuant to § 0.341, is contained in the original docket folder, which is maintained in the Reference Information Center of the Consumer Information Bureau.

30. Section 0.357 is revised to read as follows:

**§ 0.357 Record of actions taken.**

The official record of all actions taken by the Chief Administrative Law Judge in docketed proceedings pursuant to § 0.351 is contained in the original docket folder, which is maintained by the Reference Information Center of the Consumer Information Bureau.

31. Add an undesignated center heading and § 0.361 to read as follows:

**Consumer Information Bureau**

**§ 0.361 Authority delegated.**

The Chief, Consumer Information Bureau, is delegated authority to perform all functions of the Bureau,

described in § 0.141, provided that the following matters shall be referred to the Commission en banc for disposition:

(a) Notices of proposed rulemaking and of inquiry and final orders in such proceedings.

(b) Application for review of actions taken pursuant to delegated authority.

(c) Matters that present novel questions of law, fact or policy that cannot be resolved under existing precedents and guidelines.

32. Section 0.387 is amended by revising paragraph (b) to read as follows:

**§ 0.387 Other national security and emergency preparedness delegations; cross reference.**

\* \* \* \* \*

(b) For authority of the Chief of the Enforcement Bureau to declare a general communications emergency, see § 0.182(j).

33. Section 0.413 is revised to read as follows:

**§ 0.413 The Commission's printed publications.**

The Commission's printed publications are described in §§ 0.414 through 0.420. These publications may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

34. Section 0.416 is revised to read as follows:

**§ 0.416 The Federal Communications Commission Record.**

Texts adopted by the Commission or a member of its staff on delegated authority and released through the Office of Media Relations are published in the FCC Record. The FCC Record is published biweekly in pamphlet form. The pamphlets are available on a subscription basis from the Superintendent of Documents. Each biweekly pamphlet contains a table of contents and current index. A consolidated index is published on a periodic basis.

35. Section 0.422 is revised to read as follows:

**§ 0.422 Current action documents and public notices.**

Documents adopted by the Commission, public notices and other public announcements are released through the Office of Media Relations. These documents are also available on the Commission's website at [www.fcc.gov/](http://www.fcc.gov/) and can be obtained from the Commission's duplicating contractor.

36. Section 0.423 is revised to read as follows:

**§ 0.423 Information bulletins.**

Information bulletins and fact sheets containing information about communications issues and the Federal Communications Commission are available on the Commission's web site at [www.fcc.gov](http://www.fcc.gov), [ftp.fcc.gov](http://ftp.fcc.gov) or may be requested from the Consumer Information Bureau, Consumer Information Network Division.

37. Section 0.431 is revised to read as follows:

**§ 0.431 The FCC service frequency lists.**

Lists of frequency assignments to radio stations authorized by the Commission are recapitulated periodically by means of an automated record system. All stations licensed by the Commission are included, except the following: Aircraft, amateur, personal (except General Mobile Radio Service), Civil Air Patrol, and disaster. The resulting documents, the FCC service frequency lists, consist of several volumes arranged by nature of service, in frequency order, including station locations, call signs and other technical particulars of each assignment. These documents are available for public inspection in Washington, D.C., in the Office of Engineering and Technology. Copies may be purchased from the Commission's duplicating contractor. See § 0.465(a).

38. Section 0.434 is revised to read as follows:

**§ 0.434 Data bases and lists of authorized broadcast stations and pending broadcast applications.**

Periodically the FCC makes available copies of its data bases and lists containing information about authorized broadcast stations, pending applications for such stations, and rulemaking proceedings involving amendments to the TV and FM Table of Allotments. The data bases, and the lists prepared from the data bases, contain frequencies, station locations, and other particulars. The lists are available for public inspection at the FCC's Reference Information Center at 445 12th Street, SW., Washington, DC. Paper copies of the lists may be purchased from the FCC's duplicating contractor; see § 0.465(a). Many of the databases may be viewed at the Commission's web site at [www.fcc.gov](http://www.fcc.gov) and [ftp.fcc.gov](http://ftp.fcc.gov) under mass media services. Microfiche copies of these lists are maintained by the Reference Information Center. These lists are derived from the data bases and can be used as an alternative research source to the Broadcast Application Processing System (BAPS).

39. Section 0.441 is revised to read as follows:



**§ 0.441 General.**

Any person desiring to obtain information may do so by contacting the Consumer Information Bureau. Requests for information, general inquiries, and complaints may be submitted by:

- (a) Internet at [www.fcc.gov/CIB/FCCINFO](http://www.fcc.gov/CIB/FCCINFO) or [ftp.fcc.gov/CIB/FCCINFO](http://ftp.fcc.gov/CIB/FCCINFO).
- (b) Telephone at 1-(888) CALLFCC (1-888-225-5322).
- (c) TDD/TDY at (202) 418-0484.
- (d) Correspondence at: Consumer Information Bureau, P.O. Box FCC, 445 12th Street, SW., Washington, DC 20554.

(e) Visiting the Reference Information Center of the Consumer Information Bureau at the Commission's main office in Washington, DC.

**§ 0.443 [Removed]**

40. Remove § 0.443.

41. Section 0.445 is amended by revising paragraphs (b), (c) and (g) to read as follows:

**§ 0.445 Publication, availability and use of opinions, orders, policy statements, interpretations, administrative manuals, and staff instructions.**

\* \* \* \* \*

(b) Texts adopted by the Commission or a member of its staff on delegated authority and released through the Office of Media Relations are published in the FCC Record. Older materials of this nature are available in the FCC Reports. In the event that such older materials are not published in the FCC Reports, reference should be made to the **Federal Register** or Pike and Fischer Radio Regulation.

(c) All rulemaking documents are published in the **Federal Register**. Summaries of the full Notices of proposed rule making and other rule making decisions adopted by the Commission constitute rulemaking documents for purposes of **Federal Register** publication. See § 1.412(a)(1). The complete text of the Commission decision also is released by the Commission and is available for inspection and copying during normal business hours in the Office of Media Relations or as otherwise specified in the rulemaking document published in the **Federal Register**. Docketed matters are available to the public via the Electronic Comment Filing System maintained in the Reference Information Center at 445 12th Street, Washington, DC. The complete texts of rulemaking decisions may also be purchased from the Commission's duplicating contractor.

\* \* \* \* \*

(g) The FCC Administrative Manual (excepting Part IX, concerning Civil Defense, which contains materials classified under E.O. 10501) is available

for inspection in the Office of the Managing Director. The Manual is not indexed but is organized by subject, with tables of contents, and the materials contained therein can be located without difficulty.

\* \* \* \* \*

42. Section 0.453 is amended by revising paragraphs (a), (b), (d), (e) and (f) to read as follows:

**§ 0.453 Public reference rooms.**

\* \* \* \* \*

(a) *The Reference Information Center of the Consumer Information Bureau.* (1) Files containing the record of all docketed cases, petitions for rule making and related papers. A file is maintained for each docketed hearing case and for each docket rule making proceeding. Cards summarizing the history of such cases are available for inspection.

(2) Files, documents, and records related to the following services:

(i) Mass Media Services.  
(A) Applications for broadcast authorizations and related files are available for public inspection. Certain broadcast applications, reports and records are also available for inspection in the community in which the station is located or is proposed to be located. See §§ 73.3526 and 73.3527 of this chapter.

(B) Ownership reports filed by licensees of broadcast stations pursuant to § 73.3615.

(C) Network affiliation contracts between stations and networks (for television stations only).

(D) Contracts relating to network service to broadcast licensees filed on or after the 1st day of May 1969 under § 73.3613.

(E) Annual employment reports filed by licensees and permittees of broadcast stations pursuant to § 73.3612 of this chapter.

(F) Contract files which contain pledges, trust agreements, options to purchase stock agreements, partnership agreements, management consultant agreements, and mortgage or loan agreements.

(G) broadcast applications and related files.

(H) FM Translator applications and related files.

(I) Station files containing Notice of Apparent Liability and Memorandum of Opinion and Order and related files.

(J) Network correspondence files and related materials.

(ii) Common Carrier Services, including:

(A) Annual reports filed by carriers under § 43.21 of this chapter.

(B) Reports on pensions and benefits filed by carriers under § 43.42 of this chapter.

(C) Reports of proposed changes in depreciation rates filed by carriers under § 43.43 of this chapter.

(D) Tariff schedules for all charges for interstate and foreign wire or radio communications filed pursuant to section 203 of the Communications Act, all related documents and communications.

(E) All applications for common carrier authorizations acted upon by the Common Carrier Bureau, and related files.

(F) All formal and informal complaints against common carriers filed under §§ 1.711 through 1.735 of this chapter, all documents filed in connection therewith, and all communications related thereto.

(G) Annual employment reports filed by common carrier licensees or permittees pursuant to § 1.815 of this chapter.

(H) Enforcement proceedings and public inquiries and related materials.

(I) Files containing contracts between carriers and affiliates, accounts and subaccounts, pension filings, property records, disposition units, and depreciation rate filings.

(J) Cost Allocation Manuals and related materials.

(K) Section 214 applications and related files, to the extent that they concern domestic communications facilities and services.

(L) Files containing reports required by FCC Rules and Regulations, annual reports to stockholders, administrative reports, monthly bypass reports and related materials.

(M) Files containing reference material from major telephone companies.

(N) Files containing Local Exchange Rates and related files.

(O) Currently effective tariffs filed by Communications Common Carriers pursuant to various FCC Rules and Regulations.

(P) Recent revisions to tariff filings and the Reference Information Center Log which is prepared daily and lists the tariff filings received the previous day.

(iii) Wireless Telecommunications Services and Auction related data including:

(A) Station files containing a complete history of data submitted by the applicant that has been approved by the Commission which includes background material.

(B) Pending files containing applications for additional facilities or modifications of existing facilities.

(C) Cellular and Paging Granted Station files and related materials.

(D) Pending cellular and paging applications and related files.

(E) Electronically stored application and licensing data for commercial radio operators and for all authorizations in the Wireless Radio services are available for public inspection via the Commission's wide area network. Wireless Radio services include Commercial and Private Mobile Radio, Common Carrier and Private Operational Field point-to-point Microwave, Local Television Transmission Service (LTTS), Digital Electronic Message Service (DEMS), Aviation Ground and Marine Coast applications. Some of these services are available electronically now and most will be available on electronically within 90 days of the implementation of the Universal Licensing System (ULS).

(F) Petitions and related materials.

(iv) International Services, except to the extent they are excluded from routine public inspection under another section of this chapter:

(A) Satellite and earth station applications files and related materials under parts 25 and 100 of this chapter;

(B) Section 214 applications and related files under part 63 of this chapter, to the extent that they concern international communications facilities and services;

(C) International Fixed Public Radio applications and related files under part 23 of this chapter;

(D) Files relating to submarine cable landing licenses and applications for such licenses since June 30, 1934, except for maps showing the exact location of submarine cables, which are withheld from inspection under section 4(j) of the Communications Act (see § 0.457(c)(1)(i));

(E) Documents relating to INTELSAT or INMARSAT;

(F) International broadcast applications, applications for permission to deliver programming to foreign stations, and related files under part 73 of this chapter;

(v) Cable services. The following files and documents are available, including:

(A) All complaints regarding cable programming rates, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to § 0.459 that such information not be made routinely available for public inspection.

(B) Special relief petitions and files pertaining to cable television operations.

(C) Cable television system reports filed by operators pursuant to § 76.403 of this chapter.

(D) Annual employment reports filed by cable television systems pursuant to § 76.77 of this chapter.

(E) Files and documents related to Cable Television Relay Service (CARS)

(b) *Gettysburg Reference Office of the Reference Information Center.* Station files containing applications and related materials for Remote Pickup, Aural STL/ICR, TV Auxiliary, and Low Power Auxiliary Stations in the mass media services. Files regarding Wireless Services are also available up to 90 days after the implementation of the Universal Licensing System (ULS) at which time they become electronically available.

\* \* \* \* \*

(d) *The Office of Engineering and Technology, FCC Laboratory Reference Room.* The following documents, files and records are available for inspection at this location. Files containing approved applications for Equipment Authorization and related materials are available for review. These files are available in the Commission's Laboratory in Columbia, Maryland.

(e) *The International Bureau.* The International Bureau maintains international settlement agreements and contracts and international cable agreements.

(f) *The Cable Bureau.* The Cable Bureau maintains all cable operator requests for approval of existing or increased cable television rates for basic service and associated equipment over which the Commission had assumed jurisdiction, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to § 0.459 that such information not be made routinely available for public inspection.

\* \* \* \* \*

43. Section 0.455 is revised to read as follows:

**§ 0.455 Other locations at which records may be inspected.**

Except as provided in §§ 0.453, 0.457, and 0.459, records are routinely available for inspection in the Reference Information Center or the offices of the Bureau or Office which exercises responsibility over the matters to which those records pertain (see § 0.5), or will be made available for inspection at those offices upon request. Many of these records may be retrieved from the Commission's site on the World Wide Web, located at <<http://www.fcc.gov>>. Upon inquiry to the appropriate Bureau or Office, persons desiring to inspect such records will be directed to the specific location at which the particular records may be inspected. A list of

Bureaus and Offices and examples of the records available at each is set out below.

(a) *Mass Media Bureau.* (1) Rulings under the Fairness Doctrine and section 315 of the Communications Act, and related materials.

(2) Ruling lists which contain brief summaries of rulings.

(3) Congressional correspondence and related materials.

(b) *Common Carrier Bureau.* (1) Reports of public coast station operators filed under § 43.71 of this chapter.

(2) Valuation reports filed under section 213 of the Communications Act, including exhibits filed in connection therewith, unless otherwise ordered by the Commission, with reasons therefor, pursuant to section 213(f) of the Communications Act. See § 0.457(c)(2).

(3) Computer II files and related materials.

(c) *Office of Managing Director.* (1) All minutes of Commission actions, containing a record of all final votes, minutes of actions and internal management matters as provided in § 0.457(b)(1) and (c)(1)(i). These records and files are available for inspection in the Agenda Branch.

(2) Files containing information concerning the history of the Commission's rules. These files are available for inspection in the Publications Branch.

(3) See § 0.443.

(4) Reports filed pursuant to subpart E of part 19 of this chapter and applications for inspection of such reports. See § 0.460(k).

(d) *Cable Services Bureau.* Correspondence and other actions and decisions relating to cable television services that are not filed in the FCC Reference Information Center, e.g. rate regulation files and related documents.

(e) *Office of Engineering and Technology* which includes the Bureau's Technical Library containing technical reports, technical journals, and bulletins of spectrum management and related technical materials. Also files containing approved applications for Equipment Authorization (Type accepted, certified and notified) and related materials are available for review. These files are available in the Commission's Laboratory in Columbia, Maryland.

(1) Experimental application and license files.

(2) The Master Frequency Records.

(3) Applications for Equipment Authorization (type accepted, type approval, certification, or advance approval of subscription television systems), following the effective date of the authorization. See § 0.457(d)(1)(ii).

(Application files, technical journals and other technical materials are maintained at the Commission's Laboratory at Columbia, Maryland.)

(f) *Wireless Telecommunications Bureau*. See § 0.453(o) of this chapter.

(g) *International Bureau*. The treaties and other international and bilateral agreements listed in § 73.1650 of this chapter are available for inspection in the office of the Chief, Planning and Negotiations Division, International Bureau. Also contracts and other arrangements filed under § 43.51 and reports of negotiations regarding foreign communication matters filed under § 43.52 of this chapter, except for those kept confidential by the Commission pursuant to section 412 of the Communications Act. See § 0.457(c)(3). Also files relating to international settlements under part 64 of this chapter.

44. Section 0.465 is amended by revising the notes to paragraphs (a) and (b), revising paragraphs (c)(1), (d)(1) and (d)(3) and removing paragraph (d)(4) to read as follows:

**§ 0.465 Request for copies of materials which are available, or made available, for public inspection.**

(a) \* \* \*

**Note to paragraph (a):** The name, address, telephone number, and schedule of fees for the current duplication contractor are published at the time of contract award or renewal in a Public Notice and periodically thereafter. Questions regarding this information should be directed to the Reference Information Division of the Consumer Information Bureau.

(b) \* \* \*

**Note to paragraph (b):** The name, address, telephone number, and schedule of fees for the current transcription contractor are maintained by the Office of the Secretary in the Managing Director's Office.

(c)(1) Contractual arrangements which have been entered into with commercial firms, as described in this section, do not in any way limit the right of the public to inspect Commission records or to extract therefrom whatever information may be desired. Coin-operated and debit card copy machines are available for use by the public.

\* \* \* \* \*

(d)(1) Computer maintained data bases produced by the Commission may

be obtained from the FCC's internet web site at [www.fcc.gov](http://www.fcc.gov).

\* \* \* \* \*

(d)(3) Copies of computer source programs and associated documentation produced by the Commission shall be obtained from the Office of the Managing Director.

\* \* \* \* \*

**PART 1—PRACTICE AND PROCEDURE**

45. The authority citation for Part 1 continues to read as follows:

**Authority:** 15 U.S.C. 79 *et seq.*; 47 U.S.C. 151, 154(i), 154(j), 155, 225, and 303(r).

46. Section 1.4 is amended by revising paragraph (b)(2) to read as follows:

**§ 1.4 Computation of time.**

\* \* \* \* \*

(b)(2) For non-rulemaking documents released by the Commission or staff, whether or not published in the **Federal Register**, the release date. A document is "released" by making the full text available in the Commission's Office of Media Relations. The release date appears on the face of the document.

\* \* \* \* \*

**§ 1.47 [Amended]**

47. In § 1.47(h) remove the words "Formal Complaints and Investigations Branch of the Common Carrier Bureau" and add, in their place, the words "Chief of the Enforcement Bureau's Market Disputes Resolution Division".

48. Section 1.221 is amended by revising paragraphs (b) and (c) to read as follows:

**§ 1.221 Notice of hearing; appearances.**

\* \* \* \* \*

(b) The order designating an application for hearing is mailed to the applicant by the Reference Operations Division of the Consumer Information Bureau and this order or a summary thereof is published in the **Federal Register**. Reasonable notice of hearing will be given to the parties in all proceedings; and, whenever possible, the Commission will give at least 60 days notice of comparative hearings.

(c) In order to avail himself of the opportunity to be heard, the applicant, in person or by his attorney, shall, within 20 days of the mailing of the notice of designation for hearing by the

Reference Information Division of the Consumer Information Bureau, file with the Commission, in triplicate, a written appearance stating that he will appear of the date fixed for hearing and present evidence on the issues specified in the order. Where an applicant fails to file such a written appearance within the time specified, or has not filed prior to the expiration of that time a petition to dismiss without prejudice, or a petition to accept, for good cause shown, such written appearance beyond expiration of said 20 days, the application will be dismissed with prejudice for failure to prosecute.

\* \* \* \* \*

**§ 1.720 [Amended]**

49. In 47 CFR 1.720, in the introductory paragraph, remove the words "Common Carrier Bureau's" and add, in their place, the words "Enforcement Bureau's".

**§ 1.721 [Amended]**

50. In 47 CFR 1.721(b) remove the words "Common Carrier Bureau" and add, in their place, the words "Enforcement Bureau".

**§ 1.722 [Amended]**

51. In 47 CFR 1.722(d)(1) remove the word "Bureau" and add, in its place, the words "Enforcement Bureau".

52. Section 1.730 is amended by revising the section heading and paragraph (a) to read as follows:

**§ 1.730 The Enforcement Bureau's Accelerated Docket.**

(a) Parties to formal complaint proceedings against common carriers within the responsibility of the Enforcement Bureau (see §§ 0.111, 0.311, 0.314 of this chapter) may request inclusion on the Bureau's Accelerated Docket. As set out in §§ 1.720 through 1.736, proceedings on the Accelerated Docket are subject to shorter pleading deadlines and certain other procedural rules that do not apply to other formal complaint proceedings before the Enforcement Bureau.

\* \* \* \* \*

53. In the table below, for each section indicated in the left column, remove the title indicated in the middle column from wherever it appears in the section, and add the title indicated in the right column:

| Section                     | Remove   | Add  |
|-----------------------------|--|--|
| 1.730(b), (c) and (d) ..... | Chief of the Common Carrier Bureau's Enforcement Division. | Chief of the Enforcement Bureau's Market Disputes Resolution Division. |
| 1.730(h) .....              | Office of Public Affairs .....                             | Office of Media Relations.   |

54. Section 1.735 is amended by revising paragraph (b) to read as follows:

**§ 1.735 Copies; service; separate filings against multiple defendants.**

\* \* \* \* \*

(b) The complainant shall file an original copy of the complaint, accompanied by the correct fee, in accordance with part I, subpart G (see § 1.1105(1)(c) and (d)) and, on the same day:

(1) File three copies of the complaint with the Office of the Commission Secretary;

(2) Serve two copies on the Market Disputes Resolution Division, Enforcement Bureau;

(3) If the complaint is filed against a carrier concerning matters within the responsibility of the International Bureau (see § 0.261 of this chapter), serve a copy on the Chief, Telecommunications Division, International Bureau; and

(4) If a complaint is addressed against multiple defendants, pay a separate fee, in accordance with part I, subpart G (see § 1.1105(1)(c) and (d)), and file three copies of the complaint with the Office of the Commission Secretary for each additional defendant.

\* \* \* \* \*

55. Section 1.4000 is amended by revising paragraph (g) to read as follows:

**§ 1.4000 Restrictions impairing reception of television broadcast signals, direct broadcast satellite services or multichannel multipoint distribution services.**

\* \* \* \* \*

(g) All allegations of fact contained in petitions and related pleadings before the Commission must be supported by affidavit of a person or persons with actual knowledge thereof. An original and two copies of all petitions and pleadings should be addressed to the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Copies of the petitions and related pleadings will be available for public inspection in the Reference Information Center, Consumer Information Bureau, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Copies will be available for purchase from the Commission's contract copy center, and Commission decisions will be available on the Internet.

**PART 21—DOMESTIC PUBLIC FIXED RADIO SERVICES**

56. The authority citation for Part 21 continues to read as follows:

**Authority:** Secs. 1, 2, 4, 201 through 205, 208, 215, 218, 303, 307, 313, 403, 404, 410, 602, 48 Stat. as amended, 1064, 1066, 1070 through 1073, 1076, 1077, 1080, 1082, 1083, 1087, 1094, 1098, 1102; 47 U.S.C. 151, 154, 201 through 205, 208, 215, 218, 303, 307, 313, 314, 403, 404, 602; 47 U.S.C. 552, 554.

57. Section 21.924 is amended by revising paragraph (a) to read as follows:

**§ 21.924 Service areas.**

(a) MDS service areas are regional Basic Trading Areas (BTAs) which are based on the Rand McNally 1992 Commercial Atlas & Marketing Guide, 123rd Edition, at pages 38–39. The BTA Map is available for public inspection at the Reference Information Center, Consumer Information Bureau, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.

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**PART 27—WIRELESS COMMUNICATIONS SERVICE**

58. The authority citation for Part 27 continues to read as follows:

**Authority:** 47 U.S.C 154, 301, 302, 303, 307, 309 and 332, unless otherwise noted.

59. Section 27.6 is amended by revising the introductory paragraph to read as follows:

**§ 27.6 Service areas.**

WCS service areas are Major Economic Areas (MEAs) and Regional Economic Area Groupings (REAGs) as defined below. Both MEAs and REAGs are based on the U.S. Department of Commerce's 172 Economic Areas (EAs). See 60 FR 13114 (March 10, 1995). In addition, the Commission shall separately license Guam and the Northern Mariana Islands, Puerto Rico and the United States Virgin Islands, American Samoa, and the Gulf of Mexico, which have been assigned Commission-created EA numbers 173–176, respectively. Maps of the EAs, MEAs, and REAGs and the **Federal Register** Notice that established the 172 EAs are available for public inspection and copying at the Reference Information Center, Consumer Information Bureau, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

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**PART 68—CONNECTION OF TERMINAL EQUIPMENT TO THE TELEPHONE NETWORK**

60. The authority citation for part 68 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303.

61. Section 68.317 is amended by revising paragraph (g) as follows:

**§ 68.317 Hearing aid compatibility volume control: technical standards.**

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(g) These incorporations by reference of paragraph 4.1.2 (including table 4.4) of American National Standards Institute (ANSI) Standard ANSI/EIA–470–A–1987 and paragraph 4.3.2 of ANSI/EIA/TIA–579–1991 were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of these publications may be purchased from the American National Standards Institute (ANSI), Sales Department, 11 West 42nd Street, 13th Floor, New York, NY 10036, (212) 642–4900. Copies also may be inspected during normal business hours at the following locations: Consumer Information Bureau, Reference Information Center, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554; and Office of the Federal Register, 800 N. Capitol Street, NW., Suite 700, Washington, DC.

**PART 90—PRIVATE LAND MOBILE RADIO SERVICES**

62. The authority citation for Part 90 continues to read as follows:

**Authority:** Secs. 4, 251 through 252, 303, 309, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 251 through 252, 303, 309 and 332, unless otherwise noted.

63. Section 90.7 is amended by revising the definition of “MTA-based license or MTA license” to read as follows:

**§ 90.7 Definitions.**

\* \* \* \* \*

*MTA-based license or MTA license.* A license authorizing the right to use a specified block of SMR spectrum within one of the 51 Major Trading Areas (“MTAs”), as embodied in Rand McNally's Trading Area System MTA Diskette and geographically represented in the map contained in Rand McNally's Commercial Atlas & Marketing Guide (the “MTA Map.”) The MTA Listings, the MTA Map and the Rand McNally/AMTA license agreement are available for public inspection at the Reference Information Center in the Consumer Information Bureau.

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