

Federal Communications Commission.

Marlene H. Dortch,

Secretary, Office of the Secretary, Office of the Managing Director.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 101

[WT Docket No. 10-153; Report No. 2937]

Facilitating the Use of Microwave for Wireless Backhaul and Other Uses and Providing Additional Flexibility To Broadcast Auxiliary Service and Operational Fixed Microwave Licensees

AGENCY: Federal Communications Commission.

ACTION: Final rule; petition for reconsideration.

SUMMARY: In this document, Petitions for Reconsideration (Petitions) have been filed in the Commission's Rulemaking proceeding continuing efforts to increase flexibility in the use of microwave services licensed under our rules.

DATES: Oppositions to the Petitions must be filed by December 16, 2011. Replies to an opposition must be filed December 27, 2011.

ADDRESSES: Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: John Schauble, Wireless Telecommunications Bureau, 418-0797.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, Report No. 2937, released November 15, 2011. The full text of this document is available for viewing and copying in Room CY-B402, 445 12th Street SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-(800) 378-3160). The Commission will not send a copy of this Notice pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because this Notice does not have an impact on any rules of particular applicability.

Subject: Amendment of Part 101 of the Commission's Rules to Facilitate the Use of Microwave for Wireless Backhaul and Other Uses and to Provide Additional Flexibility to Broadcast Auxiliary Service and Operational Fixed Microwave Licensees, FCC 11-120, in WT Docket No. 10-153 and published September 27, 2011, pursuant to 47 CFR

1.429(e). See 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)).
Number of Petitions Filed: 4.

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DEPARTMENT OF AGRICULTURE

48 CFR Part 422

RIN 0599-AA19

Office of Procurement and Property Management; Agriculture Acquisition Regulation, Labor Law Violations

AGENCY: Office of Procurement and Property Management, Department of Agriculture.

ACTION: Direct final rule.

SUMMARY: The Office of Procurement and Property Management (OPPM) of the Department of Agriculture (USDA) is amending the Agriculture Acquisition Regulation (the "AGAR") to add a new clause at subpart 422.70 entitled "Labor Law Violations." The rule is issued as a direct final rule. Elsewhere in this issue of the **Federal Register**, we are publishing a companion proposed rule under USDA's usual procedure for notice and comment to provide a procedural framework to finalize the rule. In the event that any significant adverse comments are received, this direct final rule will be withdrawn.

DATES: This rule is effective February 29, 2012. Interested parties should submit written comments to the Department of Agriculture on or before January 30, 2012 to be considered in the formulation of a final rule. If any timely significant adverse comments are received, this final rule will be withdrawn in part or in whole by publication of a document in the **Federal Register** within 30 days after the comment period ends.

ADDRESSES: Submit comments identified in the subject line as "48 CFR 422 Direct Final Rule" by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Email:* Procurement@usda.gov.

- *Mail:* Office of Procurement and Property Management, Procurement Policy Division, MAIL STOP 9306, U.S. Department of Agriculture, 1400 Independence Avenue SW., Washington, DC 20250-9303.

- *Hand Delivery/Courier:* Room 262, Reporters' Building, 300 7th Street SW., Washington, DC.

Instructions: All submissions must be identified as "48 CFR 422 Direct Final Rule" for this proposed rulemaking. Please include your name, company name (if applicable), email address and/or phone number where you can be contacted if additional clarification is required regarding your comment(s).

FOR FURTHER INFORMATION CONTACT:

Donna Calacone, Office of Procurement and Property Management, at (202) 205-4036 or by mail at OPPM, MAIL STOP 9304, U.S. Department of Agriculture, 1400 Independence Avenue SW., Washington, DC 20250-9303. Please cite "48 CFR 422 Direct Final Rule" in all correspondence.

SUPPLEMENTARY INFORMATION:

A. Background

The U.S. Department of Agriculture (USDA) highly respects and follows the policies and laws regarding worker labor protections particularly as they pertain to the acquisition process. To support these objectives, this proposed rule adds a subpart and clause entitled *Labor Law Violations* to the Agriculture Acquisition Regulation (AGAR). The AGAR may be accessed at: <http://www.dm.usda.gov/procurement/policy/agar.html>. This clause is to be included in all USDA contracts that exceed the simplified acquisition threshold, including all contract options.

B. Regulatory Flexibility Act

USDA certifies that this proposed rule will not have a significant impact on a substantial number of small entities as defined in the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* There is no additional submission required as a result of this action. The rule will not have a significant impact on the small business community or on a substantial number of small businesses. The Department invites comment on its estimates for the potential impact of this rulemaking on small businesses.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed rule does not impose any recordkeeping or information collection requirements that require approval by the Office of Management and Budget.

D. Executive Orders 12866 and 13563

Executive Order 12866, "Regulatory Planning and Review," and Executive Order 13563, "Improving Regulation and Regulatory Review," direct agencies to assess all costs and benefits of available regulatory alternatives and, if