

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Part 0 of the	)	MD Docket No. 18-397
Commission's Rules	)	

**ORDER**

**Adopted: January 29, 2019****Released: January 30, 2019**

By the Commission:

1. On March 23, 2018, the President signed into law the Consolidated Appropriations Act of 2018, which includes the Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018 (RAY BAUM'S Act of 2018).<sup>1</sup> Section 502 of the RAY BAUM'S Act of 2018 provides the Federal Communications Commission's (FCC or Commission) Chief Information Officer (CIO) with enhanced responsibilities.<sup>2</sup> In this Order, we amend section 0.11 of the Commission's rules to reflect the specific CIO functions included in the RAY BAUM'S Act of 2018.<sup>3</sup> While this amendment is not required by law, this update to the Commission's organizational rules memorializes the FCC's long-standing commitment to ensuring that the CIO has a significant role in advancing the FCC's overall information technology capabilities.

2. The amendment adopted herein pertains to agency organization, procedure, and practice. Consequently, the notice and comment and effective date provisions of the Administrative Procedure Act contained in 5 U.S.C. §§ 553(b) and (d) do not apply.<sup>4</sup>

3. Accordingly, IT IS ORDERED THAT, pursuant to sections 4(i), 5(b), 5(c), 5a, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 155(b), 155(c), 155a, and 303(r), this Order IS ADOPTED and the rule set forth in the Appendix is hereby AMENDED effective upon publication in the Federal Register.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

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<sup>1</sup> Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, Div. P—RAY BAUM'S Act of 2018, 132 Stat. 348 (2018) (RAY BAUM'S Act of 2018).

<sup>2</sup> *Id.*, § 502, 132 Stat. at 1091; 47 U.S.C. § 155a.

<sup>3</sup> 47 CFR § 0.11.

<sup>4</sup> 5 U.S.C. §§ 553(b)(A), 553(d); *see also* 47 CFR §§ 1.412(b)(5), 1.427(b).

**APPENDIX****Final Rules**

Title 47 of the Code of Federal Regulations, Part 0, is amended as follows:

**PART 0 — COMMISSION ORGANIZATION**

1. The authority citation for Part 0 remains as follows:

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

2. Section 0.11 is amended by adding paragraph (c) as follows:

**§ 0.11 Functions of the Office.**

(a) \* \* \*

(b) \* \* \*

(c) The Chief Information Officer shall have a significant role in: the decision-making process for annual and multi-year planning, programming, budgeting, and execution decisions, related reporting requirements, and reports related to information technology; the management, governance, and oversight processes related to information technology; and the hiring of personnel with information technology responsibilities. The Chief Information Officer, in consultation with the Chief Financial Officer and budget officials, shall specify and approve the allocation of amounts appropriated to the Commission for information technology, consistent with the provisions of appropriations Acts, budget guidelines, and recommendations from the Director of the Office of Management and Budget.

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