

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

In the Matter of )  
 )  
Fifth Generation Wireless Network and Device ) PS Docket No. 16-353  
Security )

ORDER

Adopted: February 3, 2017

Released: February 3, 2017

By the Acting Chief, Public Safety & Homeland Security Bureau:

1. In the *Spectrum Frontiers Report and Order*, the Commission directed the Office of Engineering and Technology, the Public Safety and Homeland Security Bureau (PSHSB), and the Wireless Telecommunications Bureau to release “not later than October 31, 2016” a *Notice of Inquiry*.<sup>1</sup> On December 16, 2016, the PSHSB purported to respond to this delegation by releasing a notice of inquiry, which was published in the *Federal Register* on January 23, 2017.<sup>2</sup> Pursuant to the Bureau’s existing authority, including Section 1.113 of the Commission’s rules,<sup>3</sup> the undersigned hereby sets aside and rescinds that notice of inquiry. The notice of inquiry will have no legal or other effect or meaning going forward and, as a result, there is no longer a comment cycle associated with that document and we hereby terminate this docket.

2. **ACCORDINGLY, IT IS ORDERED**, pursuant to Sections 0.191, 0.392, and 1.113 of the Commission’s rules, 47 CFR §§ 0.191, 0.392 and 1.113, that the *Notice of Inquiry*, DA 16-1282, **IS SET ASIDE** and the above-captioned docket **IS TERMINATED**.

3. **IT IS FURTHER ORDERED** that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order **SHALL BE EFFECTIVE** upon release.

FEDERAL COMMUNICATIONS COMMISSION

Lisa M. Fowlkes  
Acting Chief, Public Safety and Homeland Security Bureau

<sup>1</sup> See *Use of Spectrum Bands Above 24 GHz For Mobile Radio Services; Establishing a More Flexible Framework to Facilitate Satellite Operations in the 27.5-28.35 GHz and 37.5-40 GHz Bands et al.*, GN Docket No. 14-77 et al., Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 8014, 8106 para. 265 (*Spectrum Frontiers Report and Order*).

<sup>2</sup> *In the Matter of Fifth Generation Wireless Network and Device Security*, Notice of Inquiry, DA 16-1282 (PSHSB) (rel. Dec. 16, 2016); see also 82 Fed. Reg. 7825 (Jan. 23, 2017).

<sup>3</sup> See 47 CFR § 1.113.