

characteristics are most likely to affect costs? What are the ancillary costs for each type of approach (e.g., maintaining network connectivity for managed access systems, resources required to physically locate the phone for detection/location systems such as canines, staff time, etc.)? Are there typical costs or a range for each, and if so, what are they? Is training required for prison staff to properly operate the equipment? What staff costs are associated with each technology?

6. Locating Contraband Phones

In order to completely eradicate contraband cell phone use, the cell phone must be physically located and removed, which can be labor-intensive. Inmates may use them for a short period of time and turn them off and then move them, making the devices more difficult to locate. Jamming cannot identify the specific location of a contraband cell phone. How do managed access and detection technologies locate a cell phone caller? What software and hardware is needed? How accurate are detection technologies? With the insertion of GPS chip-sets into mobile devices, are cell phone locations easily identifiable through managed access or are other means necessary (e.g., hardware or software)? Do managed access and detection technologies have the capability of providing intelligence-gathering information for prison officials, and if so, what type of information? What other means are necessary to physically locate the phones once a position is known?

7. Regulatory/Legal Issues

The Communications Act of 1934 established the FCC and set specific rules on wireless radio services.³⁰ Both the operation of mobile wireless devices, and effective means and solutions to deny the use of them have regulatory and legal implications. The FCC has primary responsibility for regulating spectrum issues for the types of systems typically used within the State and local prisons and jails (for example, private internal radio communications and commercial systems used by prison staff). NTIA, on behalf of the President, authorizes the use of the radio frequencies for equipment operated by Federal entities, including the BOP.³¹

³⁰ For example, cellular service rules are set forth in 47 CFR parts 1 and 22; AWS in 47 CFR part 27; and SMR in 47 CFR part 90.

³¹ See generally, NTIA Manual of Regulations and Procedures for Federal Radio Frequency Management, Sept. 2009, Section 1, available at <http://www.ntia.doc.gov/osmhome/redbook/1.pdf>.

While the Communications Act prevents the FCC from authorizing jamming or other acts of intentional interference to the radio communications of authorized stations, those same provisions do not apply to the Federal government itself. Therefore, NTIA is not limited in its authority to permit jamming at Federal prison facilities. We seek comment on State/local or Federal laws, rules, or policies that need clarification or that may hinder deployment of any of these technologies or others that may be raised by commenters. These might include not only radio regulatory issues, such as the approval necessary to operate or conduct experimentation and demonstration, but also ancillary issues such as the privacy and legal implications of trap-and-trace technologies? What agreements, agency relationships, or licensing requirements between the prison, service provider, and access provider would be required for temporary or experimental demonstration or for permanent operation?

8. Technical Issues

The identification of technical issues is another factor in investigating and evaluating contraband cell phone use in prisons. Are there any technical issues to be considered for the technologies identified above? For example, the actual range of a jammer depends on its power, antenna orientation, and the local environment (size and shape), which may include hills or walls of a building (that could be made of a variety of materials) that block the jamming signal. How accurate are the location technologies? Does each site need specific RF engineering for each of the approaches? How do the technologies allow authorized users, including 911 calls, to be protected? How are different modulation schemes or channel access methods (for example, Global System for Mobile Communications—GSM, or Code Division Multiple Access—CDMA) handled for each category and does the solutions depend on the type of access method that the wireless carrier is using?

Text-messaging continues to increase as a form of communication from hand-held wireless devices.³² Wireless hand-held devices in the possession of prison inmates afford them this option as an

³² CTIA estimates that the number of monthly text messages sent increased from 9.8 billion in December 2005 to 152.7 billion in December of 2009. *Supra* note 2. See also CNet News, *U.S. Text Usage Hits Record Despite Price Increases*, Marguerite Reardon, Sept. 10, 2008, available at http://news.cnet.com/8301-1035_3-10038634-94.html.

alternative to talking. Is there a need to differentiate between voice and data, such as text messages, and are the technologies discussed above effective against data use by prison inmates? Does shorter air-time use from text messaging present problems with detection and/or capturing the call and ultimately locating the phone? Will the technologies identified above be effective against high-speed, high-capacity data formats, such as Long Term Evolution (LTE) for devices that are expected to operate in the 700 MHz band?

Please note that all comments received will be posted on NTIA's Web site. Commenters that submit any business confidential or proprietary information in response to this notice should clearly mark such information appropriately. Commenters should also submit a version of their comments that can be publicly posted on NTIA's Web site.

Dated: May 7, 2010.

Kathy D. Smith,
Chief Counsel.

[FR Doc. 2010-11350 Filed 5-11-10; 8:45 am]

BILLING CODE 3510-60-P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting Notice

AGENCY HOLDING THE MEETING:

Commodity Futures Trading Commission.

DATE AND TIME: May 19, 2010 at 9:30 a.m.

PLACE: Three Lafayette Centre, 1155 21st St., NW., Washington, DC, Lobby Level Hearing Room (Room 1000).

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda: (1) Consideration of the trading of futures and binary options based on motion picture box office receipts and to gather the views of interested parties; and (2) Reestablishment of the CFTC Technology Advisory Committee.

CONTACT PERSON: Sauntia Warfield, Assistant Secretary, 202-518-5084.

SUPPLEMENTARY INFORMATION: The Commission is undertaking a review of issues related to the trading of futures or options related to motion picture box office receipts. The Commission will have oral presentations by panels of invited witnesses representing Media Derivatives Exchange (MDEX), Cantor Exchange (Cantor), segments of the motion picture industry, and other interested parties.

The hearing will generally focus on a number of issues, including: whether box office receipts contracts are readily susceptible to manipulation; whether the box office data used to settle the contracts are acceptable and reliable; whether the Media Derivatives Exchange, Inc. ("MDEX") *Takers* opening weekend motion picture revenues collared futures and binary option contracts, and the Cantor Exchange ("Cantor") *The Expendables* domestic box office receipt futures contract could be used for risk management purposes; whether safeguards adopted by MDEX and Cantor are appropriate; and whether those safeguards would have an adverse effect on entities that might otherwise be able to use the contracts for risk management.

Written comments may be submitted until May 26, 2010. Written materials should be mailed to the Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC, 20581, attention Office of the Secretariat; transmitted by facsimile at 202-418-5521; or transmitted electronically to [boxofficereceipts@cftc.gov]. Reference should be made to "Box Office Receipts." All comments received and a copy of the transcript of the hearing will be entered into the Commission's public files in the matters related to MDEX's *Takers* opening weekend motion picture revenues collared futures and binary option contracts and Cantor's *The Expendables* domestic box office receipt futures contract.

The Commission will also consider reestablishing its CFTC Technology Advisory Committee. The purpose of the CFTC Technology Advisory Committee would be to conduct public meetings, to submit reports and recommendations to the Commission, and to otherwise assist the Commission in identifying and understanding how new developments in technology are being applied and utilized in the industry, and their impact on the operation of the markets. The committee would allow the Commission to be an active participant in market innovation, explore the appropriate investment in technology, and advise the Commission on the need for strategies to implement rules and regulations to support the Commission's mission of ensuring the integrity of the markets.

Issued in Washington, DC, on May 7, 2010.

David A. Stawick,
Secretary of the Commission.

[FR Doc. 2010-11395 Filed 5-10-10; 11:15 am]

BILLING CODE 6351-01-P

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

Information Collection Requirement; Defense Federal Acquisition Regulation Supplement; Part 244, Subcontracting Policies and Procedures (OMB Control Number 0704-0253)

AGENCY: Defense Acquisition Regulations System, Department of Defense.

ACTION: Notice and request for comments regarding a proposed extension of an approved information collection requirement.

SUMMARY: In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), DoD announces the proposed extension of a public information collection requirement and seeks public comment on the provisions thereof. DoD invites comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of DoD, including whether the information will have practical utility; (b) the accuracy of the estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology. The Office of Management and Budget (OMB) has approved this information collection requirement for use through November 30, 2010. DoD proposes that OMB extend its approval for three additional years.

DATES: DoD will consider all comments received by July 12, 2010.

ADDRESSES: You may submit comments, identified by OMB Control Number 0704-0253, using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *E-mail:* dfars@osd.mil. Include OMB Control Number 0704-0253 in the subject line of the message.
- *Fax:* 703-602-0350.
- *Mail:* Defense Acquisition Regulations System, Attn: Ms. Mary Overstreet, OUSD (AT&L) DPAP (DARS), 3060 Defense Pentagon, Room 3B855, Washington, DC 20301-3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Ms. Mary Overstreet, 703-602-0311. The information collection requirements addressed in this notice are available on the World Wide Web at: <http://www.acq.osd.mil/dpap/dars/dfars.html>.

Paper copies are available from Ms. Mary Overstreet, OUSD (AT&L) DPAP (DARS), 3060 Defense Pentagon, Room 3B855, Washington, DC 20301-3060.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Defense Federal Acquisition Regulation Supplement (DFARS) Part 244, Subcontracting Policies and Procedures; OMB Control Number 0704-0253.

Needs and Uses: Administrative contracting officers use this information in making decisions to grant, withhold, or withdraw purchasing system approval at the conclusion of a purchasing system review. Withdrawal of purchasing system approval would necessitate Government consent to individual subcontracts.

Affected Public: Businesses or other for-profit and not-for-profit institutions.

Annual Burden Hours: 1,440.

Number of Respondents: 90.

Responses per Respondent: Approximately 1.

Annual Responses: 90.

Average Burden per Response: 16 hours.

Frequency: On occasion.

Summary of Information Collection

This information collection includes the requirements of DFARS 244.305-70, Granting, withholding, or withdrawing approval. DFARS 244.305-70 requires the administrative contracting officer, at the completion of the in-plant portion of a contractor purchasing system review, to ask the contractor to submit within 15 days its plan for correcting deficiencies or making improvements to its purchasing system.

Ynette R. Shelkin,

Editor, Defense Acquisition Regulations System.

[FR Doc. 2010-11284 Filed 5-11-10; 8:45 am]

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DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Intent To Prepare an Environmental Impact Statement (EIS) for Airfield Operations at Naval Air Station (NAS) Key West, FL and To Announce Public Scoping Meetings

AGENCY: Department of the Navy, DoD.

ACTION: Notice.