

The PTFP Rules place additional service projects in Priority 4A, "The establishment of public broadcasting facilities to serve a geographic area already receiving public telecommunications services. The applicant must demonstrate that it will address underserved needs in an area which significantly differentiates its service from what is already available in its service area."<sup>7</sup>

NTIA will accept *new applications* for digital power increase projects for Priority 4A projects from stations that:

1. Are currently broadcasting in digital and will add an additional program service (HD channel) by multicasting. These applicants can request funding for a digital power increase, for equipment required to broadcast an additional digital channel, and for production equipment required to program the additional channel(s); or
2. Are currently broadcasting more than one program service via a digital multicast signal. These applicants can request funding for a digital power increase. They may also request funds for equipment required to produce programming and broadcast an additional digital channel to expand their service.

Applicants for digital power increase projects requesting Priority 4A consideration must:

1. Submit a complete application as required by the December 2, 2009, **Federal Register** Notice and FFO;
2. Demonstrate that the multicast program service will address underserved needs in a way that significantly differentiates the service from what is already available in the proposed coverage area or on the station's analog channel;
3. Include in Exhibits A (Inventory) and B (Equipment Justification) thorough descriptions of the analog and digital transmission system and combining system in place and the modifications required for the power increase, as well as any production/programming equipment requested to support the additional channels;
4. Submit a copy of the station's FCC request if the project proposes any increase in FM Digital ERP beyond 6 dB; and
5. Certify at time of project close out that the station is broadcasting diverse program services as proposed in the application.

#### *Amend Existing Applications for Single Channel Digital Projects*

NTIA recognizes that applications for digital FM transmitters were submitted

by the February 4, 2010, Original Closing Date that did not involve power increases for multicasting. These applications include requests for transmitter replacements, digital conversion projects, and the construction of new stations. Since the change in the FCC Rules occurred less than a week prior to the Original Closing Date, few applicants had the opportunity to submit applications for transmission equipment at the newly authorized higher digital power levels.

NTIA believes that it is a disservice to the stations and their listeners, and unproductive for NTIA to expend its staff resources and grant funds in processing applications for less than a station's desired and authorized transmitter power. In keeping with the intent of the statute, NTIA intends to fund the highest power desired by a station and permitted by the FCC so a station can serve the maximum number of people in its coverage area. Since the FCC increased permitted digital power only a week before the February 4, 2010, Original Closing Date, NTIA believes it would be fair to all FY 2010 applicants for digital radio transmission systems to have an equal opportunity to request funding for full power transmission equipment.

NTIA, therefore, will permit stations that submitted an application and requested digital radio transmission equipment by the February 4, 2010, Original Closing Date to amend their applications. The following are the procedures for amending a FY 2010 radio application requesting digital transmission equipment:

1. Applicants must file an amended application by Thursday, April 22, 2010.
2. Applicants must email their PTFP program officer a notice of their intent to amend their application so the PTFP application software (Online Fillable Form) can be unlocked and they can revise their request.
3. The amended application must:
  - a. Include a revised SF-424 form, with the revised project amount and Federal funds requested, and signed by an authorized representative of the applicant;
  - b. Contain the application number assigned by PTFP for the original submission;
  - c. Include a revised list of equipment requested;
  - d. Include revised Exhibits A (Inventory) and B (Equipment Justification) that contains thorough descriptions of the analog and/or digital transmission system and combining system in place and modifications that

may be required for the power increase; and

- e. Submit a copy of the station's FCC request if the project proposes any increase in FM Digital ERP beyond 6 dB.

NTIA will only accept applications that meet the criteria discussed in this Notice. NTIA will return an application for a Priority 4A digital power increase or amendment that does not meet the criteria of the above two sections.

Applicants are reminded that no grant will be awarded until NTIA has received confirmation from the FCC that any necessary authorization will be issued.

Applications submitted in response to the April 22, 2010, New Closing Date will utilize the same forms, and undergo the same review and evaluation process contained in the December 2, 2009, Notice. On January 13, 2010, NTIA published a Notice of Availability of Funds in the **Federal Register** announcing that \$18 million has been appropriated for FY 2010 grants.<sup>8</sup>

Dated: March 15, 2010.

**Dr. Bernadette McGuire-Rivera**,  
Associate Administrator, Office of  
Telecommunications and Information  
Applications.

[FR Doc. 2010-6044 Filed 3-18-10; 8:45 am]

**BILLING CODE 3510-60-S**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1668]

#### Reorganization of Foreign-Trade Zone 260 under Alternative Site Framework, Lubbock, Texas

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Board adopted the alternative site framework (ASF) in December 2008 (74 FR 1170, 01/12/09; correction 74 FR 3987, 01/22/09) as an option for the establishment or reorganization of general-purpose zones;

*Whereas*, the City of Lubbock, Texas, grantee of Foreign-Trade Zone 260, submitted an application to the Board (FTZ Docket 28-2009, filed 7/15/2009) for authority to reorganize under the ASF with a service area of Garza, Hale, Hockley, Lubbock and Terry Counties, Texas, in and adjacent to the Lubbock Customs and Border Protection port of entry, FTZ 260's existing Sites 1 and 2 would be categorized as magnet sites,

<sup>7</sup> 15 CFR 2301.4(b)(4)(ii).

<sup>8</sup> 75 Fed. Reg. 1775.

and the grantee proposes two initial usage-driven sites (Sites 4 and 5);

Whereas, notice inviting public comment was given in the **Federal Register** (74 FR 36166, 7/22/09) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendation of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to reorganize FTZ 260 under the alternative site framework is approved, subject to the FTZ Act and the Board's regulations, including Section 400.28, to the Board's standard 2,000-acre activation limit for the overall general-purpose zone project, to a five-year ASF sunset provision for magnet sites that would terminate authority for Site 2 if not activated by February 28, 2015, and to a three-year ASF sunset provision for usage-driven sites that would terminate authority for Sites 4 and 5 if no foreign-status merchandise is admitted for a bona fide customs purpose by February 28, 2013.

Signed at Washington, DC, this 23rd day of February 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. 2010-6094 Filed 3-18-10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Reporting on Offsets Agreements in Sales of Weapon Systems or Defense-Related Items to Foreign Countries or Foreign Firms for Calendar Year 2009

**AGENCY:** Bureau of Industry and Security, Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** This notice is to remind the public that U.S. firms are required to report annually to the Department of Commerce (Commerce) on contracts for the sale of defense-related items or defense-related services to foreign countries or foreign firms that are subject to offsets agreements exceeding \$5,000,000 in value. U.S. firms are also required to report annually to

Commerce on offsets transactions completed in performance of existing offsets commitments for which offsets credit of \$250,000 or more has been claimed from the foreign representative. Such reports must be submitted to Commerce no later than June 15, 2010.

**ADDRESSES:** Reports should be addressed to "Offsets Program Manager, U.S. Department of Commerce, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, Room 3878, Washington, DC 20230."

**FOR FURTHER INFORMATION CONTACT:** Ronald DeMarines, Office of Strategic Industries and Economic Security, Bureau of Industry and Security, U.S. Department of Commerce, *telephone:* 202-482-3755; *fax:* 202-482-5650; *e-mail:* rdemarin@bis.doc.gov.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

In 1984, the Congress enacted amendments to the Defense Production Act (DPA), including the addition of section 309, which addresses offsets in defense trade (*See* 50 U.S.C. app. § 2099). Offsets are compensation practices required as a condition of purchase in either government-to-government or commercial sales of defense articles and/or defense services, as defined by the Arms Export Control Act and the International Traffic in Arms Regulations.

Section 309(a)(1) requires the President to submit an annual report to the Congress on the impact of offsets on the U.S. defense industrial base. In 1992, section 309 was amended to direct the Secretary of Commerce (Secretary) to function as the President's executive agent for carrying out the responsibilities set forth in that section. Specifically, section 309 authorizes the Secretary to develop and administer the regulations necessary to collect offsets data from U.S. defense exporters.

The authorities of the Secretary regarding offsets have been redelegated to the Under Secretary of the Bureau of Industry and Security (BIS). The regulations associated with offsets reporting are set forth in Part 701 of title 15 of the Code of Federal Regulations. The offsets regulations of Part 701 set forth the obligations of U.S. industry to report to BIS, no later than June 15 of each year, offsets agreement and transaction data for the previous calendar year.

As described in section 701.1 of the regulations, U.S. firms are required to report on contracts for the sale of defense-related items or defense-related services to foreign countries or foreign

firms that are subject to offsets agreements exceeding \$5,000,000 in value. U.S. firms are also required to report annually on offsets transactions completed in performance of existing offsets commitments for which offsets credit of \$250,000 or more has been claimed from the foreign representative. The required data elements and filing procedures for such reports are outlined in section 701.4 of title 15, Code of Federal Regulations. Please note that on December 23, 2009, BIS published a final rule to amend Part 701 (74 FR 68136). Companies are required to incorporate the changes made to the required data elements by this final rule in their submissions to BIS this year.

The Department's annual report to Congress includes an aggregated summary of the data reported by industry in accordance with the offsets regulation and the DPA. As provided by section 309(c) of the DPA, BIS will not publicly disclose the information it receives through offsets reporting unless the firm furnishing the information specifically authorizes public disclosure. The information collected is sorted and organized into an aggregate report of national offsets data, and therefore does not identify company-specific information.

Required information must be submitted to BIS no later than June 15, 2010.

Dated: March 15, 2010.

**Kevin J. Wolf,**

*Assistant Secretary for Export Administration.*

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## COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

### Procurement List Additions and Deletions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to and deletions from the Procurement List.

**SUMMARY:** This action adds to the Procurement List a product and a service to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes from the Procurement List services previously furnished by such agencies.

**DATES:** *Effective Date:* April 19, 2010.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely