

include an additional 155 acres at the Little Rock Industrial Park (new Site 1 total—914.48 acres). The ASF allows for the possible exemption of one magnet site from the “sunset” time limits that generally apply to sites under the ASF, and the applicant proposes that Site 1 be so exempted. The applicant is also requesting approval of the following initial “usage-driven” site: *Proposed Site 4* (16.4 acres)—Timex Corporation, 1302 Pike Avenue, North Little Rock. Because the ASF only pertains to establishing or reorganizing a general-purpose zone, the application would have no impact on FTZ 14’s authorized subzones.

In accordance with the Board’s regulations, Camille Evans of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board’s Executive Secretary at the address below. The closing period for their receipt is July 19, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to August 2, 2010.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230–0002, and in the “Reading Room” section of the Board’s Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, Camille Evans at [Camille.Evans@trade.gov](mailto:Camille.Evans@trade.gov) or (202) 482–2350.

Dated: May 12, 2010.

**Andrew McGilvray,**  
Executive Secretary.

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 33–2010]

#### Foreign-Trade Zone 22—Chicago, IL; Application for Reorganization/ Expansion Under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Illinois International Port District, grantee of FTZ 22, requesting authority to reorganize and

expand the zone under the alternative site framework (ASF) adopted by the Board (74 FR 1170, 1/12/09; correction 74 FR 3987, 1/22/09). The ASF is an option for grantees for the establishment or reorganization of general-purpose zones and can permit significantly greater flexibility in the designation of new “usage-driven” FTZ sites for operators/users located within a grantee’s “service area” in the context of the Board’s standard 2,000-acre activation limit for a general-purpose zone project. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on May 7, 2010.

FTZ 22 was approved by the Board on October 29, 1975 (Board Order 108, 40 FR 51242; November 4, 1975) and expanded on April 9, 1987 (Board Order 353, 52 FR 12217; April 15, 1987); on December 11, 1992 (Board Order 614, 57 FR 61044; December 23, 1992); on November 21, 2000 (Board Order 1127, 65 FR 76218; December 6, 2000); on December 19, 2003 (Board Order 1313, 69 FR 49; January 2, 2004); on May 9, 2005 (Board Order 1390, 70 FR 29277; May 20, 2005); and, on August 21, 2006 (Board Order 1474, 71 FR 51184; August 29, 2006). The general-purpose zone includes the following sites: *Site 1* (51 acres)—Lake Calumet Harbor Terminal Facility, 12200/12255 South Stony Island Avenue, Chicago (Cook County); *Site 2* (578 acres)—Illinois Diversatech Campus Corporation, One Diversatech Drive, Manteno (Kankakee County); *Site 3* (8 acres)—Gotoh Distribution Services, Inc., 703 Foster Avenue, Bensenville (Du Page County); *Site 4* (8 acres)—Meiko America, Inc., Gerry Drive and Hanson Court, Wood Dale (Du Page County); *Site 5* (1,468 acres)—CenterPoint Intermodal Center, 20901 West Walter Strawn Drive, Elwood (Will County); *Site 6* (317 acres)—Rock Run Business Park, Houlbult Road and Interstate 80, Joliet (Will County); *Site 7* (21 acres) O’Hare Express North Business Park, 893 Upper Express Drive, Chicago (Cook County); *Site 8* (102 acres) ProLogis Park 80, Rt. 47 & ProLogis Parkway, Morris (Grundy County); *Site 9* (12 acres) Centex Industrial Park, 1717 Busse Road, Elk Grove Village (Cook County); *Site 10* (43 acres) Bolingbrook Distribution Center, 1701 Remington Boulevard, Bolingbrook (Will County); *Site 11* (137 acres) Heartland Corporate Center, 21228 SW Frontage Road, Shorewood (Will County); *Site 12* (17 acres) LG Electronics, 1251 115th Street, Bolingbrook (Will County); *Site 13* (4.6

acres) Henry Bath Iroquois Landing, 9301 South Kreiter Avenue, Chicago (Cook County); *Site 14* (9 acres) Exel, Inc., 3702–3710 River Road, Franklin Park (Cook County); *Site 15* (7.5 acres) Henry Bath, 1550 East 98th Place, Chicago (Cook County); *Site 16* (32 acres) BMW, 456 Internationale Parkway South, Minooka (Grundy County); *Site 17* (10 acres) Noramco-Chicago, Inc., 12228 New Avenue, Lemont (Cook County); and, *Site 18* (0.5 acres) Nagata Technology, Inc., 400 Lively Boulevard, Elk Grove Village (Cook County). Sites 8–11 are subject to a sunset provision that would terminate authority on September 30, 2011, where no activity has occurred under FTZ procedures before that date, and Sites 15–18 are subject to a time limit of March 31, 2011.

The grantee’s proposed service area under the ASF would be Cook, Du Page, Grundy, Kankakee, Kendall, Lake and Will Counties and portions of McHenry and Kane Counties, as described in the application. If approved, the grantee would be able to serve sites throughout the service area based on companies’ needs for FTZ designation. The proposed service area is within and adjacent to the Chicago Customs and Border Protection port of entry.

The applicant is requesting authority to reorganize its existing zone project as follows: Sites 1, 2, 5, 6, 7, 8, 10, 11, 13 and 15 would become “magnet” sites; and, Sites 3, 4, 9, 12, 14, 16, 17 and 18 would become “usage-driven” sites. The ASF allows for the possible exemption of one magnet site from the “sunset” time limits that generally apply to sites under the ASF, and the applicant proposes that Site 1 be so exempted. The applicant is also requesting approval of an additional “usage-driven” site in Du Page County: Proposed Site 19 (9.7 acres)—Eastman Kodak Company, 127 East Elk Trail Boulevard, Carol Stream. Since the ASF only pertains to establishing or reorganizing a general-purpose zone, the application would have no impact on FTZ 22’s authorized subzones.

In accordance with the Board’s regulations, Claudia Hausler of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board’s Executive Secretary at the address below. The closing period for their receipt is July 19, 2010. Rebuttal comments in response to material submitted during the foregoing period

may be submitted during the subsequent 15-day period to August 2, 2010.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, contact Claudia Hausler at [Claudia.Hausler@trade.gov](mailto:Claudia.Hausler@trade.gov) or (202) 482-1379.

Dated: May 11, 2010.

**Andrew McGilvray,**  
Executive Secretary.

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## DEPARTMENT OF COMMERCE

### National Telecommunications and Information Administration

[Docket No.: 0907141137-0222-10]

RIN 0660-ZA28

### Broadband Technology Opportunities Program

**AGENCY:** National Telecommunications and Information Administration, U.S. Department of Commerce.

**ACTION:** Notice of Funds Availability; Reopening of Application Filing Window for Broadband Technology Opportunities Program Comprehensive Community Infrastructure Projects.

**SUMMARY:** The National Telecommunications and Information Administration (NTIA) announces the limited reopening of the Comprehensive Community Infrastructure (CCI) application filing window for the Broadband Technology Opportunities Program (BTOP) that the agency established pursuant to the American Recovery and Reinvestment Act of 2009 (Recovery Act). Entities that have received waiver authority from the Federal Communications Commission (FCC) to use the 763-768/793-798 MHz (700 MHz) public safety broadband spectrum by the date of this Notice are invited to file a BTOP application and request BTOP funding.

**DATES:** All applications for funding CCI projects under this Notice must be submitted between June 1, 2010, at 8 a.m. Eastern Daylight Time (EDT) and July 1, 2010, at 5 p.m. EDT.

**ADDRESSES:** All applicants are required to submit their applications electronically at <https://>

[applyonline.broadbandusa.gov](http://applyonline.broadbandusa.gov). See **SUPPLEMENTARY INFORMATION** for more details. The CCI application package for electronic submissions is available at <http://www.ntia.doc.gov/broadbandusa/>.

**FOR FURTHER INFORMATION CONTACT:** For general inquiries regarding BTOP, contact Anthony G. Wilhelm, PhD, Director, BTOP, Office of Telecommunications and Information Applications, NTIA, U.S. Department of Commerce, 1401 Constitution Avenue, NW., HCHB, Room 4887, Washington, DC 20230; BTOP Help Desk e-mail: [btop@ntia.doc.gov](mailto:btop@ntia.doc.gov); BTOP Help Desk telephone: 1-202-482-2048. Additional information regarding BTOP, including information regarding compliance issues, may be obtained at <http://www.ntia.doc.gov/broadbandusa/>.

**Authority:** This Notice is issued pursuant to the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, 123 Stat. 115 (2009).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

##### A. Second Round of BTOP Funding

On January 22, 2010, NTIA published a Notice of Funds Availability and Solicitation of Applications (Second NOFA) in the **Federal Register** announcing general policy and application procedures for the second round of BTOP funding.<sup>1</sup> The filing deadline for CCI applications under the Second NOFA closed on March 26, 2010.<sup>2</sup> Under the Recovery Act, one of the core purposes of BTOP is to fund the advancement of broadband initiatives to support public safety agencies.<sup>3</sup> The Recovery Act also provides that the Assistant Secretary for Communications and Information may make competitive grants to "construct and deploy broadband facilities that improve public safety broadband communications services."<sup>4</sup> While NTIA received a limited number of public safety-related applications in the second round, some applicants may have been deterred from filing because, *inter alia*, they lacked the legal authority to use the 700 MHz public safety broadband spectrum.

<sup>1</sup> Notice of Funds Availability and Solicitation of Applications, 75 FR 3792 (Jan. 22, 2010).

<sup>2</sup> Notice of Funds Availability; Extension of Application Closing Deadline for Comprehensive Community Infrastructure (CCI) Projects, 75 FR 10464 (Mar. 8, 2010); Notice of Funds Availability; Extension of Application Closing Deadline for Comprehensive Community Infrastructure (CCI) Projects, 75 FR 14131 (Mar. 24, 2010).

<sup>3</sup> American Recovery and Reinvestment Act of 2009, Public Law No. 111-5, § 6001(b), 123 Stat. 115, 512-13 (2009) (Recovery Act).

<sup>4</sup> *Id.* § 6001(g)(5), 123 Stat. at 514.

##### B. Reopening the Application Window

On May 11, 2010, the FCC adopted an order authorizing the early deployment of public safety broadband networks in the 700 MHz public safety broadband spectrum for a number of entities that had petitioned for waiver authority for such relief.<sup>5</sup> To further the objectives of the Recovery Act and to help ensure that the core statutory purposes of BTOP are achieved, NTIA finds that, given these extraordinary circumstances, a limited reopening of the CCI application filing window is in the best interest of the federal government.<sup>6</sup> Accordingly, NTIA reopens the CCI application filing window to those entities that meet the eligibility criteria in the Second NOFA and that have received authority from the FCC by the date of this Notice to seek to use the 700 MHz public safety broadband spectrum to deploy a public safety broadband system.<sup>7</sup> NTIA is limiting eligibility under this Notice to this group of entities to help ensure that all BTOP grant funds can be obligated by the statutory deadline of September 30, 2010;<sup>8</sup> to provide the public safety community with the opportunity to obtain funding for an initial set of networks to support current NTIA efforts to test new standards and technologies that eventually will support a nationwide interoperable public safety broadband network; and to provide an opportunity to submit an application to entities that may have been discouraged from applying for BTOP funding because they did not have the legal authority to use the 700 MHz spectrum. Entities that received a FCC waiver and that already have applied for the second round of BTOP funding are *not* required to reapply during this new window.

##### C. 700 MHz Public Safety Broadband Network

A public safety broadband network utilizing the 700 MHz public safety broadband spectrum will increase the nationwide interoperable broadband communications capabilities of first responders and public safety agencies by improving the ability of public safety entities to utilize applications made

<sup>5</sup> Requests for Waiver of Various Petitioners to Allow the Establishment of 700 MHz Interoperable Public Safety Wireless Broadband Networks, Order, PS Dkt. No. 06-229, FCC 10-79 (adopted May 11, 2010) (Waiver Order), available at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-10-79A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-10-79A1.pdf).

<sup>6</sup> In the Second NOFA, NTIA anticipated that it might wish to reopen the application window at some point in the future and specifically put applicants on notice that there may be another solicitation. See Second NOFA, 75 FR at 3799.

<sup>7</sup> See Waiver Order, at Appendix A.

<sup>8</sup> See Recovery Act § 6001(d)(2), 123 Stat. at 513.