

Dated: May 26, 2010.

**Mitchell S. Bryman,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**Proposed New Order for Electronic Filing of Pleadings**

Effective (date), all pleadings, except as noted below, may be filed on paper or electronically in accordance with the guidelines attached to this Order. Joint Appendices to Briefs, filed under Rule 24(f), Rules of Practice and Procedure, shall be filed in paper form only. Administrative matters, such as bar admission applications and attorney disciplinary proceedings, may not be filed electronically. Attorneys appearing before the Court are reminded that personal data identifiers must be redacted from documents filed electronically. See Guideline paragraph 3h.

This Order supersedes the Order of the Court of July 15, 2009, concerning electronic filing of petition documents, and that Order is hereby rescinded effective (date).

**Guidelines for Electronic Filing of Pleadings**

1. *Scope.*

The United States Court of Appeals for the Armed Forces adopts the following provisions to govern the electronic filing of pleadings:

a. This Order applies to all pleadings filed electronically on or after (date).

Alternatively, pleadings may be filed in a paper format; however, the same pleading may not be filed both electronically and on paper.

b. Administrative matters, such as bar admission applications and attorney disciplinary proceedings, may not be filed electronically.

c. If the supplement to the petition for grant of review is filed electronically, an appendix to the supplement (containing the decision of the Court of Criminal Appeals, matters submitted pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), and other required matter) shall also be filed electronically unless it consists of more than 50 pages. In such a case, the appendix may be submitted on paper and the supplement submitted electronically. In lieu of submitting an appendix in excess of 50 pages on paper, counsel may submit it in a CD or DVD format and note in the supplement that it is being filed in that format under separate cover. Record matters in the form of video media on CD-ROM or DVD may be submitted in a separate volume of the appendix that is filed in accordance with Rule 21(b).

d. A petition for grant of review filed personally by an appellant shall be filed on paper, as provided under Rule 20(a). All subsequent documents related to the petition for grant of review filed by counsel in such a case may be filed on paper or electronically.

e. The Joint Appendix to the brief will be filed in paper form only with the required number of paper copies rather than electronically. If the appellant or petitioner files the brief electronically, the Joint Appendix will be filed on the same day the brief is filed electronically.

2. *Electronic Filing Address.*

Counsel shall electronically file pleadings using an electronic mail message at the following e-mail address:

*efiling@armfor.uscourts.gov*. For questions or help concerning the electronic filing of pleadings, counsel should contact the Clerk's Office at (202) 761-1448.

3. *Procedure.*

a. The electronic filing of a pleading in compliance with these Guidelines shall constitute filing under the Rules of Practice and Procedure. The pleading will be deemed filed as of the date and time of the transmission of the electronic mail message.

b. The electronic mail message shall contain the following in the subject block: (1) The name of the case; (2) the docket number if a docket number has been assigned; and (3) the words "electronic filing." A description of the nature of the pleading will be included in the body of the electronic mail message.

c. The pleading shall be attached to the electronic mail message in Portable Document Format (PDF), and, when printed, shall be in compliance with the Rules of Practice and Procedure of the Court.

d. Counsel shall send an electronic copy of the message and all attachments to opposing counsel to accomplish service of the pleading under Rule 39. This may be accomplished by listing opposing counsel as a "cc" recipient of the electronic message.

e. The brief attached to an electronic filing shall contain the conformed signature ("/s/") or digital signature of the attorney of record. This will comply with the requirements of Rule 38.

f. If a pleading is filed electronically in accordance with this Order, the party filing the pleading is not required to prepare and file printed copies of that pleading under Rules 37(a) and 37(b)(2). The Court will send a reply electronic message to the sender indicating receipt of the electronic filing. Electronic filers are advised that if they do not receive a reply electronic message by the following business day, they should immediately contact the Clerk's Office.

g. Classified material and material under seal will not be filed electronically. If such matters need to be filed, they will be submitted to the Court on paper as a supplemental filing to the document in which they would otherwise appear. In such cases, counsel will include in the text of the electronic mail message a notation that classified or sealed material is being separately submitted. The classified or sealed material will be appropriately packaged, marked and delivered, and will include a notation that it accompanies an electronic filing in the case. All classified material will be handled in accordance with Rule 12.

h. Counsel will refrain from including and shall redact the following personal data identifiers from documents filed with the Court:

- Social security numbers
- Names of minors
- Dates of birth
- Financial account numbers
- Home addresses.

*Comment:* The proposed change will authorize all pleadings, except as noted in the Order, to be filed in an electronic

format. Previously, only petition stage documents could be filed electronically. If a pleading is filed electronically, paper copies will not be filed. As an alternative, filing on paper will still be permitted in lieu of electronic filing.

[FR Doc. 2010-13095 Filed 6-1-10; 8:45 am]

BILLING CODE 5001-06-P

**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**Notice of Intent To Grant Exclusive Patent License; AmberWave Systems Corporation**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice; revision.

**SUMMARY:** The Department of the Navy published a document in the **Federal Register** on August 6, 2009, announcing the intent to grant to AmberWave Systems Corporation, a revocable, nonassignable, exclusive license. The scope of the intent to license has been revised.

**FOR FURTHER INFORMATION CONTACT:** Rita Manak, Head, Technology Transfer Office, NRL Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, telephone 202-767-3083. Due to U.S. Postal delays, please fax 202-404-7920, e-mail: *rita.manak@nrl.navy.mil* or use courier delivery to expedite response.

**Need for Revision**

In the **Federal Register** of August 6, 2009, in DOCID: fr06au09-45, make the following revision:

1. In the first column, on page 39308, revise the **SUMMARY** caption to read as follows:

**"SUMMARY:** The Department of the Navy hereby gives notice of its intent to grant to AmberWave Systems Corporation, a revocable, nonassignable, exclusive license to practice in the field of use of substrates for laser diodes, light emitting diodes, radio frequency power amplifiers, radio frequency power transistor devices, and power devices and their use for the fabrication of laser diodes, light emitting laser diodes, light emitting diodes, radio frequency power amplifiers, power transistor devices, and power devices in the United States, the Government-owned inventions described in U.S. Patent No. 6,323,108: Fabrication of Ultra-Thin Bonded Semiconductor Layers, Navy Case No. 78,980./U.S. Patent No. 6,328,796: Single Crystal Material on Non-Single Crystalline Substrate, Navy Case No. 78,978./U.S. Patent No. 6,497,763: Electronic Device with Composite

Substrate, Navy Case No. 82,672.//U.S. Patent No. 6,593,212: Method for Making Electro-Optical Devices Using a Hydrogen Ion Splitting Technique, Navy Case No. 79,639.//U.S. Patent No. 7,358,152: Wafer Bonding of Thinned Electronic Materials and Circuits to High Performance Substrate, Navy Case No. 84,023.//U.S. Patent No. 7,535,100: Wafer Bonding of Thinned Electronic Materials and Circuits to High Performance Substrates, Navy Case No. 84,023 and any continuations, divisionals or re-issues thereof.”

**DATES:** Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than June 17, 2010.

Dated: May 27, 2010.

**L.R. Almand,**

*Office of the Judge Advocate General, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. 2010-13283 Filed 6-1-10; 8:45 am]

**BILLING CODE 3810-FF-P**

## DEPARTMENT OF EDUCATION

### Office of Special Education and Rehabilitative Services; Overview Information; Technology and Media Services for Individuals With Disabilities—Television Access; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2010

Catalog of Federal Domestic Assistance (CFDA) Number: 84.327C.

**Dates:**

*Applications Available:* June 2, 2010.

*Deadline for Transmittal of*

*Applications:* July 19, 2010.

*Deadline for Intergovernmental*

*Review:* September 15, 2010.

#### Full Text of Announcement

##### I. Funding Opportunity Description

**Purpose of Program:** The purposes of the Technology and Media Services for Individuals with Disabilities program are to: (1) Improve results for children with disabilities by promoting the development, demonstration, and use of technology; (2) support educational media services activities designed to be of educational value in the classroom setting to children with disabilities; and (3) provide support for captioning and video description that are appropriate for use in the classroom setting.

**Priority:** In accordance with 34 CFR 75.105(b)(2)(v), this priority is from allowable activities specified in the statute, or otherwise authorized in the statute (see sections 674(c) and 681(d) of the Individuals with Disabilities Education Act (IDEA)).

**Absolute Priority:** For FY 2010 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:  
Technology and Media Services for Individuals with Disabilities—Television Access

#### Background

The Federal Communications Commission (FCC) is responsible for implementing and monitoring compliance with the captioning requirements of the Telecommunications Act of 1996 (Act). Consistent with the Act, the FCC requires most television programs to be captioned, but provides for certain exemptions to this requirement. The FCC does not have similar requirements or exemptions in place for video description, which provides access to television programs for individuals with blindness or low vision. Therefore, only a limited number of television programs include video description. The following Web sites provide more information on captioning and video description: <http://www.fcc.gov/cgb/consumerfacts/closedcaption.html> and <http://www.fcc.gov/cgb/dro/video-description.html>.

The Department has made awards for television access since 1995 in order to provide video description and captioning under the Technology and Media Services for Individuals with Disabilities program. The following Web site contains abstracts of previously funded projects: <http://publicddb.tadnet.org/>. (Use the keyword search function with the term “video description.”) Despite these efforts, not all television programs that are appropriate for use in the classroom setting for children with disabilities are being video described or captioned.

**Priority:** The purpose of this absolute priority for Television Access is to fund cooperative agreements that will improve the learning opportunities for children with disabilities by providing access to television programming through video description and captioning. This project will support access—through video description and captioning—to widely available television programs that are appropriate for use in the classroom setting and are not otherwise required to be captioned by the FCC.

To be considered for funding under this absolute priority, applicants must meet the application requirements contained in the priority. All projects

funded under the absolute priority also must meet the programmatic and administrative requirements specified in the priority.

**Application Requirements.** To meet the requirements of this priority, the applicant, at a minimum, must—

(a) Include in the application, the criteria the applicant will use to select television programs of high educational value that are widely available and are appropriate for use in the classroom setting for children with disabilities at the preschool, elementary, or secondary level. The application must also discuss how, in selecting the programming to be video described, or video described and captioned, the applicant will take into account the preferences of educators, students with disabilities, and the parents of these students;

(b) Identify, in the application, the extent to which the programming selected for video description or video description and captioning is widely available;

(c) Identify, in the application, the total number of program hours proposed to be made accessible through video description, or video description and captioning under the project.

(d) Specify, in the application, the cost per hour for video description and, if the applicant is proposing both video description and captioning, the cost per hour for video description and for captioning;

(e) For each program to be video described or video described and captioned, identify, in the application, the source of any private or other public support, and the projected dollar amount of that support, if any;

(f) Provide evidence, in the application, of the willingness of potential program providers or program owners, as appropriate, to permit and facilitate the video description or the video description and captioning of their programs;

(g) Provide, in the application, assurances from potential program providers or program owners, as appropriate, stating that, after their programming is video described or video described and captioned, the program providers or program owners, as appropriate, will require that the programming made accessible under this project will continue to contain those video descriptions or video descriptions and captions;

(h) Identify, in the application, the anticipated shelf-life and range of distribution of the programming that it proposes to video describe or video describe and caption under this project, without further costs to the project;