



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU APPROVES SDF, INC.'S CONTRABAND INTERDICTION SYSTEM CERTIFICATION APPLICATION UNDER PHASE ONE OF THE AUTHORIZATION PROCESS

GN Docket No. 13-111

I. INTRODUCTION

1. With this Public Notice, the Wireless Telecommunications Bureau (WTB or Bureau) approves the Contraband Interdiction System (CIS) certification application filed by SDF, Inc.,¹ subject to the conditions described below. SDF's CIS Application was filed under phase one of the Commission's two-phase process for certifying CIS for use in the submission of qualifying requests to disable contraband wireless devices in correctional facilities. Approval of SDF's CIS Application allows it to market and sell its CIS as described in its application, and begin phase two testing. SDF may begin using its CIS in conjunction with any Designated Correctional Facility Official's (DCFO's)² submission of qualifying requests for contraband wireless device disabling only after successful completion of the phase two testing and self-certification process.

II. BACKGROUND

2. In the *Second Report and Order*, the Commission adopted a framework requiring the disabling of contraband wireless devices detected in correctional facilities upon satisfaction of certain criteria.³ The process of certifying CIS for this purpose consists of two phases: (1) CIS applicants submit certification applications to the Bureau describing the legal and technical qualifications of the systems; and (2) CIS applicants perform on-site testing of certified CISs at individual correctional facilities and file self-certifications with the Bureau confirming that the testing at a specific correctional facility was

¹ Application of SDF, Inc. for Certification of Contraband Interdiction System Under 47 CFR Section 20.23, GN Docket No. 13-111 (filed Apr. 17, 2024) (SDF CIS Application); First Supplement to Application of SDF, Inc. for Certification of Contraband Interdiction System Under 47 CFR Section 20.23, GN Docket No. 13-111 (filed July 10, 2024) (SDF CIS First Supplement), <https://www.fcc.gov/ecfs/document/10710046609118/1>; Second Supplement to Application of SDF, Inc. for Certification of Contraband Interdiction System Under 47 CFR Section 20.23, GN Docket No. 13-111 (filed July 10, 2024) (SDF CIS Second Supplement), <https://www.fcc.gov/ecfs/document/10710046609118/2>; Letter from Todd Slamowitz, Counsel to SDF, Inc., to Marlene H. Dortch, Secretary, FCC, GN Docket No. 13-111 (filed Oct. 1, 2024) (SDF *Ex Parte*) (explaining that, among other things, ownership of SDF was transferred to Oren Pelleg on September 22, 2024).

² See 47 CFR § 20.3 (defining a Designated Correctional Facility Official); *Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities*, GN Docket No. 13-111, Second Report and Order and Second Further Notice of Proposed Rulemaking, 36 FCC Rcd 11813, 11818-21, paras. 12-20 (2021) (*Second Report and Order*); see also *Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities*, GN Docket No. 13-111, Erratum (rel. Aug. 3, 2021).

³ See *Second Report and Order*, 36 FCC Rcd at 11814, para. 2.

completed successfully.⁴ Following WTB review and approval of the phase one CIS certification applications that meet applicable requirements, stakeholders using certified CISs may begin phase two on-site testing at individual correctional facilities. After both phases are complete, and the period for filing objections has lapsed,⁵ DCFOs are authorized to submit qualifying requests to wireless providers to disable contraband devices located at a CIS approved/tested correctional facility. The Bureau began accepting CIS certification applications on May 3, 2022.⁶ The Bureau has approved six CIS applications under phase one of the two-phase CIS certification process to date.⁷

3. *SDF CIS Application.* SDF filed its CIS Application on April 17, 2024, and filed two amendments to that application on July 10, 2024.⁸ The Bureau issued a Public Notice announcing that SDF's CIS Application had been found complete and inviting stakeholders to review and file comments on the application on July 10, 2024.⁹ No comments were received in response.

III. APPROVAL OF PHASE ONE CIS APPLICATION

4. After careful review of the application, we find that the CIS application filed by SDF satisfies the eligibility criteria and application requirements, as specified in section 20.23 of the Commission's rules, the *Second Report and Order*, and the *Guidance Public Notice*.¹⁰ As directed by the Commission in the *Second Report and Order*, the Bureau issued the *Guidance Public Notice* to provide guidance on the information required for inclusion in a CIS certification application and on the procedures for the submission of an application.¹¹ Specifically, phase one of the CIS certification application process requires an applicant to describe the legal and technical qualifications of, and provide a test plan for, the system that the applicant seeks to use as the basis for qualifying requests for contraband device disabling.¹² We briefly discuss each of the phase one application requirements in turn below.

⁴ See *Second Report and Order*, 36 FCC Rcd at 11821-23, paras. 22-38.

⁵ See 47 CFR § 20.3(c) (absent objections from a wireless provider . . . the DCFO may submit a qualifying request to a wireless provider beginning on the sixth business day after the later of the self-certification filing or actual service . . .).

⁶ *Wireless Telecommunications Bureau Begins Accepting Contraband Interdiction System Certification Applications and Designated Correctional Facility Official Requests*, GN Docket No. 13-111, Public Notice, DA 22-475 (WTB 2022).

⁷ *Wireless Telecommunications Bureau Approves Five Contraband Interdiction System Certification Applications Under Phase One of the Authorization Process*, GN Docket No. 13-111, Public Notice, DA 23-547 (WTB 2023) (approving applications filed, respectively, by: CellBlox Acquisitions, LLC; ShawnTech Communications, Inc.; Tecore Networks; SOC, LLC; and OmniProphis Corporation); see also *Wireless Telecommunications Bureau Approves Trace-Tek, LLC's Contraband Interdiction System Certification Application Under Phase One of the Authorization Process*, GN Docket No. 13-111, Public Notice, DA 24-242 (WTB 2024) (approving an application filed by Trace-Tek, LLC).

⁸ See generally *supra* note 1.

⁹ *Wireless Telecommunications Bureau Seeks Comment on SDF, Inc.'s Contraband Interdiction System Certification Application*, GN Docket No. 13-111, Public Notice, DA 24-668 (WTB 2024); see also *Promoting Technological Solutions to Combat Contraband Wireless Device Use in Correctional Facilities*, GN Docket No. 13-111, Protective Order, DA 23-223 (WTB 2023).

¹⁰ See 47 CFR § 20.23; *Second Report and Order*, 36 FCC Rcd at 11821-23, paras. 22-38; *Wireless Telecommunications Bureau Provides Guidance for Filing Contraband Interdiction System Certification Applications and Self-Certifications*, GN Docket No. 13-111, DA 21-1572, 2-3, paras. 6-8 (WTB 2021) (*Guidance Public Notice*).

¹¹ *Guidance Public Notice* at 2-4, paras. 5-6, 9-10.

¹² *Guidance Public Notice* at 2-4, paras. 5-10.

5. *CIS Certification Application Description.*¹³ We find that SDF's CIS Application sufficiently described the legal and technical qualifications of its CIS. Further, in accordance with Commission rules, SDF demonstrated that:

- (1) *Equipment Authorization:* all radio transmitters used as part of the CIS have appropriate equipment authorizations pursuant to Commission rules, by providing a certification to that effect;¹⁴
- (2) *CIS Design/Methodology:* the CIS is designed and will be configured to locate devices solely within a correctional facility, and that the methodology to be used in analyzing data collected by the CIS is adequately robust to ensure that a particular wireless device is in fact located within a correctional facility. In this regard, SDF also provided:
 - a description of the scope and overall function of the system;
 - a description of the system architecture and configuration with diagrams;
 - a description of the hardware and its functions;
 - a description of the software and its functions;
 - a description of the steps required and preparations needed to implement the CIS at any correctional facility (e.g., site surveys, engineering design, installation, and optimization);
 - a description of how the CIS, if so required, interacts with a wireless provider network;
 - a description of data analysis techniques; and
 - a description of the key performance factors that indicate successful operation, including the expected level of percentage accuracy in the rate of detection of contraband devices vs. non-contraband devices using a relevant sample size (e.g., number of devices to be observed and the length of observation period) and the rationale for the expectation;¹⁵
- (3) *Data Security:* the CIS will secure and protect all data collected and/or information produced as part of its intended use, including a description of the types of data the CIS collects, whether the data is retained and for how long, and how the data is stored and protected;¹⁶
- (4) *911 Calls:* the CIS will not interfere with emergency 911 calls, including a description

¹³ See 47 CFR § 20.23(b)(1)(i)-(vi) (application requirements); *Second Report and Order*, 36 FCC Rcd at 11821, para. 23; *Guidance Public Notice* at 2-3, para. 6.

¹⁴ SDF CIS Application at 10; SDF First Supplement at 10. As an attachment to the SDF CIS Application filing in ECFS, SDF provided that its equipment is authorized under FCC ID 2BDKO-SEPTIER. We note that SDF formerly was a subsidiary of Septier Communications Ltd., and as of April 2024, SDF's equipment is now authorized under FCC ID 2BFW7-SDF. See SDF *Ex Parte* at 4-6; see also *supra* note 1.

¹⁵ SDF CIS Application at 7-14; SDF First Supplement at 7-14, 22-26; SDF Second Supplement at 4-15. SDF provided information regarding its CIS design and methodology for which it sought, in part, confidential treatment pursuant to Commission rule section 0.459, 47 CFR § 0.459.

¹⁶ SDF CIS Application at 15; SDF First Supplement at 13. SDF provided information regarding its CIS data security for which it sought, in part, confidential treatment pursuant to Commission rule section 0.459, 47 CFR § 0.459.

of the methodology used for allowing emergency 911 calls to be permitted;¹⁷ and

- (5) *Spectrum/Network Access Agreement*: the applicant is aware that a CIS may require a spectrum or network access agreement (e.g., a spectrum leasing arrangement or roaming agreement) to be authorized to operate by stating and describing whether the CIS requires such an agreement to operate.¹⁸

6. *CIS Certification Application Test Plan*. We also find that SDF's CIS Application included a test plan that can be adapted to the circumstances of each planned deployment at a specific correctional facility, and adequately demonstrated that the CIS's overall methodology for system design and data analysis ensures, to the greatest extent possible, that only devices that are in fact contraband will be identified for disabling.¹⁹ Specifically, SDF included:

- (1) A proposed evaluation of the functions that the CIS will perform;²⁰
- (2) A description of the testing device(s) placement and the number of testing devices that will be used at the correctional facility(ies);²¹
- (3) A demonstration of how the placement and number of testing devices are sufficient to evaluate the CIS as the applicant intends to market and operate the system;²²
- (4) A demonstration that the testing will be randomized, and an explanation of why the number of devices and trials are statistically significant;²³
- (5) A description of the data to be collected, including the number of devices correctly and incorrectly identified and/or intercepted as contraband, and the number of emergency 911 calls made and impacted;²⁴ and
- (6) the precise method to be used for calculating the accuracy of the CIS and verifying

¹⁷ SDF CIS Application at 13-14, 17; SDF First Supplement at 13, 18, 24-25. SDF provided information regarding its routing of 911 calls for which it sought, in part, confidential treatment pursuant to Commission rule section 0.459, 47 CFR § 0.459.

¹⁸ SDF CIS Application at 14; SDF Second Supplement at 10.

¹⁹ See 47 CFR § 20.23(b)(1)(vii) (application requirements); *Second Report and Order*, 36 FCC Rcd at 11822-23, paras. 26-27; *Guidance Public Notice* at 2-3, paras. 7-8.

²⁰ SDF CIS Application at 7, 14-15; SDF First Supplement at 7, 14-15, 25-26; SDF Second Supplement at 4-8. SDF provided information regarding its CIS proposed functions for which it sought, in part, confidential treatment pursuant to Commission rule section 0.459, 47 CFR § 0.459.

²¹ SDF CIS Application at 16; SDF First Supplement at 16, 25-26; SDF Second Supplement at 9-15. SDF provided information regarding its CIS testing placement and number of testing devices for which it sought, in part, confidential treatment pursuant to Commission rule section 0.459, 47 CFR § 0.459.

²² SDF CIS Application at 16-19; SDF First Supplement at 16, 25-26; SDF Second Supplement at 9-15. SDF provided information regarding how the placement and number of testing devices are sufficient to evaluate the CIS for which it sought, in part, confidential treatment pursuant to Commission rule section 0.459, 47 CFR § 0.459.

²³ SDF CIS Application at 16-19; SDF First Supplement at 16-19, 25-26; SDF Second Supplement at 9-15. SDF provided information regarding its data validation methodology for which it sought, in part, confidential treatment pursuant to Commission rule 0.459, 47 CFR § 0.459.

²⁴ SDF CIS Application at 16-19; SDF First Supplement at 16-19, 25-26; SDF Second Supplement at 9-15. SDF provided information regarding the description of the data to be collected by its CIS for which it sought, in part, confidential treatment pursuant to Commission rule section 0.459, 47 CFR § 0.459.

that emergency 911 calls are unaffected.²⁵

IV. CONCLUSION

7. Based on our review, we approve, subject to the conditions below, SDF's CIS Application in the public interest. Through the issuance of this Public Notice,²⁶ SDF may market and sell its certified CIS as described in its application for ultimate use, following phase two testing, in obtaining information for the submission of qualifying requests for the disabling of contraband wireless devices.²⁷ SDF may begin the phase two on-site testing of its CIS at individual correctional facilities where SDF is authorized to operate—which is generally authorized pursuant to a spectrum manager or *de facto* transfer leasing arrangement—as outlined in the *Second Report and Order* and more specifically in section 20.23 of the Commission's rules.²⁸ We remind SDF that it must file a self-certification following completion of successful CIS testing.²⁹ The self-certifications must be filed using the Commission's Electronic Comment Filing System (ECFS) and must reference **GN Docket No. 13-111**.³⁰

8. *Conditions.* This CIS certification application approval and SDF's use of its certified CIS for the ultimate submission of qualifying requests is conditioned on the following:

- 1) Testing of the certified CIS and its subsequent operation and use to support qualifying requests must be as specifically described in SDF's application as approved through this Public Notice;
- 2) A phase two testing self-certification, and a subsequently filed qualifying request, must be based upon information received from a certified CIS in deployed areas of each individual correctional facility where the CIS has been fully tested in real-time, live conditions consistent with the approved test plan;
- 3) The certified CIS must remain highly accurate regarding its:
 - a) capability to identify only those devices physically located within the perimeter of operation; and
 - b) ability to distinguish between contraband and non-contraband devices;
- 4) Approved CIS may be marketed and sold only to correctional facilities or entities that will provide contraband interdiction services to such facilities.

9. *Contact Information.* Questions regarding this *Public Notice* may be directed to Halie Peacher, Attorney Advisor, Wireless Telecommunications Bureau, Mobility Division at (202) 418-0514 or Halie.Peacher@fcc.gov.

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²⁵ SDF CIS Application at 17-18; SDF First Supplement at 16-19, 25-26; SDF Second Supplement at 9-15. SDF provided information regarding its method for calculating CIS accuracy for which it sought, in part, confidential treatment pursuant to Commission rule 0.459, 47 CFR § 0.459.

²⁶ Bureau staff will also update the CIS/Correctional Facility Approval Status Tracker on the Commission's website to reflect this Phase I approval at <https://www.fcc.gov/wireless/bureau-divisions/mobility-division/contraband-wireless-devices/disabling-process>.

²⁷ See 47 CFR § 20.23(b)(2) (marketing and sales); *Second Report and Order*, 36 FCC Rcd at 11822, para. 25.

²⁸ See 47 CFR § 20.23(b)(3) (site-based testing and self-certification requirements); see also *Second Report and Order*, 36 FCC Rcd at 11821-23, paras. 22-38; *Guidance Public Notice* at 4-6, paras. 12-19. The spectrum leasing rules are outlined in part 1, subpart X of the Commission's rules. See 47 CFR pt. 1, subpt. X.

²⁹ See 47 CFR § 20.23(b)(3) (site-based testing and self-certification requirements); see also *Guidance Public Notice* at 5, para. 14.

³⁰ See *Guidance Public Notice* at 5, para. 15; see also *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).