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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

RIN 3133–AD75

The Low-Income Definition

AGENCY: National Credit Union Administration (NCUA).

ACTION: Interim final rule and request for comments.

SUMMARY: NCUA is amending the definition of "low-income members" to clarify that, in determining if a credit union qualifies for a low-income designation, the comparison of credit union data, whether individual or family income data, must be with statistical data for the same category. The amendment will clarify the intention of the original regulatory text so it is consistent with the geo-coding software the agency uses to make the low-income credit union (LICU) designation.

DATES: The rule is effective August 5, 2010. Comments must be received by October 4, 2010.

FOR FURTHER INFORMATION CONTACT: Sheila Albin, Staff Attorney, Office of General Counsel, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428, or telephone: (703) 518–6540.

SUPPLEMENTARY INFORMATION:

Background

The Federal Credit Union Act (Act) authorizes the NCUA Board (Board) to define "low-income members" so that credit unions with a membership consisting of predominantly low-income members can benefit from certain statutory relief and receive assistance from the Community Development Revolving Loan Fund. 12 U.S.C. 1752(5), 1757a(b)(2)(A), 1757a(c)(2)(B), 1772c–1. This authority has been implemented in § 701.34 of NCUA regulations, known as the low-income rule. 12 CFR 701.34. In April 2008, the Board proposed substantial changes to the rule, which had previously been based on measuring median household income, with geographic differentials for certain areas with higher costs of living. 73 FR 22836 (April 28, 2008). In brief, the Board proposed to, and as adopted in the final rule, did replace median household income with median family income or median earnings for individuals as better measures, more flexible, and in line with standards used by other federal agencies. 73 FR 71909 (Nov. 26, 2008).

As discussed in the preamble to the final rule, NCUA also undertook as part of the regulatory changes to facilitate the low-income designation process by eliminating the requirement for credit unions to apply for the designation. NCUA is in the process of implementing geo-coding software to make the calculation automatically for credit unions during the examination process.

> NCUA will make the determination of whether a majority of an FCU's members are low-income based on data it obtains during the examination process. This will involve linking member address information to publicly available information from the U.S. Census Bureau to estimate member earnings. Using automated, geo-coding software, NCUA will use member street addresses collected during FCU examinations to determine the geographic area and metropolitan area for each member account. NCUA will then use income information for the geographic area from the Census Bureau and assign estimated earnings to each member.

73 FR 71910–11. NCUA's software ensures that the same categories of data available for member income at a particular credit union are compared with like categories of statistical data on income from the Census Bureau. In particular, individual member earnings information is compared to median individual earnings data, family income information is compared to median family income data, and so forth.[1]

The final rule in November 2008 also provided credit unions, as an alternative to relying on NCUA's geo-coding software, the option of providing actual income information about their members as a basis for qualifying as a LICU. Confusion has arisen regarding the appropriate comparison of actual member information and statistical data from the Census Bureau, prompting the need for this clarifying amendment. The confusion arises from a discussion in the preamble to the final rule, where the Board stated:

> The rule also provides an alternative basis for an FCU to qualify for a LICU designation. An FCU may be able to demonstrate the actual income of its members based on data it has, for example, from loan applications or surveys of its members. An FCU may qualify as a LICU if it can establish a majority of its members meet the low-income formula. For example, an FCU with 1,000 members may be able to show the actual income of 501 or more of its members is equal to or less than 80% of the MFI for the metropolitan area(s) where they live. As a practical matter, the Board thinks few FCUs will need this option because NCUA's approach of matching member residential information with Census Bureau income information will provide an estimate very close to members' actual income.

73 FR 71911. The rule provides median family income or median individual earnings as alternatives and, as noted above, NCUA's geo-coding software compares like categories of data. Unfortunately, the above-quoted statement in the preamble indicates that, as an alternative to relying on the NCUA's geo-coding, a credit union could apply for a low-income designation relying on a comparison of actual income data for individual members to statistical data on median family income as the basis for the designation. This would not be a valid or meaningful comparison. The Board believes that, as a matter of logic and

[1] NCUA's geo-coding software, known within the agency as the "Low-Income Designation Assessment Tool," is currently a stand-alone software program developed by NCUA's Office of the Chief Information Officer with guidance from regional staff experienced in low-income designation. Regional staff as well as Economic Development Specialists currently use the tool as needed based on requests from credit unions. Eventually, the same software rules will be embedded into the NCUA AIRES examination software. The current version performs 30 different ratio calculations for each member based on a variety of factors and data to determine whether the member meets the low-income definition. The variety of ratios is expansive in order to provide all of the possible options for members to meet the definition. Factors recognize the following: (1) Data sources include both decennial income data as well as American Community Survey income data; (2) different data is incorporated for metro vs. non-metro geographic areas; and (3) ratio options include comparisons of census tract and block group income data, to zip code, county, MSA, state, and national data, plus comparisons of county income data to CBSA, state, and national income data.

statistical reasoning, only like categories of data may be compared in making the determination that a credit union's membership meets the low-income definition. Actual individual member income information should not be measured against median family income, but rather, against individual median earnings.

Changes to the Low-Income Rule

This interim final rule amends § 701.34(a)(1) by clarifying that median family income and median earnings for individuals are alternative bases on which credit union members may qualify as low income. In addition, the subsection of the rule where the option for credit unions to submit their own information for purposes of qualifying for the designation is amended to clarify that actual member data must be compared with a like category of statistical data. For example, if a credit union provides individual income information for members, the median earnings for individuals must be used to determine if the members are low-income.

Interim Final Rule and Immediate Effective Date

NCUA is issuing this rulemaking as an interim final rule effective on publication. The Administrative Procedure Act (APA), 5 U.S.C. 553, generally requires that before a rulemaking can be finalized it must first be published as a notice of proposed rulemaking with the opportunity for public comment, unless the agency for good cause finds that notice and public comment are impracticable, unnecessary, or contrary to the public interest. Additionally, the APA requires that, once finalized, a rulemaking generally must have a delayed effective date of 30 days from the date of publication, except for good cause. In this regard, NCUA believes good cause exists for issuing these clarifying amendments as an interim final rule, effective immediately, in order to eliminate as soon as possible any confusion resulting from the preamble language that was inconsistent with or makes ambiguous the regulatory text for the definition of low-income members. To that extent, NCUA believes issuing this rulemaking as an interim final rule, effective on publication, is also in the public interest. Finally, credit unions should take notice that, upon the Board's adoption of this interim final rule, NCUA will not consider requests from credit unions under § 701.34(a)(3) for a low-income designation based on a comparison of actual individual member income data to median family income data.

Although issuing these changes an interim final rule, effective immediately, NCUA would like the benefit of public comment before adopting the changes in a final rule and invites interested parties to submit comments during a 60-day comment period. In adopting a final regulation, NCUA may revise the interim rule in light of the comments received if appropriate.

Regulatory Procedures

Regulatory Flexibility Act

The Regulatory Flexibility Act requires NCUA to prepare an analysis to describe any significant economic impact any regulation may have on a substantial number of small entities. 5 U.S.C. 603(a). For purposes of this analysis, NCUA considers credit unions having under $10 million in assets small entities. Interpretive Ruling and Policy Statement 03–2, 68 FR 31949 (May 29, 2003). As of December 31, 2007, out of approximately 8,410 federally insured credit unions, 3,599 had less than $10 million in assets. This interim final rule merely clarifies the existing low-income rule and, therefore, an analysis is not required. NCUA, however, provided an analysis when it issued the final rule in November 2008, concluding that the economic impact on entities affected by the rule would not be significant. 73 FR 71911–12.

Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996, Public Law 104–121, provides generally for congressional review of agency rules. A reporting requirement is triggered in instances where NCUA issues a final rule as defined by Section 551 of the Administrative Procedures Act. 5 U.S.C. 551. While NCUA views this clarifying amendment as minor, the formal determination by the Office of Information and Regulatory Affairs is pending.

Paperwork Reduction Act

This clarifying amendment does not change the collection requirements under the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.*

Executive Order 13132

Executive Order 13132 encourages independent regulatory agencies to consider the impact of their actions on state and local interests. In adherence to fundamental federalism principles, NCUA, an independent regulatory agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the executive order. The final rule will not have substantial direct effect on the states, on the connection between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. NCUA has determined this final rule does not constitute a policy that has federalism implications for purposes of the executive order.

The Treasury and General Government Appropriations Act, 1999—Assessment of Federal Regulations and Policies on Families

NCUA has determined that this final rule will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, 1999, Public Law 105–277, 112 Stat. 2681 (1998).

List of Subjects in 12 CFR Part 701

Credit unions, Federal credit unions, Low income, Nonmember deposits, Secondary capital, Shares.

By the National Credit Union Administration Board, on July 29, 2010.

Mary F. Rupp,

Secretary of the Board.

■ For the reasons stated above, NCUA amends 12 CFR part 701 as follows:

PART 701—ORGANIZATION AND OPERATIONS OF FEDERAL CREDIT UNIONS

■ 1. The authority for part 701 continues to read as follows:

Authority: 12 U.S.C. 1752(5), 1757, 1765, 1766, 1781, 1782, 1787, 1789; Title V, Pub. L. 109–351, 120 Stat. 1966.

■ 2. In § 701.34, amend paragraph (a) by:

■ a. Removing the first two sentences in paragraph (a)(2) and adding a new first sentence; and

■ b. Adding a new sentence to the end of paragraph (a)(3).

The additions read as follows:

§ 701.34 [Amended]

(a) * * *

(2) Low-income members are those members whose family income is 80% or less than the median family income for the metropolitan area where they live or national metropolitan area, whichever is greater, or those members who earn 80% or less than the total median earnings for individuals for the metropolitan area where they live or national metropolitan area, whichever is greater. * * *

(3) * * * Actual member income data must be compared to a like category of statistical data, for example, actual

individual member income may only be compared to total median earnings for individuals for the metropolitan area where they live or national metropolitan area, whichever is greater.

* * * * *

[FR Doc. 2010–19099 Filed 8–4–10; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 707

RIN 3133–AD72

Truth in Savings

AGENCY: National Credit Union Administration (NCUA).

ACTION: Interim final rule with request for comments.

SUMMARY: On July 22, 2009, NCUA published a final rule amending part 707, which implements the Truth in Savings Act, and the official staff interpretations to the regulation. The final rule addressed credit unions' disclosure practices related to overdraft services, including balances disclosed to members through automated systems. This interim final rule amends part 707 and official staff interpretations to address the application of the July 2009 final rule to retail sweep programs and the terminology for overdraft fee disclosures and to make amendments that conform to the Federal Reserve Board's (Federal Reserve) final Regulation E amendments addressing overdraft services, adopted in November 2009. This rule also includes a minor technical correction to sample form B–12 for formatting purposes.

DATES: This rule is effective September 7, 2010, except for the amendment to § 707.11(a)(1(i), which is effective October 1, 2010. Comments must be received by October 4, 2010.

ADDRESSES: You may submit comments by any of the following methods (Please send comments by one method only):

- *NCUA Web Site: http://www.ncua.gov/news/proposed_regs/proposed_regs.html.* Follow the instructions for submitting comments.
- *E-mail:* Address to *regcomments@ncua.gov.* Include "[Your name] Comments on Interim Final Rule (Truth in Savings)" in the e-mail subject line.
- *Fax:* (703) 518–6319. Use the subject line described above for e-mail.
- *Mail:* Address to Mary Rupp, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.
- *Hand Delivery/Courier:* Same as mail address.

Public inspection: All public comments are available on the agency's website at *http://www.ncua.gov/RegulationsOpinionsLaws/comments* as submitted, except as may not be possible for technical reasons. Public comments will not be edited to remove any identifying or contact information. Paper copies of comments may be inspected in NCUA's law library, at 1775 Duke Street, Alexandria, Virginia 22314, by appointment weekdays between 9 a.m. and 3 p.m. To make an appointment, call (703) 518–6546 or send an e-mail to *OGCMail@ncua.gov.*

FOR FURTHER INFORMATION CONTACT: Justin M. Anderson, Staff Attorney, Office of General Counsel, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428, or telephone: (703) 518–6540.

SUPPLEMENTARY INFORMATION:

I. Background

The Truth in Savings Act (TISA) requires NCUA to promulgate regulations substantially similar to those promulgated by the Federal Reserve within 90 days of the effective date of the Federal Reserve's rules. 12 U.S.C. 4311(b). In doing so, NCUA is to take into account the unique nature of credit unions and the limitations under which they pay dividends on member accounts. *Id.* In compliance with TISA, NCUA is issuing this interim final rule with request for comment that is substantially similar to the Federal Reserve's June 2010 final rule. NCUA is also making technical corrections to the aggregate overdraft and returned item fees sample form for formatting purposes.

On January 29, 2009, the Federal Reserve published a final rule amending Regulation DD, its TISA rule, and the official staff commentary to address depository institutions' disclosure practices related to overdraft services, including balances disclosed to consumers through automated systems. 74 FR 5584 (January 29, 2009). NCUA issued a similar final rule on July 22, 2009. 74 FR 36102 (July 22, 2009). Both rules had an effective date of January 1, 2010.

In November 2009, the Federal Reserve adopted a final rule amending Regulation E, which implements the Electronic Fund Transfer Act. This final rule limits a financial institution's ability to assess fees for paying ATM and one-time debit card transactions pursuant to the institution's discretionary overdraft service without the consumer's affirmative consent to such payment.

Since publication of the Federal Reserve's January 2009 final rule, institutions and others have requested clarification of particular aspects of the rule and further guidance regarding compliance with the rule. In addition, the Federal Reserve believed conforming amendments to Regulation DD were necessary in light of certain provisions subsequently adopted in the Regulation E final rule. Accordingly, in March 2010, the Federal Reserve proposed to amend Regulation DD and the official staff commentary. 75 FR 9126 (March 1, 2010). Based on comments it received, the Federal Reserve issued a final rule on June 4, 2010. 75 FR 31673 (June 4, 2010).

II. Interim Final Rule

The NCUA Board (the Board) is adopting interim final revisions to part 707 and the accompanying official staff interpretations that are substantively identical to the Federal Reserve's June 2010 final rule. Like the Federal Reserve's approach, the effective date of this rule will be 30 days from the date of publication in the **Federal Register**, but compliance with the changes to § 707.11(a)(1(i) will not be mandatory until October 1, 2010. This will give credit unions sufficient time to implement the necessary system changes to comply with this rule.

The Board is issuing this rule as an interim final rule because there is a strong public interest in having consumer-oriented rules in places that are consistent with those recently promulgated by the Federal Reserve. Additionally, as discussed above, NCUA is statutorily required to issue rules substantially similar to those of the Federal Reserve within 90 days of the effective date of the Federal Reserve's rules.

III. Section-by-Section Analysis

A. Section 707.6(b)—Periodic Statement Disclosures; Statement Disclosures

Section 707.6(b) describes disclosures regarding certain charges or fees required when a credit union provides a periodic statement to its members. The Board is making an amendment to § 707.6(b) and the related official staff interpretation. First, the Board is adding new § 707.6(b)(5) to state explicitly that the aggregate fee disclosures required by § 707.11(a)(1), discussed below, are among the disclosures required to be provided on periodic statements for purposes of § 707.6(b). Second, the Board is revising comment 6(b)(3)-2 to eliminate the reference to the promotion

of the payment of overdrafts because NCUA's July 22, 2009 final rule eliminated the distinction between credit unions that promote overdraft fees and those that do not.

B. Section 707.11(a)—Additional Disclosure Requirements for Overdraft Services

Although periodic statements are not required under TISA, § 707.11(a)(1(i) requires credit unions that provide periodic statements to disclose the total dollar amount of all fees or charges imposed on the account for paying checks or other items when there are insufficient or unavailable funds and the account becomes overdrawn for the month and calendar year-to-date. 12 CFR 707.11(a)(1)(i). Sample Form B–12 displays this total as "Total Overdraft Fees." Section 707.11(a)(1)(ii) requires credit unions to separately disclose the total dollar amount of all fees or charges imposed on the account for returning items unpaid for the month and calendar year-to-date. 12 CFR 707.11(a)(1)(ii). Comment 11(a)(1)–3 states that credit unions may use terminology such as "returned item fee" or "NSF fee" to describe fees for returning items unpaid. These fee totals must be disclosed in a tabular format substantially similar to Sample Form B–12. 12 CFR 707.11(a)(3).

Some credit unions may use terms other than "Overdraft Fee" to describe per item overdraft fees in their account agreements. Comment 3(a)–3 to part 707 provides that credit unions must use consistent terminology to describe terms or features that are required to be disclosed. Based on this comment and a similar comment in Regulation DD, institutions have questioned whether they may use terminology other than "Total Overdraft Fees" in the periodic statement aggregate fee disclosure to describe the total amount of all fees or charges imposed on the account for paying overdrafts.

This interim final rule, in conformity with the Federal Reserve's recent final rule, revises § 707.11(a)(1)(i) to clarify that the periodic statement aggregate fee disclosure must state the total dollar amount for all fees or charges imposed on the account for paying overdrafts, using the term "Total Overdraft Fees." This rule also amends comment 11(a)(1)–2 to explain that this provision supersedes comment 3(a)–3.

Section 707.11(a)(1)(i) requires credit union to provide a fee total that includes *all* overdraft fees, including any additional daily or sustained overdraft, negative balance, or similar fees or charges imposed by the credit union. *See* comment 11(a)(1)–2. Thus, the use of terminology other than "Total Overdraft Fees" may not capture the various fees associated with an overdraft service. Further, the purpose of the aggregate fee disclosure is to provide members who use overdraft services with additional information about fees to help them better understand the costs associated with the service. The Board believes permitting the use of terminology other than "Total Overdraft Fees" could be confusing to members and potentially undermines their ability to compare costs, particularly if a member has accounts at different credit unions that each use different terminology.

C. Section 707.11(c)—Disclosure of Account Balances

Comment 11(c)–2—Retail Sweep Programs

Section 707.11(c) of NCUA's TISA rule addresses the disclosure of account balance information to a member through an automated system. Under § 707.11(c), credit unions must disclose a balance that does not include additional amounts the credit union may provide to cover an item when there are insufficient or unavailable funds in the member's account, including under a service to transfer funds from another account of the member. The Board adopted this provision in its July 2009 final rule to ensure members receive accurate information about their account balances and to help avoid member confusion as to whether an account has sufficient funds to cover a transaction.

After publication of the final rule, questions were raised about the application of this provision to retail sweep programs. In a retail sweep program, a credit union establishes two legally distinct subaccounts, a share draft subaccount and a share savings subaccount, which together make up the member's account. The credit union allocates and transfers funds between the two subaccounts in order to maximize the balance in the share savings subaccount while complying with the monthly limitations on transfers out of savings accounts under the Federal Reserve's Regulation D. 12 CFR 204.2(d)(2).

Retail sweep programs are distinguishable in several respects from overdraft protection plans that transfer funds from a member's linked accounts. In particular, retail sweep programs are generally not established for the purpose of covering overdrafts. Rather, a credit union typically establishes retail sweep programs by agreement with the member in order for the credit union to minimize its transaction account reserve requirements and, in some cases, to provide a higher interest rate than the member would earn on a transaction account alone. Furthermore, most retail sweep programs are structured so that the member (or person acting on behalf of the member) cannot independently access the funds in the share savings subaccount; all transfers out of, and deposits or transfers into, the share savings subaccount component of a retail sweep program are effected through the share draft subaccount. Notwithstanding the establishment of two legally distinct subaccounts under a retail sweep program, the periodic statements that members receive show a single member account balance and a single account on which all transactions into and out of the account are reflected.

By contrast, linked accounts can be used and funded independently of one another. For example, a member can directly make deposits into and withdrawals from a share savings account whether or not it is linked to a share draft account. The link between accounts under an overdraft protection program is primarily established for purposes of providing funds from the share savings account in the event the member has insufficient funds in the share draft account. Additionally, while retail sweep programs typically do not impose fees on transfers between the share subaccount and the share draft subaccount, credit unions typically charge fees for transfers from linked accounts to cover an overdraft.

Based on the foregoing, the Board believes that members under a retail sweep program may reasonably expect to see a single balance combining the funds in the share draft subaccount and the share savings subaccount when they request an account balance. Members could be confused if a balance that only includes funds in the share draft subaccount were provided because, in some cases, the balance in the share draft subaccount could be zero if funds had been transferred to the share subaccount at the time of the balance inquiry. This rule, therefore, adds new comment 11(c)-2 to clarify that § 707.11(c) does not require a credit union to exclude funds that may be transferred from another account pursuant to a retail sweep program from the member's balance.

Comment 11(c)–3—Additional Balance

Section 707.11(c) of NCUA's July 2009 final rule permitted credit unions to disclose an additional balance including overdraft funds so long as the credit union prominently states that the

balance contains additional overdraft funds. Comment 11(c)–2 of the final rule provided guidance on how credit unions could appropriately identify the additional funds. The comment, however, only addressed opt-outs. The Federal Reserve subsequently adopted the November 2009 Regulation E final rule, which requires institutions to obtain a consumer's affirmative consent, or opt-in, to the institution's overdraft service, before charging any fees for paying ATM and one-time debit card transactions. In light of the final Regulation E opt-in requirement, the Board is amending comment 11(c)–2, redesignated as comment 11(c)–3, to include references to the opt-in requirement. References to opt-outs were retained in some instances because some credit unions may provide an opt-out choice with respect to checks, ACH, and other types of transactions not subject to the Regulation E final rule restrictions.

The Board is also extending the requirement to indicate, when applicable, that funds in the additional balance may not be available for all transactions to circumstances under which funds from overdraft services subject to the Federal Reserve's Regulation Z or from services that transfer funds from another account are not available for all transactions. For example, if a member has an overdraft line of credit, but under the terms of the agreement, the member cannot access the line of credit when using a debit card at a point-of-sale transaction, any additional balance displayed through an automated system should indicate that the overdraft funds are not available for all transactions.

Appendix B: B–12—Aggregate Overdraft and Returned Item Fees Sample Form

The Board is also making minor technical corrections to sample form B–12. These changes are for formatting purposes and to ensure conformity with the Federal Reserve's model disclosure.

D. Effective Date

Because some credit unions may be using terminology other than "Total Overdraft Fees" in their aggregate fee disclosure under § 707.11(a)(1), the revisions to § 707.11(a)(1)(i) are effective October 1, 2010, which conforms to the effective date set by the Federal Reserve. This effective date also satisfies § 302 of the Riegle Community Improvement Development and Regulatory Improvement Act of 1994, 12 U.S.C. 4802, which requires regulations that impose additional disclosure requirements to take effect on the first day of a calendar quarter beginning on or after the date on which the regulations are published in final form, unless the agency determines, for good cause published with the regulation, that the regulation should become effective before such time. 12 U.S.C. 4802(b). The Board believes that this effective date is appropriate because the final § 707.11(a)(1)(i) amendments will require some credit unions to modify the disclosures provided to members. The remaining provisions of the final rule are effective September 7, 2010.

III. Regulatory Procedures

Section III of the Supplementary Information to the July 2009 final rule sets forth the Board's analyses under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Paperwork Reduction Act of 1995 (44 U.S.C. 3506; 5 CFR part 1320 Appendix A.1), the Small Business Regulatory Enforcement Fairness Act (Pub. L. 104–121), Executive Order 13132, and the Treasury and General Government Appropriations Act (Pub. L. 105–277, 112 Stat. 2681 1998). *See* 74 FR 36102–36106. Because the final amendments are clarifications and do not alter the substance of the analyses and determinations accompanying that final rule, the Board continues to rely on those analyses and determinations for purposes of this rulemaking.

By the National Credit Union Administration Board on July 29, 2010.

Mary F. Rupp,

Secretary of the Board.

List of Subjects in 12 CFR Part 707

Advertising, Credit unions, Consumer protection, Reporting and recordkeeping requirements, Truth in Savings.

■ For the reasons set forth in the preamble, NCUA amends 12 CFR part 707, the Model Disclosures, and the Official Staff Interpretations, as set forth below:

PART 707—TRUTH IN SAVINGS

■ 1. The authority citation for part 707 continues to read as follows:

Authority: 12 U.S.C. 4311.

■ 2. Section 707.6 is amended by adding paragraph (b)(5) to read as follows:

§ 707.6 Periodic statement disclosures.

(b) * * *

(5) *Aggregate fee disclosure.* If applicable, the total overdraft and returned item fees required to be disclosed by § 707.11(a).

* * * * *

■ 3. Section 707.11 is amended by revising paragraph (a)(1)(i) to read as follows:

§ 707.11 Additional disclosure requirements for overdraft services.

(a) * * *

(1) * * *

(i) The total dollar amount for all fees or charges imposed on the account for paying checks or other items when there are insufficient or unavailable funds and the account becomes overdrawn, using the term "Total Overdraft Fees;" and

* * * * *

■ 4. Amend Appendix B to part 707, by revising B–12 to read as follows:

Appendix B to Part 707—Model Clauses And Sample Forms

* * * * *

B–12 AGGREGATE OVERDRAFT AND RETURNED ITEM FEES SAMPLE FORM

	Total for this period	Total year-to-date
Total overdraft fees	$60.00	$150.00
Total returned item fees	$0.00	$30.00

■ 5. In Appendix C to part 707,

■ a. Under Section 707.6(b)(3), the first two sentences of paragraph 2. are revised.

■ b. Under Section 707.11(a)(1), paragraph 2. is revised.

■ c. Under Section 707.11(c), paragraphs 2. and 3. are redesignated as paragraphs 3. and 4. respectively.

■ d. Under Section 707.11(c), new paragraph 2. is added.

■ e. Under Section 707.11(c), newly designated paragraph 3. is revised.

Appendix C to Part 707—Official Staff Interpretations

* * * * *

Section 707.6—Periodic Statement Disclosures

(b) Statement Disclosures

* * * * *

(b)(3) Fees Imposed

* * * * *

2. *Itemizing fees by type.* In itemizing fees imposed more than once in the period, credit unions may group fees if they are the same type. (*See* § 707.11(a)(1) of this part regarding certain fees that are required to be grouped.)

* * *

* * * * *

Section 707.11—Additional Disclosures Regarding the Payment of Overdrafts

(a) Disclosure of total fees on periodic statements

(a)(1) General

* * * * *

2. *Fees for paying overdrafts.* Credit unions must disclose on periodic statements a total dollar amount for all fees or charges imposed on the account for paying overdrafts. The credit union must disclose separate totals for the statement period and for the calendar year-to-date. The total dollar amount for each of these periods includes per-item fees as well as interest charges, daily or other periodic fees, or fees charged for maintaining an account in overdraft status, whether the overdraft is by check, debit card transaction, or by any other transaction type. It also includes fees charged when there are insufficient funds because previously deposited funds are subject to a hold or are uncollected. It does not include fees for transferring funds from another account of the member to avoid an overdraft, or fees charged under a service subject to the Federal Reserve Board's Regulation Z (12 CFR part 226). *See also* comment 11(c)–2. Under § 707.11(a)(1)(i), the disclosure must describe the total dollar amount for all fees or charges imposed on the account for the statement period and calendar year-to-date for paying overdrafts using the term "Total Overdraft Fees." This requirement applies notwithstanding comment 3(a)–2.

* * * * *

(c) Disclosure of account balances

* * * * *

2. *Retail sweep programs.* In a retail sweep program, a credit union establishes two legally distinct subaccounts, a share draft subaccount and a share savings subaccount, which together make up the member's account. The credit union allocates and transfers funds between the two subaccounts in order to maximize the balance in the share savings account while complying with the monthly limitations on transfers out of savings accounts under the Federal Reserve Board's Regulation D, 12 CFR 204.2(d)(2). Retail sweep programs are generally not established for the purpose of covering overdrafts. Rather, credit unions typically establish retail sweep programs by agreement with the member in order for the credit union to minimize its transaction account reserve requirements and, in some cases, to provide a higher interest rate than the member would earn on a share draft account alone. Section 707.11(c) does not require a credit union to exclude funds from the member's balance that may be transferred from another account pursuant to a retail sweep program that is established for such purposes and that has the following characteristics:

i. The account involved complies with the Federal Reserve Board's Regulation D, 12 CFR 204.2(d)(2),

ii. The member does not have direct access to the share savings subaccount that is part of the retail sweep program, and

iii. The member's periodic statements show the account balance as the combined balance in the subaccounts.

3. *Additional balance.* The credit union may disclose additional balances supplemented by funds that may be provided by the credit union to cover an overdraft, whether pursuant to a discretionary overdraft service, a service subject to the Federal Reserve Board's Regulation Z (12 CFR part 226), or a service that transfers funds from another account held individually or jointly by the member, so long as the credit union prominently states that any additional balance includes these additional overdraft amounts. The credit union may not simply state, for instance, that the second balance is the members "available balance," or contains "available funds." Rather, the credit union should provide enough information to convey that the second balance includes these amounts. For example, the credit union may state that the balance includes "overdraft funds." Where a member has not opted into, or as applicable, has opted out of the credit union's discretionary overdraft service, any additional balance disclosed should not include funds that otherwise might be available under that service. Where a member has not opted into, or as applicable, has opted out of, the credit union's discretionary overdraft service for some, but not all transactions (*e.g.,* the member has not opted into overdraft services for ATM and one-time debit card transactions), a credit union that includes these additional overdraft funds in the second balance should convey that the overdraft funds are not available for all transactions. For example, the credit union could state that overdraft funds are not available for ATM and one-time (or everyday) debit card transactions. Similarly, if funds are not available for all transactions pursuant to a service subject to the Federal Reserve Board's Regulation Z (12 CFR part 226) or a service that transfers funds from another account, a second balance that includes such funds should also indicate this fact.

[FR Doc. 2010–19090 Filed 8–4–10; 8:45 am]

BILLING CODE 7535–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. NM432; Special Conditions No. 25–410–SC]

Special Conditions: Dassault Aviation Model Falcon 7X; Enhanced Flight Visibility System (EFVS)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued for certain Dassault Aviation Model Falcon 7X airplanes. This airplane will have an advanced, enhanced flight-visibility system (EFVS), which is a novel or unusual design feature consisting of a head-up display (HUD) system modified to display forward-looking infrared (FLIR) imagery. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: The effective date of these special conditions is July 27, 2010. We must receive your comments by August 25, 2010.

ADDRESSES: You must mail two copies of your comments to: Federal Aviation Administration, Transport Airplane Directorate, Attn: Rules Docket (ANM–113), Docket No. NM432, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. You may deliver two copies to the Transport Airplane Directorate at the above address. You must mark your comments: Docket No. NM432. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Dale Dunford, FAA, Transport Standards Staff, ANM–111, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2239; fax (425) 227–1320; e-mail: *dale.dunford@faa.gov.*

SUPPLEMENTARY INFORMATION: The FAA has determined that notice of and opportunity for prior public comment on these special conditions is impracticable and would significantly delay issuance of the design approval and thus delivery of the affected aircraft. These particular special conditions were recently issued and only three non-substantive comments were received during the public-comment period. The FAA therefore finds that good cause exists for making these special conditions effective upon issuance.

Comments Invited

We invite interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a

specific portion of the special conditions, explain the reason for any recommended change, and include supporting data. We ask that you send us two copies of written comments.

We will file in the docket all comments we receive, as well as a report summarizing each substantive public contact with FAA personnel about these special conditions. You can inspect the docket before and after the comment closing date. If you wish to review the docket in person, go to the address in the **ADDRESSES** section of this preamble between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

We will consider all comments we receive by the closing date for comments. We will consider comments filed late if it is possible to do so without incurring expense or delay. We may change these special conditions based on the comments we receive.

If you want us to let you know we received your comments on these special conditions, send us a self-addressed, stamped postcard on which the docket number appears. We will stamp the date on the postcard and mail it back to you.

Background

On October 15, 2009, Dassault Aviation applied for a change to Type Certificate A59NM for the installation of an EFVS in the Dassault Model Falcon 7X airplane, a 19-passenger, transport-category airplane powered by three aft-mounted Pratt & Whitney PW307A high-bypass-ratio turbofan engines. Maximum takeoff weight is 69,000 pounds, and maximum certified altitude will be 51,000 feet with a range of 5,700 nautical miles.

The electronic infrared image displayed between the pilot and the forward windshield represents a novel or unusual design feature in the context of Title 14, Code of Federal Regulations (14 CFR) 25.773. Section 25.773 was not written in anticipation of such technology. The electronic image has the potential to enhance the pilot's awareness of the terrain, hazards, and airport features. At the same time, the image may partially obscure the pilot's direct, outside-compartment view. Therefore, the FAA needs adequate safety standards to evaluate the EFVS to determine that the imagery provides the intended visual enhancements without undue interference with the pilot's outside-compartment view. The FAA intends that the pilot is able to use a combination of the information seen in the image and the natural view of the outside scene, as seen through the image as safely and effectively as a pilot-compartment view without an EVS image, and that is compliant with § 25.773.

Although the FAA has determined that the existing regulations are not adequate for certification of EFVSs, we believe that EFVSs could be certified through application of appropriate safety criteria. Therefore, the FAA has determined that special conditions should be issued for certification of EFVS to provide a level of safety equivalent to that provided by the standard in § 25.773.

Note: The term "enhanced vision system" (EVS) commonly refers to a system comprised of a head-up display (HUD), imaging sensor(s), and avionics interfaces that display the sensor imagery on the HUD and overlay it with alpha-numeric and symbolic flight information. However, the term has also commonly refers to systems that display the sensor imagery, with or without other flight information, on a head-down display. To avoid confusion, the FAA created the term "enhanced flight visibility system" (EFVS) to refer to certain EVS systems that meet the requirements of the new operational rules—in particular, the requirement for a HUD and specified flight information—and can be used to determine "enhanced flight visibility." EFVSs can be considered a subset of systems otherwise labeled EVSs.

On January 9, 2004, the FAA published revisions to operational rules in 14 CFR parts 1, 91, 121, 125, and 135 to allow aircraft to operate below certain altitudes during a straight-in instrument approach while using an EFVS to meet visibility requirements.

Prior to this rule change, the FAA issued Special Conditions No. 25–180–SC, which approved the use of an EVS on Gulfstream Model G–V airplanes. Those special conditions addressed the requirements for the pilot-compartment view and limited the scope of the intended functions permissible under the operational rules at the time. The intended function of the EVS imagery was to aid the pilot during the approach and allow the pilot to detect and identify the visual references for the intended runway down to 100 feet above the touchdown zone. However, the EVS imagery alone was not to be used as a means to satisfy visibility requirements below 100 feet.

The recent operational rule change expands the permissible application of certain EVSs that are certified to meet the new EFVS standards. The new rule will allow the use of EFVSs for operation below the minimum descent altitude (MDA) or decision height (DH) to meet new visibility requirements of § 91.175(l). The purpose of these special conditions is not only to address the issue of the "pilot compartment view," as was done by Special Conditions No. 25–180–SC, but also to define the scope of intended function consistent with § 91.175(l) and (m).

Type Certification Basis

Under the provisions of 14 CFR 21.101, Dassault Aviation must show that the Model Falcon 7X airplane, as changed, continues to meet the applicable provisions of the regulations incorporated by reference in Type Certificate A59NM or the applicable regulations in effect on the date of application for the change. The regulations incorporated by reference in the type certificate are commonly referred to as the "original type certification basis." The regulations incorporated by reference in A59NM are as follows:

Title 14, Code of Federal Regulations (CFR) part 25, as amended by Amendment 25–1 through 25–111. The certification basis includes certain special conditions and exemptions that are not relevant to these special conditions.

If the regulations incorporated by reference do not provide adequate standards regarding the change, the applicant must comply with certain regulations in effect on the date of application for the change. Dassault must show that the Falcon 7X, as modified, complies with 14 CFR part 25, as amended by Amendments 25–112 through 25–129.

If the Administrator finds that the applicable airworthiness regulations (i.e., part 25 as amended) do not contain adequate or appropriate safety standards for the Dassault Aviation Model Falcon 7X changed by Dassault Aviation, because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

In addition to the applicable airworthiness regulations and special conditions, the Dassault Aviation Model Falcon 7X airplane must comply with the fuel-vent and exhaust-emission requirements of 14 CFR part 34, and the noise certification requirements of 14 CFR part 36.

The FAA issues special conditions, as defined in 14 CFR 11.19, under § 11.38 and they become part of the type certification basis under § 21.101.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate for that model be amended later to include any other model that incorporates the same or similar novel or unusual design feature, or should any other model already included on the same type certificate be modified to

incorporate the same or similar novel or unusual design feature, the special conditions would also apply to the other model under § 21.101.

Novel or Unusual Design Features

The Dassault Aviation Model Falcon 7X airplane will incorporate an EFVS, which is a novel or unusual design feature because the EFVS projects a video image derived from a forward-looking infrared (FLIR) camera through the HUD. The EFVS image is projected in the center of the "pilot-compartment view," which is governed by § 25.773. The image is displayed with HUD symbology and overlays the forward outside view. Therefore, § 25.773 does not contain appropriate safety standards for the EFVS display.

Operationally, during an instrument approach, the EFVS image is intended to enhance the pilot's ability to detect and identify "visual references for the intended runway" [see 14 CFR 91.175(l)(3)] to continue the approach below decision height or minimum descent altitude. Depending on atmospheric conditions and the strength of infrared energy emitted and/or reflected from the scene, the pilot can see these visual references in the image better than can be seen through the window without EFVS.

Scene contrast detected by infrared sensors can be much different from that detected by natural pilot vision. On a dark night, thermal differences of objects which are not detectable by the naked eye are easily detected by many imaging infrared systems. On the other hand, contrasting colors in visual wavelengths may be distinguished by the naked eye but not by an imaging infrared system. Where thermal contrast in the scene is sufficiently detectable, the pilot can recognize shapes and patterns of certain visual references in the infrared image. However, depending on conditions, those shapes and patterns in the infrared image can appear significantly different than they would with normal vision. Considering these factors, the EFVS image needs to be evaluated to determine that it can be accurately interpreted by the pilot.

The EFVS image may improve the pilot's ability to detect and identify items of interest. However, the EFVS needs to be evaluated to determine that the imagery allows the pilot to perform the normal duties of the flight crew and adequately see outside the window through the image, consistent with the safety intent of § 25.773(a)(2).

Compared to a HUD displaying the EFVS image and symbology, a HUD that only displays stroke-written symbols is easier to see through. Stroke symbology illuminates a small fraction of the total display area of the HUD, leaving much of that area free of reflected light that could interfere with the pilot's view out the window through the display. However, unlike stroke symbology, the video image illuminates most of the total display area of the HUD (approximately 30 degrees horizontally and 25 degrees vertically) which is a significant fraction of the pilot-compartment view. The pilot cannot see around the larger illuminated portions of the video image, but must see the outside scene through it.

Unlike the pilot's external view, the EFVS image is a monochrome, two-dimensional display. Many, but not all, of the depth cues found in the natural view are also found in the image. The quality of the EFVS image and the level of EFVS infrared-sensor performance could depend significantly on conditions of the atmospheric and external light sources. The pilot needs adequate control of sensor gain and image brightness, which can significantly affect image quality and transparency (*i.e.,* the ability to see the outside view through the image). Certain system characteristics could create distracting and confusing display artifacts. Finally, because this is a sensor-based system intended to provide a conformal perspective corresponding with the outside scene, the system must be able to ensure accurate alignment.

Therefore, safety standards are needed for each of the following factors:

- An acceptable degree of image transparency;
- Image alignment;
- Lack of significant distortion; and
- The potential for pilot confusion or misleading information.

Section 25.773, Pilot compartment view, specifies that "Each pilot compartment must be free of glare and reflection that could interfere with the normal duties of the minimum flight crew * * *." In issuing § 25.773, the FAA did not anticipate the development of the EFVS and does not consider § 25.773 to be adequate to address the specific issues related to such a system. Therefore, the FAA has determined that special conditions are needed to address the specific issues particular to the installation and use of an EFVS.

Discussion

The EFVS is intended to function by presenting an enhanced view during the approach. This enhanced view would help the pilot to see and recognize external visual references, as required by § 91.175(l), and to visually monitor the integrity of the approach, as described in FAA Order 6750.24D ("Instrument Landing System and Ancillary Electronic Component Configuration and Performance Requirements," dated March 1, 2000).

Based on this approved functionality, users would seek to obtain operational approval to conduct approaches, including approaches to Type I runways, in visibility conditions much lower than those for conventional Category I.

The purpose of these special conditions is to ensure that the EFVS to be installed can perform the following functions:

- Present an enhanced view that would aid the pilot during the approach.
- Provide enhanced flight visibility to the pilot that is no less than the visibility prescribed in the standard instrument approach procedure.
- Display an image that the pilot can use to detect and identify the "visual references for the intended runway" required by § 91.175(l)(3) to continue the approach with vertical guidance to 100 feet height above the touchdown-zone elevation.

Depending on the atmospheric conditions and the particular visual references that happen to be distinctly visible and detectable in the EFVS image, these functions would support its use by the pilot to visually monitor the integrity of the approach path.

Compliance with these special conditions does not affect the applicability of any of the requirements of the operating regulations (*i.e.,* 14 CFR parts 91, 121, and 135). Furthermore, use of the EFVS does not change the approach minima prescribed in the standard instrument-approach procedure being used; published minima still apply.

The FAA certification of this EFVS is limited as follows:

- The infrared-based EFVS image will not be certified as a means to satisfy the requirements for descent below 100 feet height above touchdown (HAT).
- The EFVS may be used as a supplemental device to enhance the pilot's situational awareness during any phase of flight or operation in which its safe use has been established.

An EFVS image may provide an enhanced image of the scene that may compensate for any reduction in the clear outside view of the visual field framed by the HUD combiner. The pilot must be able to use this combination of information seen in the image and the natural view of the outside scene, as seen through the image as safely and effectively as the pilot would use a pilot-compartment view without an EVS

image, and that is compliant with § 25.773. This is the fundamental objective of the special conditions.

The FAA will also apply additional certification criteria, not as special conditions, for compliance with related regulatory requirements, such as §§ 25.1301 and 25.1309. These additional criteria address certain image characteristics, installation, demonstration, and system safety.

Image-characteristic criteria include the following:

- Resolution,
- Luminance,
- Luminance uniformity,
- Low level luminance,
- Contrast variation,
- Display quality,
- Display dynamics (*e.g.,* jitter, flicker, update rate, and lag), and
- Brightness controls.

Installation criteria address visibility and access to EFVS controls and integration of EFVS in the cockpit.

The EFVS demonstration criteria address the flight and environmental conditions that need to be covered.

The FAA also intends to apply certification criteria relevant to high-intensity radiated fields (HIRF) and lightning protection.

Applicability

As discussed above, these special conditions are applicable to Dassault Aviation Model Falcon 7X airplanes. Should Dassault Aviation apply at a later date for a change to the type certificate to include another model incorporating the same novel or unusual design feature, the special conditions would apply to that model as well.

Conclusion

This action affects only certain novel or unusual design features on Dassault Aviation Model Falcon 7X changed by Dassault Aviation. It is not a rule of general applicability.

The substance of these special conditions has been subjected to the notice and comment period in several prior instances and has been derived without substantive change from those previously issued. It is unlikely that prior public comment would result in a significant change from the substance contained herein. Therefore, because a delay would significantly affect the certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions upon issuance. The FAA is requesting comments to allow interested persons to submit views that may not have been submitted in response to the prior opportunities for comment described above.

List of Subjects in 14 CFR Part 25

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

■ The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701, 44702, 44704.

The Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type-certification basis for Dassault Aviation Model Falcon 7X.

1. The EFVS imagery on the HUD must not degrade the safety of flight or interfere with the effective use of outside visual references for required pilot tasks during any phase of flight in which it is to be used.

2. To avoid unacceptable interference with the safe and effective use of the pilot-compartment view, the EFVS device must meet the following requirements:

a. The EFVS design must minimize unacceptable display characteristics or artifacts (*e.g.,* noise, "burlap" overlay, running water droplets) that obscure the desired image of the scene, impair the pilot's ability to detect and identify visual references, mask flight hazards, distract the pilot, or otherwise degrade task performance or safety.

b. Control of EFVS display brightness must be sufficiently effective in dynamically changing background (ambient) lighting conditions to prevent full or partial blooming of the display that would distract the pilot, impair the pilot's ability to detect and identify visual references, mask flight hazards, or otherwise degrade task performance or safety. If automatic control for image brightness is not provided, it must be shown that a single manual setting is satisfactory for the range of lighting conditions encountered during a time-critical, high-workload phase of flight (*e.g.,* low-visibility instrument approach).

c. A readily accessible control must be provided that permits the pilot to immediately deactivate and reactivate display of the EFVS image on demand.

d. The EFVS image on the HUD must not impair the pilot's use of guidance information or degrade the presentation and pilot awareness of essential flight information displayed on the HUD, such as alerts, airspeed, attitude, altitude and direction, approach guidance, windshear guidance, TCAS resolution advisories, or unusual-attitude-recovery cues.

e. The EFVS image and the HUD symbols, which are spatially referenced to the pitch scale, outside view and image, must be scaled and aligned (*i.e.,* conformal) to the external scene. In addition, the EFVS image and the HUD symbols—when considered singly or in combination—must not be misleading, cause pilot confusion, or increase workload. Some airplane attitudes or cross-wind conditions may cause certain symbols (*e.g.,* the zero-pitch line or flight-path vector) to reach field of view limits such that they cannot be positioned conformally with the image and external scene. In such cases, these symbols may be displayed, but with an altered appearance which makes the pilot aware that they are no longer displayed conformally (for example, "ghosting").

f. A HUD system used to display EFVS images must, if previously certified, continue to meet all of the requirements of the original approval.

3. The safety and performance of the pilot tasks associated with the use of the pilot-compartment view must be not be degraded by the display of the EFVS image. These tasks include the following:

a. Detection, accurate identification, and maneuvering, as necessary, to avoid traffic, terrain, obstacles, and other hazards of flight.

b. Accurate identification and utilization of visual references required for every task relevant to the phase of flight.

4. Compliance with these special conditions will enable the EFVS to be used during instrument approaches in accordance with § 91.175(l) such that it may be found acceptable for the following intended functions:

a. Presenting an image that would aid the pilot during a straight-in instrument approach.

b. Enabling the pilot to determine that there is sufficient "enhanced flight visibility," as required by § 91.175(l)(2), for descent and operation below minimum descent altitude/decision height.

c. Enabling the pilot to use the EFVS imagery to detect and identify the "visual references for the intended runway," required by § 91.175(l)(3), to continue the approach with vertical guidance to 100 feet height above touchdown-zone elevation.

5. Use of EFVS for instrument-approach operations must be in accordance with the provisions of § 91.175(l) and (m). Appropriate limitations must be stated in the Operating Limitations section of the airplane flight manual to prohibit the

use of the EFVS for functions that have not been found to be acceptable.

Issued in Renton, Washington, on July 27, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–19073 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0044; Directorate Identifier 2009–NM–084–AD; Amendment 39–16381; AD 2010–16–04]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Model 767–200, –300, and –300F Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Model 767–200, –300, and –300F series airplanes. This AD requires inspecting to verify the part number of the low-pressure flex-hoses of the flightcrew and supernumerary oxygen system installed under the oxygen mask stowage box at flightcrew and supernumerary oxygen mask locations, and replacing the flex-hose with a new non-conductive low-pressure flex-hose if necessary. This AD results from reports of low-pressure flex-hoses of the flightcrew oxygen system that burned through due to inadvertent electrical current from a short circuit in an adjacent audio select panel. We are issuing this AD to prevent inadvertent electrical current, which can cause the low-pressure flex-hoses used in the flightcrew and supernumerary oxygen systems to melt or burn, resulting in oxygen system leakage and smoke or fire.

DATES: This AD is effective September 9, 2010.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of September 9, 2010.

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; e-mail *me.boecom@boeing.com*; Internet *https://www.myboeingfleet.com*.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (telephone 800–647–5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Susan L. Monroe, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6457; fax (425) 917–6590.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to certain Model 767–200, –300, and –300F series airplanes. That NPRM was published in the **Federal Register** on January 22, 2010 (75 FR 3656). That NPRM proposed to require inspecting to verify the part number of the low-pressure flex-hoses of the flightcrew and supernumerary oxygen system installed under the oxygen mask stowage box at flightcrew and supernumerary oxygen mask locations, and replacing the flex-hose with a new non-conductive low-pressure flex-hose if necessary.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Support for the NPRM

Boeing concurs with the contents of the NPRM. United Airlines and the Air Line Pilots Association, International, (ALPA) both support the intent of the NPRM.

Request To Take Into Account a Non-Procurable Part

United Airlines states that paragraph (g)(1) of the NPRM refers to the Accomplishment Instructions in Boeing Service Bulletin 767–35A0034, Revision 1, dated June 22, 2000, which specifies the use of tape having part number 232T8002–26. United Airlines states that this tape is no longer available. United Airlines states that Boeing has advised them to procure tape having part number 5841007529 instead. United Airlines states that because compliance is mandated in accordance with Boeing Service Bulletin 767–35A0034, this will require all operators to request an alternative method of compliance (AMOC) to use the alternate part numbered tape. United Airlines points out that it has formally asked Boeing to use the term "or equivalent" in their service bulletins when specifying part numbers for such items as tapes, marking pens, and solvents, but Boeing has responded that the FAA expressly forbids them to do so. United Airlines states that this is an on-going problem that leads to nuisance AMOC requests that can be avoided.

From these statements, we infer that United Airlines requests that we revise the NPRM to either specify another tape or add the term "or equivalent," so that operators will not have to request AMOCs. We disagree with adding the term "or equivalent" to the AD. We have consulted with Boeing regarding this issue. Boeing has stated that tape having part number 232T8002–26 is a valid part number. Boeing states that when the customer receives a part number, the tape only shows the material code. The omission of the part number is being resolved by Boeing. Also, paragraphs 2.C.2.(d) and 2.C.2.(e) of Boeing Service Bulletin 767–35A0034, Revision 1, dated June 22, 2000, describe the tape that is required and can be purchased from Boeing with just a reference to the name of the tape, "3/4 wide Permacel P29." No change has been made to the AD in this regard.

Request for Clarification Regarding Use of Tape or Sleeving

United Airlines states that there is a disparity between the Accomplishment Instructions of Boeing Service Bulletins 737–35A1053, 747–35A2101, and 757–35A0015, and Boeing Service Bulletin 767–35A0034, Revision 1, dated June 22, 2000, referenced in the NPRM. United Airlines states that Model 747 and 767 airplanes are required to wrap the new hose assemblies with tape or sleeving, but it is not required on Model 737 or 757 airplanes. United Airlines states that the function of this tape or sleeving is to satisfy National Transportation Safety Board (NTSB) Safety Recommendation A–09–47, dated July 8, 2009. United Airlines points out that application of this safety recommendation does not appear to be consistent.

From these statements, we infer that United Airlines requests clarification regarding use of tape or sleeving. We

agree that clarification is necessary regarding the use of tape or sleeving on oxygen system tubing. Tape or sleeving is not required on Model 737 or 757 fleets due to acceptable clearance between the oxygen system tubing and electrical wiring. The chafing present in the Model 747 and 767 fleets is not present in the Model 737 or 757 fleet. No change has been made to the AD in this regard.

Request To Revise Costs of Compliance

United Airlines states that it disagrees with the Costs of Compliance section of the NPRM, as it includes only the inspection labor and not the manpower and material costs in the event the hoses must be replaced.

From this statement, we infer that United Airlines is requesting that we revise the Costs of Compliance section of the NPRM to include additional work hours and the cost of replacement parts. We disagree with changing the costs of compliance. The economic analysis of an AD is limited to the cost of actions that are actually required. The economic analysis does not consider the costs of conditional actions, such as replacing a flex-hose detected during a required inspection ("replace, if necessary"). Such conditional repairs would be required—regardless of AD direction—to correct an unsafe condition identified in an airplane and to ensure that the airplane is operated in an airworthy condition, as required by the Federal Aviation Regulations. The cost information describes only the direct costs of the specific actions required by this AD. Based on the best data available, the manufacturer provided the number of work-hours necessary to do the required actions. This number represents the time necessary to perform only the actions actually required by this AD. We recognize that, in doing the actions required by an AD, operators might incur incidental costs in addition to the direct costs. The cost analysis in AD rulemaking actions, however, typically does not include incidental costs such as the time required to gain access and close up. Those incidental costs, which might vary significantly among operators, are almost impossible to calculate. No change has been made to the AD in this regard.

Request To Shorten Compliance Time

ALPA requests that the 36-month compliance time specified in the NPRM be shortened given the potential consequence of an oxygen-fed fire in the vicinity of the flightcrew station.

We do not agree. In developing the compliance time, we considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of the inspection. Further, we arrived at the compliance time with manufacturer concurrence. In consideration of all of these factors, we determined that the compliance time, as proposed, represents an appropriate interval in which the inspections can be done in a timely manner within the fleet, while still maintaining an adequate level of safety. Operators are always permitted to accomplish the requirements of an AD at a time earlier than the specified compliance time; therefore, an operator may choose to do the inspection before 36 months in order to accomplish the requirements of this AD. If additional data are presented that would justify a shorter compliance time, we may consider further rulemaking on this issue. We have not changed the AD in this regard.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

Explanation of Change to Costs of Compliance

Since issuance of the NPRM, we have increased the labor rate used in the Costs of Compliance from $80 per work-hour to $85 per work-hour. The Costs of Compliance information, below, reflects this increase in the specified hourly labor rate.

Costs of Compliance

We estimate that this AD will affect 297 airplanes of U.S. registry. We also estimate that it will take 2 work-hours per product to comply with this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $50,490, or $170 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a "significant regulatory action" under Executive Order 12866,

(2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979), and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

You can find our regulatory evaluation and the estimated costs of compliance in the AD Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2010–16–04 The Boeing Company: Amendment 39–16381. Docket No. FAA–2010–0044; Directorate Identifier 2009–NM–084–AD.

Effective Date

(a) This airworthiness directive (AD) is effective September 9, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to The Boeing Company Model 767–200, –300, and –300F

series airplanes, certificated in any category; line numbers 1 through 763 inclusive, except line number 758, which was accomplished in production.

Subject

(d) Air Transport Association (ATA) of America Code 35: Oxygen.

Unsafe Condition

(e) This AD results from a report of a low-pressure flex-hose of the flightcrew oxygen system that burned through due to inadvertent electrical current from a short circuit in an adjacent audio select panel. We are issuing this AD to prevent inadvertent electrical current, which can cause the low-pressure flex-hoses used in the flightcrew and supernumerary oxygen systems to melt or burn, resulting in oxygen system leakage and smoke or fire.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Inspection

(g) Within 36 months after the effective date of this AD, do an inspection to determine whether any low-pressure flex-hose of the flightcrew and supernumerary oxygen systems installed under the oxygen mask stowage location has a part number identified in Table 1 of this AD. A review of airplane maintenance records is acceptable in lieu of this inspection if the part number of the low-pressure flex-hoses of the flightcrew and supernumerary oxygen systems can be conclusively determined from that review.

(1) For any hose having a part number identified in Table 1 of this AD, before further flight, replace the hose with a new or serviceable part, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 767–35A0034, Revision 1, dated June 22, 2000.

(2) For any hose not having a part number identified in Table 1 of this AD, no further action is required by this paragraph.

TABLE 1—APPLICABLE PART NUMBERS

Boeing specification part No.	Equivalent Boeing supplier part Nos.			
	Sierra Engineering	Spencer Fluid	Puritan Bennett	Hydraflow
60B50059–70	835–01–70	9513–20S5–18.0	ZH784–20	38001–70
60B50059–81	Not applicable	Not applicable	Not applicable	38001–81
60B50059–94	Not applicable	Not applicable	Not applicable	38001–94
60B50059–101	Not applicable	Not applicable	Not applicable	38001–101
60B50059–130	Not applicable	Not applicable	Not applicable	38001–130

Parts Installation

(h) As of the effective date of this AD, no person may install a flightcrew or supernumerary oxygen hose with a part number identified in Table 1 of this AD on any airplane.

Actions Accomplished According to Previous Issue of Service Bulletin

(i) Actions accomplished before the effective date of this AD in accordance with Boeing Alert Service Bulletin 767–35A0034, dated September 2, 1999, are considered acceptable for compliance with the corresponding actions specified in this AD.

Alternative Methods of Compliance (AMOCs)

(j)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to *Attn:* Susan L. Monroe, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6457; fax (425) 917–6590. Or, e-mail information to *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

Material Incorporated by Reference

(k) You must use Boeing Service Bulletin 767–35A0034, Revision 1, dated June 22, 2000, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; e-mail *me.boecom@boeing.com;* Internet *https://www.myboeingfleet.com.*

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

(4) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Issued in Renton, Washington, on July 16, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–18623 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0458; Directorate Identifier 2010–CE–023–AD; Amendment 39–16372; AD 2010–15–06]

RIN 2120–AA64

Airworthiness Directives; GROB–WERKE GMBH & CO KG Models G102 ASTIR CS and G102 STANDARD ASTIR III Gliders

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

During an annual inspection, a water ballast hose connector was found disconnected from the fuselage wall of an Astir CS.

The investigation has shown that the hose-fuselage connection bonding has been degraded over years of service.

This condition, if not corrected, could lead to the following consequences:

—The water contained in the wing tanks could run down into the fuselage and fuselage tail which could cause a displacement of the sailplane centre of gravity and consequently may lead to the loss of the sailplane controllability, or/and
—The loosened hose may jam the flight controls (push rods) and consequently may lead to the loss of the sailplane controllability.

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective September 9, 2010.

On September 9, 2010, the Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329–4130; *fax:* (816) 329–4090.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on May 3, 2010 (75 FR 23194). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

During an annual inspection, a water ballast hose connector was found disconnected from the fuselage wall of an Astir CS.

The investigation has shown that the hose-fuselage connection bonding has been degraded over years of service.

This condition, if not corrected, could lead to the following consequences:

—The water contained in the wing tanks could run down into the fuselage and fuselage tail which could cause a displacement of the sailplane centre of gravity and consequently may lead to the loss of the sailplane controllability, or/and
—The loosened hose may jam the flight controls (push rods) and consequently may lead to the loss of the sailplane controllability.

For the reason stated above, the original issue of this AD required the inspection of the waterballast system hose-fuselage connections and the accomplishment of the relevant corrective actions (repair) as necessary.

This AD is revised to clarify the purpose of the insertion of the repetitive inspection in the Aircraft Maintenance Programme and to refer to a more appropriate scheduled maintenance review for the insertion of the repetitive inspection in the Aircraft Maintenance Programme.

Comments

We gave the public the opportunity to participate in developing this AD. We received no comments on the NPRM or on the determination of the cost to the public.

Conclusion

We reviewed the available data and determined that air safety and the public interest require adopting the AD as proposed.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a **Note** within the AD.

Costs of Compliance

We estimate that this AD will affect 113 products of U.S. registry. We also estimate that it will take about 1 work-hour per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour.

Based on these figures, we estimate the cost of this AD to the U.S. operators to be $9,605 or $85 per product.

In addition, we estimate that any necessary follow-on actions would take about 1 work-hour and require parts costing $5, for a cost of $90 per product. We have no way of determining the number of products that may need these actions.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

(1) Is not a "significant regulatory action" under Executive Order 12866;

(2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD Docket.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2010–15–06 GROB–WERKE GMBH & CO KG: Amendment 39–16372; Docket No. FAA–2010–0458; Directorate Identifier 2010–CE–023–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective September 9, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to GROB–WERKE GMBH & CO KG Models G102 ASTIR CS and G102 STANDARD ASTIR III gliders, all serial numbers, that are:

(1) certificated in any category; and

(2) have water ballast equipment installed (the water ballast equipment could have been included as part of an option).

Subject

(d) Air Transport Association of America (ATA) Code 41: Water Ballast.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

During an annual inspection, a water ballast hose connector was found disconnected from the fuselage wall of an Astir CS.

The investigation has shown that the hose-fuselage connection bonding has been degraded over years of service.

This condition, if not corrected, could lead to the following consequences:

—The water contained in the wing tanks could run down into the fuselage and fuselage tail which could cause a displacement of the sailplane centre of gravity and consequently may lead to the loss of the sailplane controllability, or/and

—The loosened hose may jam the flight controls (push rods) and consequently may lead to the loss of the sailplane controllability.

For the reason stated above, the original issue of this AD required the inspection of the waterballast system hose-fuselage connections and the accomplishment of the relevant corrective actions (repair) as necessary.

This AD is revised to clarify the purpose of the insertion of the repetitive inspection in the Aircraft Maintenance Programme and to refer to a more appropriate scheduled maintenance review for the insertion of the repetitive inspection in the Aircraft Maintenance Programme.

Actions and Compliance

(f) Unless already done, do the following actions:

(1) Within 30 days after September 9, 2010 (the effective date of this AD) and repetitively thereafter at intervals not to exceed 12 months, inspect the bonding between the water ballast system hose connectors and the fuselage wall connectors for correct and tight connection following paragraph 1.8 of Grob Aircraft Service Bulletin No. MSB–GROB–003, dated October 21, 2009.

(2) If, during any inspection required by paragraph (f)(1) of this AD, any weak bonding is found, before further flight, repair the connection between the water ballast system hose connectors and the fuselage wall connectors following the instructions of paragraph 1.8 of Grob Aircraft Service Bulletin No. MSB–GROB–003, dated October 21, 2009.

(3) After September 9, 2010 (the effective date of this AD), when installing a water ballast system on any affected sailplane, ensure that the water ballast system hose connectors and the fuselage wall connector are properly and tightly bonded.

(4) Within 30 days after September 9, 2010 (the effective date of this AD), insert the following scheduled maintenance task into the FAA-approved aircraft maintenance program: "During each annual inspection and without exceeding a 12-month interval, inspect the bonding between the water ballast system hose connectors and the fuselage wall connectors for correct and tight connection. Repair any incorrect or loose connection."

FAA AD Differences

Note: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Greg Davison, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; *telephone:* (816) 329–4130; *fax:* (816) 329–4090. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information

(h) Refer to MCAI European Aviation Safety Agency AD No.: 2010–0053R1, dated April 14, 2010; and Grob Aircraft Service Bulletin No. MSB–GROB–003, dated October 21, 2009, for related information.

Material Incorporated by Reference

(i) You must use Grob Aircraft Service Bulletin No. MSB–GROB–003, dated October 21, 2009, to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Grob Aircraft, Head of Customer Service & Support, Lettenbachstr. 9, Tussenhausen-Mattsies, Germany; *telephone:* +49 (0) 8268 998 139; *fax:* +49 (0) 8268 998 200; *E-mail: productsupport@grob-aircraft.com; Internet: www.grob-aircraft.com* and/or *http://www.firecmm.com.*

(3) You may review copies of the service information incorporated by reference for this AD at the FAA, Central Region, Office of the Regional Counsel, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the Central Region, call (816) 329–3768.

(4) You may also review copies of the service information incorporated by reference for this AD at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Issued in Kansas City, Missouri, on July 15, 2010.

Kim Smith,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–18289 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–1079; Directorate Identifier 2008–NM–116–AD; Amendment 39–16377; AD 2010–16–01]

RIN 2120–AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135ER, –135KE, –135KL, and –135LR Airplanes, and Model EMB–145, –145ER, –145MR, –145LR, –145XR, –145MP, and –145EP Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are superseding an existing airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by an airworthiness authority of another country to identify and correct an unsafe condition on an aviation product. The earlier MCAI, Brazilian Airworthiness Directive 2007–08–02, effective September 27, 2007, describes the unsafe condition as:

Fuel system reassessment, performed according to RBHA–E88/SFAR–88 (Regulamento Brasileiro de Homologacao Aeronautica 88/Special Federal Aviation Regulation No. 88), requires the inclusion of new maintenance tasks in the Critical Design Configuration Control Limitations (CDCCL) and in the Fuel System Limitations (FSL), necessary to preclude ignition sources in the fuel system. * * *

The new MCAI, Brazilian Airworthiness Directive 2009–08–03, effective August 20, 2009, describes the unsafe condition as:

An airplane fuel tank systems review required by Special Federal Aviation Regulation Number 88 (SFAR 88) and "RBHA Especial Número 88" (RBHA E 88) has shown that additional maintenance and inspection instructions are necessary to maintain the design features required to preclude the existence or development of an ignition source within the fuel tanks of the airplane.

We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective September 9, 2010.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of September 9, 2010.

On July 30, 2008 (73 FR 35904, June 25, 2008), the Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1175; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a supplemental notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That supplemental NPRM was published in the **Federal Register** on March 23, 2010 (75 FR 13689), and proposed to supersede AD 2008–13–14, Amendment 39–15577 (73 FR 35904, June 25, 2008). That NPRM proposed to require revision of the airworthiness limitations section of the Instructions for Continued Airworthiness to incorporate new limitations for fuel tank systems. The earlier MCAI, Brazilian Airworthiness Directive 2007–08–02, effective September 27, 2007, describes the unsafe condition as:

Fuel system reassessment, performed according to RBHA–E88/SFAR–88 (Regulamento Brasileiro de Homologacao Aeronautica 88/Special Federal Aviation Regulation No. 88), requires the inclusion of new maintenance tasks in the Critical Design Configuration Control Limitations (CDCCL) and in the Fuel System Limitations (FSL), necessary to preclude ignition sources in the fuel system. * * *

The new MCAI, Brazilian Airworthiness Directive 2009–08–03, effective August 20, 2009, describes the unsafe condition as:

An airplane fuel tank systems review required by Special Federal Aviation Regulation Number 88 (SFAR 88) and "RBHA Especial Número 88" (RBHA E 88) has shown that additional maintenance and inspection instructions are necessary to maintain the design features required to preclude the existence or development of an ignition source within the fuel tanks of the airplane.

The corrective action is revising the Airworthiness Limitations Section (ALS) of the Instructions for Continued Airworthiness (ICA) to incorporate new limitations for fuel tank systems. You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Request To Allow Service Bulletin for Compliance

ExpressJet Airlines and EMBRAER request that we revise the supplemental NPRM to consider Parker Service Bulletin 367–934–28–110, Revision A, dated December 19, 2006, as documentation for past compliance with the inspections and functional checks of the safe-life features.

ExpressJet reports that, since early 2007, Parker has been referencing this service bulletin (by marking the inspected units with the service bulletin number and date of accomplishment) to show compliance with these inspections.

EMBRAER notes that the fuel conditioning unit (FCU) and the ventral fuel conditioning unit (VFCU) are manufactured by Parker. To clarify which checks and inspections are to be performed on the FCU and VFCU, and ensure that the safe-life features are maintained, Parker has published Component Maintenance Manuals (CMMs) 28–41–36, Revision 4, dated March 13, 2009; 28–41–69, Revision 2, dated March 13, 2009; and 28–41–80, dated April 3, 2009. Parker also issued Test Manual (TM) 4213–025, "Identicallity of Testing Performed—EMB–145 FCU CMM 28–41–XX/Service Bulletin 367–934–28–110 for EMB–145 FAMILY—Fuel Conditioning Units," Revision A, dated October 13, 2009. EMBRAER states that the purpose of the TM is to describe the identicality of the testing performed on EMB–145 FCUs returned under the current service bulletin to the CMMs. The TM substantiates that all CUs already in compliance with the 10,000-flight-hour inspection in accordance with Parker Service Bulletin 367–934–28–110 have had the equivalent inspection to the safe-life testing required in the CMMs. EMBRAER reports that, when an FCU is returned to the field after having the service bulletin incorporated, the unit is returned to the customer with an FAA 8130–3 tag indicating that Parker Service Bulletin 367–934–28–110 was accomplished, and the FCU is also marked accordingly.

We agree with the request and the commenters' rationale. We have added a provision to this AD to consider FCUs inspected by Parker and marked with the service bulletin number and the date of accomplishment to be in compliance with the requirements of paragraph (g)(1) of this AD.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously. We determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable in a U.S. court of law. In making these changes, we do not intend to differ substantively

from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are described in a separate paragraph of the AD. These requirements, if any, take precedence over the actions copied from the MCAI.

Costs of Compliance

Based on the service information, we estimate that this AD affects about 41 products of U.S. registry.

The actions that are required by AD 2008–13–14 and retained in this AD take about 1 work-hour per product, at an average labor rate of $85 per work hour. Based on these figures, the estimated cost of the currently required actions is $85 per product.

We estimate that it takes about 1 work-hour per product to comply with the new basic requirements of this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of the AD on U.S. operators to be $3,485, or $85 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs" describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a "significant regulatory action" under Executive Order 12866;

(2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD Docket.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Amendment 39–15577 (73 FR 35904, June 25, 2008) and adding the following new AD:

2010–16–01 Empresa Brasileira de Aeronautica S.A. (EMBRAER): Amendment 39–16377. Docket No. FAA–2008–1079; Directorate Identifier 2008–NM–116–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective September 9, 2010.

Affected ADs

(b) This AD supersedes AD 2008–13–14, Amendment 39–15577.

Applicability

(c) This AD applies to Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135ER, –135KE, –135KL, and –135LR airplanes, and Model EMB–145, –145ER, –145MR, –145LR, –145XR, –145MP, and –145EP airplanes; certificated in any category; except for Model EMB–145LR airplanes modified according to Brazilian Supplemental Type Certificate 2002S06–09, 2002S06–10, or 2003S08–01.

Note 1: This AD requires revisions to certain operator maintenance documents to include new inspections. Compliance with these inspections is required by 14 CFR 91.403(c). For airplanes that have been previously modified, altered, or repaired in the areas addressed by these inspections, the operator may not be able to accomplish the inspections described in the revisions. In this situation, to comply with 14 CFR 91.403(c), the operator must request approval for an alternative method of compliance according to paragraph (h) of this AD. The request should include a description of changes to the required inspections that will ensure the continued operational safety of the airplane.

Subject

(d) Air Transport Association (ATA) of America Code 28: Fuel.

Reason

(e) The mandatory continuing airworthiness information (MCAI), Brazilian Airworthiness Directive 2007–08–02, effective September 27, 2007, states:

Fuel system reassessment, performed according to RBHA–E88/SFAR–88 (Regulamento Brasileiro de Homologacao Aeronautica 88/Special Federal Aviation Regulation No. 88), requires the inclusion of new maintenance tasks in the Critical Design Configuration Control Limitations (CDCCL) and in the Fuel System Limitations (FSL), necessary to preclude ignition sources in the fuel system. * * *

The MCAI, Brazilian Airworthiness Directive 2009–08–03, effective August 20, 2009, states:

An airplane fuel tank systems review required by Special Federal Aviation Regulation Number 88 (SFAR 88) and "RBHA Especial Número 88" (RBHA E 88) has shown that additional maintenance and inspection instructions are necessary to maintain the design features required to preclude the existence or development of an ignition source within the fuel tanks of the airplane.

The corrective action is revising the Airworthiness Limitations Section (ALS) of the Instructions for Continued Airworthiness (ICA) to incorporate new limitations for fuel tank systems.

Restatement of Requirements of AD 2008–13–14

Actions and Compliance

(f) Unless already done, do the following actions.

(1) Before December 16, 2008, revise the ALS of the ICA to incorporate Section A2.5.2, Fuel System Limitation Items, of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board Report MRB–145/1150, Revision 11, dated September 19, 2007, except as provided by paragraph (g) of this AD. Except as required by paragraph (g) of this AD, for all tasks identified in Section A2.5.2 of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board

Report MRB–145/1150, Revision 11, dated September 19, 2007, the initial compliance times start from the applicable times specified in Table 1 of this AD; and the repetitive inspections must be accomplished thereafter at the interval specified in Section A2.5.2 of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board Report MRB–145/1150, Revision 11, dated September 19, 2007, except as provided by paragraphs (f)(3) and (h) of this AD.

TABLE 1—INITIAL INSPECTIONS

Reference No.	Description	Compliance time (whichever occurs later)	
		Threshold	Grace period
28–11–00–720–001–A00.	Functionally Check critical bonding integrity of selected conduits inside the wing tank, Fuel Pump and FQIS connectors at tank wall by conductivity measurements.	Before the accumulation of 30,000 total flight hours.	Within 90 days after December 16, 2008.
28–17–01–720–001–A00.	Functionally Check critical bonding integrity of Fuel Pump, VFQIS and Low Level SW connectors at tank wall by conductivity measurements.	Before the accumulation of 30,000 total flight hours.	Within 90 days after December 16, 2008.
28–21–01–220–001–A00.	Inspect Electric Fuel Pump Connector	Before the accumulation of 10,000 total flight hours.	Within 90 days after December 16, 2008.
28–23–03–220–001–A00.	Inspect Pilot Valve harness inside the conduit.	Before the accumulation of 20,000 total flight hours.	Within 90 days after December 16, 2008.
28–23–04–220–001–A00.	Inspect Vent Valve harness inside the conduit.	Before the accumulation of 20,000 total flight hours.	Within 90 days after December 16, 2008.
28–27–01–220–001–A00.	Inspect Electric Fuel Transfer Pump Connector.	Before the accumulation of 10,000 total flight hours.	Within 90 days after December 16, 2008.
28–41–03–220–001–A00.	Inspect FQIS harness for clamp and wire jacket integrity.	Before the accumulation of 20,000 total flight hours.	Within 90 days after December 16, 2008.
28–41–07–220–001–A00.	Inspect VFQIS and Low Level SW Harness for clamp and wire jacket integrity.	Before the accumulation of 20,000 total flight hours.	Within 90 days after December 16, 2008.

(2) Within 90 days after July 30, 2008 (the effective date of AD 2008–13–14), revise the ALS of the ICA to incorporate items 1, 2, and 3 of Section A2.4, Critical Design Configuration Control Limitation (CDCCL), of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board Report MRB–145/1150, Revision 11, dated September 19, 2007.

(3) After accomplishing the actions specified in paragraphs (f)(1) and (f)(2) of this AD, no alternative inspections, inspection intervals, or CDCCLs may be used unless the inspections, intervals, or CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (h) of this AD.

New Requirements of This AD

Actions and Compliance

(g) Unless already done, do the following actions.

(1) Within 30 days after the effective date of this AD, revise the ALS of the ICA to incorporate Tasks 28–41–01–720–001–A01 and 28–41–04–720–001–A01 identified in Table 2 of this AD into Section A2.5.2, Fuel System Limitation Items, of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board Report MRB–145/1150. After incorporating Tasks 28–41–01–720–001–A01 and 28–41–04–720–001–A01 identified in Table 2 of this AD, Tasks 28–41–01–720–001–A00 and 28–41–04–720–001–A00 identified in Section A2.5.2 of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board Report MRB–145/1150, Revision 11, dated September 19, 2007, are no longer required. For the fuel limitation tasks identified in Table 2 of this AD, do the initial task at the later of the applicable "Threshold" and "Grace Period" times specified in Table 2 of this AD. FCUs on which Parker has performed the initial tasks required by this paragraph before the effective date of this AD, and which are marked with "Service Bulletin 367–934–28–110, Revision A" and the date of accomplishment, are in compliance with the corresponding task required by this paragraph.

TABLE 2—INSPECTIONS

Task No.	Description	Part No.	Compliance time (whichever occurs later)		Repetitive interval (not to exceed)
			Threshold	Grace period	
28–41–01–720–001–A01	Perform an initial functional check as shown in Testing and Fault Isolation sections 1, 2, and 3; an external visual inspection as shown in the Check section 2; an internal visual inspection as shown in the Repair section 1; a functional check of the safe-life features as shown in Testing and Fault Isolation section 4; and a final functional check as shown in Testing and Fault Isolation sections 1, 2, and 3; of the fuel conditioning unit (FCU), in accordance with Parker Component Maintenance Manual (CMM) 28–41–36, Revision 4, dated March 13, 2009.	367–934–001	Before the accumulation of 10,000 total flight hours on the FCU.	Within 90 days after the effective date of this AD.	10,000 flight hours on the FCU since the most recent functional check.
28–41–01–720–001–A01	Perform an initial functional check as shown in Testing and Fault Isolation sections 1, 2, and 3; an external visual inspection as shown in Check section 2; an internal visual inspection as shown in Repair section 1; a functional check of the safe-life features as shown in Testing and Fault Isolation section 4; and a final functional check as shown in Testing and Fault Isolation sections 1, 2, and 3; of the FCU, in accordance with Parker CMM 28–41–69, Revision 2, dated March 13, 2009.	367–934–002	Before the accumulation of 10,000 total flight hours on the FCU.	Within 90 days after the effective date of this AD.	10,000 flight hours on the FCU since the most recent functional check.
28–41–04–720–001–A01	Perform an initial functional check as shown in Testing and Fault Isolation sections 1, 2, and 3; an external visual inspection as shown in Check section 2; an internal visual inspection as shown in Repair section 1; a functional check of the safe-life features as shown in Testing and Fault Isolation section 4; and a final functional check as shown in Testing and Fault Isolation sections 1, 2, and 3; of the ventral FCU (VFCU), in accordance with Parker CMM 28–41–80, dated April 3, 2009.	367–934–005	Before the accumulation of 10,000 total flight hours on the VFCU.	Within 90 days after the effective date of this AD.	10,000 flight hours on the VFCU since the most recent functional check.

(2) After accomplishing the actions specified in paragraphs (g)(1) of this AD, no alternative inspections or inspection intervals may be used unless the inspections or intervals are approved as an AMOC in accordance with the procedures specified in paragraph (h)(1) of this AD.

Explanation of CDCCL Requirements

Note 2: Notwithstanding any other maintenance or operational requirements, components that have been identified as airworthy or installed on the affected airplanes before the revision of the ALS of the ICA, as required by paragraph (f)(3) of this AD, do not need to be reworked in accordance with the CDCCLs. However, once the ALS of the ICA has been revised, future maintenance actions on these components must be done in accordance with the CDCCLs.

FAA AD Differences

Note 3: This AD differs from the MCAI and/or service information as follows:

(1) The applicability of Brazilian AD 2009–08–03, effective August 20, 2009, includes Model EMB–135BJ airplanes. This AD does not include that model because that model is included in the applicability of FAA AD 2008–13–15, Amendment 39–15578. We are considering further rulemaking to revise AD 2008–13–15.

(2) Although Brazilian Airworthiness Directive 2009–08–03, effective August 20, 2009, specifies both revising the airworthiness limitations and repetitively inspecting, this AD only requires the revision. Requiring a revision of the airworthiness limitations, rather than requiring individual repetitive inspections, requires operators to record AD compliance status only at the time they make the revision, rather than after every inspection. Repetitive inspections specified in the airworthiness limitations must be complied with in accordance with 14 CFR 91.403(c).

Other FAA AD Provisions

(h) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone 425–227–1175; fax (425) 227–1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information

(i) Refer to MCAI Brazilian Airworthiness Directives 2007–08–02, effective September 27, 2007, and 2009–08–03, effective August 20, 2009; Sections A2.5.2, Fuel System Limitation Items, and A2.4, Critical Design Configuration Control Limitation (CDCCL), of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board Report MRB–145/1150, Revision 11, dated September 19, 2007; and the Parker CMMs listed in Table 2 of this AD; for related information.

Material Incorporated by Reference

(j) You must use the applicable service information contained in Table 3 of this AD to do the actions required by this AD, unless the AD specifies otherwise. (Parker Component Maintenance Manual 28–41–36, Revision 4, dated March 13, 2009, contains an incorrect date on page 105; the correct date is March 13, 2009.) (Parker Component Maintenance Manual 28–41–69, Revision 2, dated March 13, 2009, contains the following errors: Page 105 contains an incorrect date; the correct date is March 13, 2009; and there are 3 pages identified with the same page number (i.e., LEP–2); the first page identified as LEP–2 (i.e., Sheet 1 of 2) should be identified as LEP–1 and the third page identified as LEP–2 (i.e., the blank page) should be identified as LEP–3.)

TABLE 3—ALL MATERIAL INCORPORATED BY REFERENCE

Document	Revision	Date
Sections A2.5.2, Fuel System Limitation Items, and A2.4, Critical Design Configuration Control Limitation (CDCCL), of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board Report MRB–145/1150.	11	September 19, 2007.
Parker Component Maintenance Manual 28–41–36	4	March 13, 2009.
Parker Component Maintenance Manual 28–41–69	2	March 13, 2009.
Parker Component Maintenance Manual 28–41–80	Original	April 3, 2009.

(1) The Director of the Federal Register approved the incorporation by reference of the service information contained in Table 4 of this AD under 5 U.S.C. 552(a) and 1 CFR part 51.

TABLE 4—NEW MATERIAL INCORPORATED BY REFERENCE

Document	Revision	Date
Parker Component Maintenance Manual 28–41–36	4	March 13, 2009.
Parker Component Maintenance Manual 28–41–69	2	March 13, 2009.
Parker Component Maintenance Manual 28–41–80	Original	April 3, 2009.

(2) The Director of the Federal Register previously approved the incorporation by reference of Sections A2.5.2, Fuel System Limitation Items, and A2.4, Critical Design Configuration Control Limitation (CDCCL), of Appendix 2 of EMBRAER EMB135/ERJ140/EMB145 Maintenance Review Board Report MRB–145/1150, Revision 11, dated September 19, 2007, on July 30, 2008 (73 FR 35904, June 25, 2008).

(3) For EMBRAER service information identified in this AD, contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170-Putim-12227–901 São Jose dos Campos-SP-BRASIL; telephone +55 12 3927–5852 or +55 12 3309–0732; fax +55 12 3927–7546; e-mail *distrib@embraer.com.br*; Internet: *http://www.flyembraer.com*. For Parker service information identified in this AD, contact Parker Hannifin Corporation, Aerospace Group, Electronic Systems Division, 300 Marcus Boulevard, Smithtown, New York

11787; telephone 631–231–3737; e-mail csoengineering@parker.com; Internet: *http://www.parker.com.*

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Issued in Renton, Washington on July 16, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–18293 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2009–0716; Directorate Identifier 2008–NM–212–AD; Amendment 39–16378; AD 2010–16–02]

RIN 2120–AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 Airplanes; and Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–145, –145ER, –145MR, –145LR, –145XR, –145MP, and –145EP Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

It has been found the occurrence of corrosion on the Auxiliary Power Unit (APU) mounting rods that could cause the APU rod to break, affecting the APU support structure integrity.

APU support structure failure could result in loss of power of the APU and possible loss of control of the airplane. We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective September 9, 2010. The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of September 9, 2010.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov* or in person at the U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1175; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on August 19, 2009 (74 FR 41807). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states:

It has been found the occurrence of corrosion on the Auxiliary Power Unit (APU) mounting rods that could cause the APU rod to break, affecting the APU support structure integrity.

APU support structure failure could result in loss of power of the APU and possible loss of control of the airplane. The required action is doing an external detailed inspection for corrosion of the APU auxiliary and center mounting rods and rod ends, and corrective actions if necessary. Corrective actions include removing corrosion, applying anticorrosive treatment, and replacing mounting rods. You may obtain further information by examining the MCAI in the AD docket.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Request for Bridging Requirements for Previously Accomplished Actions

American Eagle Airlines (AEA) requests that we revise the NPRM to include "bridging requirements." AEA states that it agrees with the repetitive inspections in the NPRM; however, AEA asserts that there are no bridging requirements to reach the repetitive inspections for airplanes that have already accomplished EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008. AEA states that bridging requirements are necessary for initializing a repetitive inspection with the initial compliance time of 500 flight hours or 2 months after the effective date of this AD.

We agree with AEA that bridging requirements would be necessary given the proposed compliance times. However, since the NPRM was issued, we have received sufficient technical information to support an extension of the proposed compliance time. We have determined that changing the initial compliance time from 500 flight hours or 2 months after the effective date of this AD to 1,500 flight hours or 180 days after the effective date of this AD, will provide an acceptable level of safety. The new compliance time correlates with Brazilian Airworthiness Directive 2008–10–02, effective October 21, 2008. With the extended compliance times, there should not be a need for bridging requirements. If however, AEA believes that such requirements are still necessary, it may apply for an alternative method of compliance (AMOC) in accordance with the provisions specified in paragraph (g)(1) of this AD.

Request To Revise the Unsafe Condition Specified in Paragraph (e) of the NPRM

EMBRAER states that the undetectable fire condition described in the NPRM is not verifiable since two events must happen for APU rod breakage to occur.

EMBRAER states that the first event is a fire, because the rod breakage by itself is not enough to promote sparks or overheating of any kind. EMBRAER also states that the rod breakage has not been shown to cause leakage of APU oil in the gearbox, or leakage of the fuel lines in the compartment. EMBRAER states both ignition sources and flammable fluids would be required to ignite a fire.

EMBRAER states that for the second event to occur, a fire must start due to the unforeseeable scenario described previously, at which time damage to the fire detector, located in the vicinity of the combustion chamber and accessory gearbox, could occur. EMBRAER states that in-service experience demonstrates that the fire detector must be punctured or extensively crushed for it to lose its capability to detect a fire. Even if that happens, EMBRAER states that the integrity monitoring circuitry of the fire detector is capable of warning the flightcrew if the detector becomes inoperative. EMBRAER also states that in the event of fire detection failure,

annunciated on the engine indication crew alert system associated with the APU event, the flight crew is required to carry out instructions in the airplane flight manual section "Abnormal Procedures" to shut down the APU and discharge the fire extinguishing agent to put out the fire.

From these statements we infer that EMBRAER requests that we revise paragraph (e) of the NPRM to clarify the unsafe condition. We agree with the scenarios EMBRAER has described previously in regards to an undetected fire occurring in the tail cone of the airplane. Therefore, we have changed the Summary section and paragraph (e) of this AD to state, "APU support structure failure could result in loss of power of the APU and possible loss of control of the airplane."

Request To Extend the Proposed Initial Compliance Time

EMBRAER states that the European Aviation Safety Agency (EASA) and the Agência Nacional de Aviação Civil (ANAC) fleets have accomplished the respective ADs. This resulted in an approximately 2.5 percent removal rate of the rods, including many unnecessary removals that had no moderate or heavy corrosion at the rod, but mostly corrosion on the rod terminal. EMBRAER states that, in total, only eight rods were conclusively removed due to the meaning of this inspection out of more than 2,200 rods inspected, leading to a rate of 0.35 percentage findings. EMBRAER also states that there were instances of more than one rod removed from the same airplane, conclusively demonstrating that the removal criterion was over-estimated. EMBRAER states that one heavily corroded rod was found on one airplane, and further corrosion could not be found on any other similarly installed rods.

EMBRAER states that with the considerations stated previously, meaning lack of real fire in the compartment, and lack of evidence or reports of corrosion spreading in the current Model EMB 145 fleet, the initial compliance time of 500 flight hours or 2 months after the effective date of the AD is too conservative of an approach. EMBRAER states that this leads to extensive burden and labor costs on operators, and does not lead to a real increased margin of safety levels related to this issue. EMBRAER states that, according to Brazilian Airworthiness Directive 2008–10–02, effective October 21, 2008; and EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008; an adequate approach could be taken within 1,500 flight hours or 6 months from the effective date of the AD, whichever occurs first. EMBRAER states that the same is true for the Legacy fleet in regards to EMBRAER Service Bulletin 145LEG–49–0008, Revision 02, dated September 8, 2008.

We infer that EMBRAER requests that we extend the proposed compliance time specified in the NPRM. We agree that the proposed compliance times are conservative. As we explained previously, since the NPRM has been published, we have determined that the compliance times proposed in the NPRM are no longer necessary as the inspection reports received provided sufficient technical information to extend the compliance time. We are changing the initial compliance time from 500 flight hours or 2 months after the effective date of this AD to 1,500 flight hours or 180 days after the effective date of this AD. The new compliance time correlates with Brazilian Airworthiness Directive 2008–10–02, effective October 21, 2008. No additional changes to the AD are necessary in this regard.

Request To Eliminate Repetitive Detailed Inspections in the AD

EMBRAER states that the repetitive inspection interval currently required by the maintenance review board (MRB) report for C–Check (5,000 flight cycles) states:

> Zonal Inspection Task 53–Z313–214–001–A00 Internal General Visual Inspection of the Tail Cone Fairing at C–Check (5,000 FH). Examine the fuselage zone for loose rivets, nicks, cracks, dents, erosion, corrosion, deteriorated protective treatment, foreign objects, and deformation.

EMBRAER states that inspections accomplished in accordance with EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008; and EMBRAER Service Bulletin 145LEG–49–0008, Revision 02, dated September 8, 2008; revealed rods with moderate to heavy corrosion on airplanes between 9,482 total flight hours and 21,506 total flight hours. EMBRAER states that these findings demonstrate that the inspection interval in the MRB is adequate to fully address the issue, or any other operational mishap that might occur at APU removal/installation. EMBRAER also states that a few APU rods are reportedly replaced over time, apart from this AD, demonstrating the MRB task is effective for the repetitive inspections. EMBRAER states that the repetitive detailed inspection in the NPRM is more restrictive than the general visual inspection specified in the MRB.

From these statements, we infer that EMBRAER requests that we eliminate the repetitive detailed inspections specified in the NPRM. We agree with EMBRAER that the repetitive detailed inspection proposed in the NPRM is more conservative than the inspection in the MRB. Since the NPRM was published, we have determined that the repetitive inspections proposed in the NPRM are no longer necessary as the inspection reports received provided sufficient technical information to remove the proposed requirement. The proposed repetitive inspections have been removed from this AD.

Request To Extend the Compliance Time for the Reporting Requirement

EMBRAER states that the EASA and ANAC ADs were issued in advance of this proposed NPRM. EMBRAER also states that the current status of U.S. operators that have proactively started inspecting their fleets is 55 percent of the total fleet, meaning nearly 380 airplanes have already been inspected. EMBRAER states that since the proposed compliance time for the initial inspection specified in the NPRM is 500 flight hours, with the current average of 120 flight hours per month fleet usage, it would take more than 4 months to complete the first inspection. EMBRAER states that, since the results remain unchanged with time, it is recommended that the 30-day reporting requirement be extended to 120 days minimum, reducing unnecessary labor burden and processing for the operators.

From these statements, we infer that EMBRAER requests that we extend the compliance time for submitting the inspection results from 30 days to 120 days. We disagree with extending the compliance time for submitting the inspection results. We also disagree that the report is an undue burden to the operator. A reporting requirement is instrumental in ensuring that we can gather as much information as possible regarding the extent and nature of the problem, especially when findings of corrosion are involved and in cases where that data might not be available through other established means. This information is necessary to ensure that proper corrective action will be taken. We have not changed this AD regarding this issue.

Request To Change Proposed Compliance Time Frame

Trans States Airlines requests a change in the proposed compliance time for the initial inspection from 2 months to 60 days after the effective date of the AD. Trans States Airlines states that 60 days is an exact period where 2 months

will vary based on the months involved. Trans States Airlines also requests that the repetitive requirements read "1,500 flight hours, or 180 days after the effective date of this AD," instead of "1,500 flight hours, or 6 months after the date of this AD," for the same reason.

We agree with Trans States Airlines' request to use number of days instead of months. Trans States Airlines is correct in stating that days are more definitive time than months. We also have determined that changing the initial compliance time from 500 flight hours or 2 months after the effective date of this AD to 1,500 flight hours or 180 days after the effective date of this AD, will provide an acceptable level of safety. We have changed the final rule regarding this issue.

In regards to using days versus months for the repetitive inspections, as we stated previously, we have determined that the repetitive inspections proposed in the NPRM are no longer necessary and have been removed from this AD. No further change to this AD is necessary in this regard.

Request To Allow Additional Part Numbers

Trans States Airlines requests that we revise the NPRM to allow mounting rods with part number –001 or –005 as an acceptable method of compliance for replacement of the rod as allowed in the EMBRAER EMB–135/–145 Illustrated Parts Catalog.

We disagree with Trans State Airlines' request to use part number –001 or –005 as an acceptable method of compliance for replacing the mounting rods. The illustrated parts catalog is not regulated by the FAA, and EMBRAER did not provide us with information to ensure that these parts adequately address the unsafe condition. However, operators may apply to use an AMOC for this AD, as specified in paragraph (g)(1) of this AD. Because of the unsafe condition that exists, Brazilian Airworthiness Directive 2008–10–02, effective October 21, 2008; EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008; and EMBRAER Service Bulletin 145LEG–49–0008, Revision 02, dated September 8, 2008; specify that if moderate corrosion is found, the affected mounting rod is to be replaced with a new mounting rod having the same part number. We have not changed this AD regarding this issue.

Request for Removal of Reporting Requirement

Trans States Airlines states that the reporting requirement is an undue burden on the operator. Trans States Airlines states that, of the 50 mounting rods removed for corrosion, only two were found to have actually had corrosion. Trans States Airlines states that more than 2,000 rods have already been inspected, and it believes sufficient data already exist to determine the need for further rulemaking.

From these statements, we infer that Trans States Airlines is asking that we remove the proposed reporting requirement from the NPRM. We have obtained further information from EMBRAER regarding the reporting requirement. EMBRAER states that the report is necessary so that more comprehensive data can be aquired. We disagree with Trans States Airlines in removing the reporting requirement and that the report is an undue burden to the operator. A reporting requirement is instrumental in ensuring that we can gather as much information as possible regarding the extent and nature of the problem, especially in cases where that data might not be available through other established means. This information is necessary to ensure that proper corrective action will be taken. We have not changed this AD regarding this issue.

Clarification of the Retention Requirements for the Reporting Requirement

Trans States Airlines requests clarification for the retention requirements for the proposed reporting requirement specified in the NPRM.

We agree to clarify the retention requirements for the reporting requirement specified in paragraph (g)(3) of this AD. We have obtained further information from Trans States Airlines. Trans States Airlines questions how long it must prove that it has complied with the reporting requirement in the AD, since the report is not considered part of the maintenance records.

Only one report is required by this AD. Once the report has been submitted, no further action is required by this AD. We have not changed this AD regarding this issue.

Request To Add an E-Mail Address to the Reporting Address

Trans States Airlines states that including EMBRAER's mailing address and telephone number in paragraph (f)(3) of the NPRM, makes those the only approved methods for reporting, and that e-mail would not be an acceptable method for reporting inspection findings.

From this statement, we infer that Trans States Airlines requests that for the reporting requirement in paragraph (f)(3) of the NPRM, we include an e-mail address in the contact information.

We agree with Trans States Airlines' request to include an e-mail address in the contact information. We have determined that an e-mail is an acceptable method of compliance for reporting inspection findings to EMBRAER. EMBRAER has provided us with an e-mail address and we have added that address to paragraph (f)(3) of this AD.

Request To Exclude Light Corrosion From the Reporting Requirement

Expressjet Airlines requests that the light corrosion findings be removed from the reporting requirement in the NPRM. Expressjet Airlines states that paragraph (f)(3) of the NPRM states to send a report of the positive findings, including level of corrosion, such as light, moderate, or heavy, to EMBRAER. Expressjet Airlines also states that EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008, requires only that moderate or heavy corrosion be reported.

We agree with Expressjet Airlines that reporting of light corrosion is not necessary. Since the NPRM was issued, we have received sufficient technical information to remove the reporting requirement for light corrosion. We have revised paragraph (f)(3) of this AD to remove light corrosion from the reporting requirement of this AD.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously. We determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA

policies. Any such differences are highlighted in a NOTE within the AD.

Explanation of Changes to Costs of Compliance

Since issuance of the NPRM, we have increased the labor rate used in the Costs of Compliance from $80 per work-hour to $85 per work-hour. The Costs of Compliance information, below, reflects this increase in the specified hourly labor rate.

Costs of Compliance

We estimate that this AD will affect 761 products of U.S. registry. We also estimate that it will take about 8 work-hours per product to comply with the basic requirements of this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $517,480, or $680 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2010–16–02 Empresa Brasileira de Aeronautica S.A. (EMBRAER): Amendment 39–16378. Docket No. FAA–2009–0716; Directorate Identifier 2008–NM–212–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective September 9, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135BJ, –135ER, –135KE, –135KL, and –135LR airplanes; and Model EMB–145, –145ER, –145MR, –145LR, –145XR, –145MP, and –145EP airplanes; certified in any category; as identified EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008; and EMBRAER Service Bulletin 145LEG–49–0008, Revision 02, dated September 8, 2008.

Subject

(d) Air Transport Association (ATA) of America Code 49: Airborne Auxiliary Power.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

It has been found the occurrence of corrosion on the Auxiliary Power Unit (APU) mounting rods that could cause the APU rod to break, affecting the APU support structure integrity.

APU support structure failure could result in loss of power of the APU and possible loss of control of the airplane. The required action is doing an external detailed inspection for corrosion of the APU auxiliary and center mounting rods and rod ends, and corrective actions if necessary. Corrective actions include removing corrosion, applying anticorrosive treatment, and replacing mounting rods.

Actions and Compliance

(f) Unless already done do the following actions:

(1) Within 1,500 flight hours or 180 days after the effective date of this AD, whichever occurs first, do an external detailed inspection for corrosion of the APU, auxiliary and center mounting rods, and rod ends. If any corrosion is found during any inspection, before further flight, do the actions required by paragraphs (f)(1)(i), (f)(1)(ii), and (f)(1)(iii) of this AD, as applicable. Do all actions required by this paragraph in accordance with the Accomplishment Instructions of EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008; or EMBRAER Service Bulletin 145LEG–49–0008, Revision 02, dated September 8, 2008; as applicable.

(i) If light corrosion (characterized by discoloration or pitting) is found on a mounting rod, remove the corrosion and apply an anticorrosive treatment.

(ii) If moderate corrosion (characterized by surface blistering or evidence of scaling and flaking), or heavy corrosion (characterized by severe blistering exfoliation, scaling and flaking) is found, replace the affected mounting rod with a new mounting rod having the same part number.

(iii) If any corrosion is detected on the rod ends, remove the corrosion and apply an anticorrosive treatment.

(2) Accomplishing the inspection and corrective actions required by paragraph (f)(1) of this AD before the effective date of this AD in accordance with EMBRAER Service Bulletin 145–49–0034, dated April 18, 2008; EMBRAER Service Bulletin 145LEG–49–0008, dated April 18, 2008; or EMBRAER Service Bulletin 145LEG–49–0008, Revision 01, dated May 26, 2008; is acceptable for compliance with the corresponding requirements of paragraph (f)(1) of this AD.

(3) For mounting rods with moderate or heavy corrosion, submit a report of the positive findings (including level of corrosion such as Moderate or Heavy; guidance is provided in EMBRAER Corrosion Prevention Manual (CPM) 51–11–01) on the external surface of the rods as well as the rod ends) of the inspection required by paragraph (f)(1) of this AD to the ATTN: Mr. Antonio Claret—Customer Support Group, EMBRAER Aircraft Holding, Inc., 276 SW. 34th Street, Fort Lauderdale, Florida 33315; telephone

(954) 359–3826; e-mail *structure@embraer.com.br;* at the applicable time specified in paragraph (f)(3)(i) or (f)(3)(ii) of this AD. The report must include the inspection results, a description of any discrepancies found, the airplane serial number, and the number of landings and flight hours on the airplane.

(i) If the inspection was done on or after the effective date of this AD: Submit the report within 30 days after the inspection.

(ii) If the inspection was accomplished prior to the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows:

(1) Although Brazilian Airworthiness Directive 2008–10–02, effective October 21, 2008, does not include a reporting requirement, the service bulletins identified in paragraph (f)(1) of this AD do specify reporting findings to EMBRAER. This AD requires that operators report the results of the inspections to EMBRAER because the required inspection report will help determine the extent of the corrosion in the affected fleet, from which we will determine if further corrective action is warranted. This difference has been coordinated with Agência Nacional de Aviação Civil (ANAC).

(2) Brazilian Airworthiness Directive 2008–10–02, effective October 21, 2008, allows replacement of the affected APU mounting rods by "new ones bearing a new P/N [part number] approved by ANAC." However, paragraph (f)(1)(ii) of this AD requires replacing the affected mounting rod only with a new mounting rod having the same part number. Operators may request approval of an alternative method of compliance in order to install a new part number in accordance with the procedures specified in paragraph (g)(1) of this AD. This difference has been coordinated with ANAC.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Todd Thompson, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 227–1175; fax (425) 227–1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

(4) *Special Flight Permits:* Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the airplane can be modified (if the operator elects to do so), except if two or more center mounting rods or rod ends are heavily corroded or broken, a special flight permit is not permitted.

Related Information

(h) Refer to MCAI Brazilian Airworthiness Directive 2008–10–02, effective October 21, 2008; EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008; and EMBRAER Service Bulletin 145LEG–49–0008, Revision 02, dated September 8, 2008; for related information.

Material Incorporated by Reference

(i) You must use EMBRAER Service Bulletin 145–49–0034, Revision 01, dated September 8, 2008; or EMBRAER Service Bulletin 145LEG–49–0008, Revision 02, dated September 8, 2008; as applicable; to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Empresa Brasileira de Aeronautica S.A. (EMBRAER), Technical Publications Section (PC 060), Av. Brigadeiro Faria Lima, 2170–Putim–12227–901 São Jose dos Campos–SP–BRASIL; telephone: +55 12 3927–5852 or +55 12 3309–0732; fax: +55 12 3927–7546; e-mail: *distrib@embraer.com.br;* Internet: *http://www.flyembraer.com.*

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

(4) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Issued in Renton, Washington, on July 16, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–18398 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0046; Directorate Identifier 2009–NM–086–AD; Amendment 39–16383; AD 2010–16–06]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Model 737–300, –400, –500, –600, –700, and –800 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Model 737–300, –400, –500, –600, –700, and –800 series airplanes. This AD requires inspecting to verify the part number of the low-pressure flex-hoses of the crew oxygen system installed under the oxygen mask stowage boxes located within the flight deck, and replacing the flex-hose with a new non-conductive low-pressure flex-hose if necessary. This AD results from reports of low-pressure flex-hoses of the crew oxygen system that burned through due to inadvertent electrical current from a short circuit in the audio select panel. We are issuing this AD to prevent inadvertent electrical current, which can cause the low-pressure flex-hoses of the crew oxygen system to melt or burn, causing oxygen system leakage and smoke or fire.

DATES: This AD is effective September 9, 2010.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the AD as of September 9, 2010.

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; e-mail *me.boecom@boeing.com;* Internet *https://www.myboeingfleet.com.*

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (telephone 800–647–5527) is the Document Management Facility,

U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Susan L. Monroe, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6457; fax (425) 917–6590.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to certain Model 737–300, –400, –500, –600, –700, and –800 series airplanes. That NPRM was published in the **Federal Register** on January 22, 2010 (75 FR 3662). That NPRM proposed to require inspecting to verify the part number of the low-pressure flex-hoses of the crew oxygen system installed under the oxygen mask stowage boxes located within the flight deck, and replacing the flex-hose with a new non-conductive low-pressure flex-hose if necessary.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Support of NPRM

Boeing concurs with the contents of the NPRM.

Request for Clarification of Cup-Type Oxygen Mask Applicability

All Nippon Airways requests that the FAA clarify the NPRM by including a note stating that the cup-type oxygen mask at the observer seat position is not included in the applicability statement of the NPRM, as stated in a note in the Accomplishment Instructions of Boeing Service Bulletin 737–35A1053, Revision 1, dated June 1, 2000.

We agree that clarification is necessary. Boeing Service Bulletin 737–35A1053, Revision 1, dated June 1, 2000, provides information that describes the applicable parts and equipment. ADs do not identify parts and equipment that are not applicable; therefore, the cup-type oxygen mask is not included in the applicability statement. No change has been made to the AD in this regard.

Request To Extend Compliance Time

The Air Transport Association on behalf of its member American Airlines, requests that the 36-month compliance time be extended to 72 months to allow accomplishment during heavy maintenance. American Airlines states that this extended compliance time would be consistent with the apparent urgency being placed on this inspection by the FAA, which has waited over ten years since the original release of the service bulletin to issue the NPRM. American Airlines also states that the compliance urgency should also take into account that the proposed AD results from reports of hoses that burned through on a Model 757 airplane due to electrical current from a short circuit in the audio selector panel with no mention of reports of burned-through hoses on properly maintained Model 737 airplanes.

We do not agree. American Airlines provides no technical justification for extending the compliance time. In developing an appropriate compliance time, we considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of the required actions. Further, we arrived at the compliance time with manufacturer concurrence. In consideration of all of these factors, we determined that the compliance time, as proposed, represents an appropriate interval in which the inspections can be done in a timely manner within the fleet, while still maintaining an adequate level of safety. If additional data are presented that would justify a longer compliance time, we may consider further rulemaking on this issue. No change has been made to the AD in this regard.

Request for Clarification of Conductive Oxygen Hose Part Numbers

The Air Transport Association on behalf of its member American Airlines, requests clarification regarding the conductive oxygen hose part numbers in Table 1 of the NPRM and the applicable airplane models. American Airlines states that the NPRM requires inspections for five conductive hose part numbers regardless of model applicability, and does not differentiate between part numbers that are applicable to Model 737–300, –400, and –500 series airplanes, and those applicable to Models 737–600, –700, and –800 series airplanes. American Airlines states that if an operator who flies only Model 737–800 series airplanes has accomplished Boeing Service Bulletin 737–35A1058, Revision 1, dated June 1, 2000, for Model 737–800 airplanes prior to the effective date of the NPRM, the operator would now be required to perform another inspection to look for the part numbers in Boeing Service Bulletin 737–35A1053, Revision 1, dated June 1, 2000, which does not apply to Model 737–800 airplanes. American Airlines asserts that this places undue burden and expense on the operator.

We agree that clarification is needed regarding the conductive hose part numbers. We have changed Table 1 of this final rule to identify part numbers for only Model 737–300, –400, and –500 series airplanes. Table 2 has been added to this final rule to identify part numbers for Model 737–600, –700, and –800 series airplanes.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously. We also determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

Explanation of Change to Costs of Compliance

Since issuance of the NPRM, we have increased the labor rate used in the Costs of Compliance from $80 per work-hour to $85 per work-hour. The Costs of Compliance information, below, reflects this increase in the specified hourly labor rate.

Costs of Compliance

We estimate that this AD will affect 851 airplanes of U.S. registry. We also estimate that it will take 1 work-hour per product to comply with this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this AD to the U.S. operators to be $72,335, or $85 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition

that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a "significant regulatory action" under Executive Order 12866,

(2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979), and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

You can find our regulatory evaluation and the estimated costs of compliance in the AD Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2010–16–06 The Boeing Company: Amendment 39–16383. Docket No. FAA–2010–0046; Directorate Identifier 2009–NM–086–AD.

Effective Date

(a) This airworthiness directive (AD) is effective September 9, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to the airplanes identified in paragraphs (c)(1) and (c)(2) of this AD, certificated in any category.

(1) The Boeing Company Model 737–300, –400, and –500 series airplanes, as identified in Boeing Service Bulletin 737–35A1053, Revision 1, dated June 1, 2000.

(2) The Boeing Company Model 737–600, –700, and –800 series airplanes, as identified in Boeing Service Bulletin 737–35A1058, Revision 1, dated June 1, 2000.

Subject

(d) Air Transport Association (ATA) of America Code 35: Oxygen.

Unsafe Condition

(e) This AD results from reports of low-pressure flex-hoses of the crew oxygen system that burned through due to inadvertent electrical current from a short circuit in the audio select panel. The Federal Aviation Administration is issuing this AD to prevent inadvertent electrical current, which can cause the low-pressure flex-hoses of the crew oxygen system to melt or burn, resulting in oxygen system leakage and smoke or fire.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Inspection and Replacement

(g) Within 36 months after the effective date of this AD, do an inspection to determine whether any low-pressure flex-hose of the crew oxygen system installed under the oxygen mask stowage box in the flight deck has a part number identified in Table 1 or Table 2 of this AD, as applicable. A review of airplane maintenance records is acceptable in lieu of this inspection if the part number of the low-pressure flex-hoses of the crew oxygen system can be conclusively determined from that review.

(1) For any hose having a part number identified in Table 1 or Table 2 of this AD, as applicable, before further flight, replace the hose with a new or serviceable part, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 737–35A1053, Revision 1, dated June 1, 2000; or Boeing Service Bulletin 737–35A1058, Revision 1, dated June 1, 2000; as applicable.

(2) For any hose not having a part number identified in Table 1 or Table 2 of this AD no further action is required by this paragraph.

TABLE 1—APPLICABLE PART NUMBERS FOR MODEL 737–300, –400, AND –500 SERIES AIRPLANES

Boeing specification part No.	Equivalent Boeing supplier part Nos.	
	Puritan bennett	Hydraflow
10–60174–31	173470–31	37001–31
10–60174–35	173470–35	37001–35
10–60174–46	Not Applicable	37001–46
60B50059–99	Not Applicable	38001–99

TABLE 2—APPLICABLE PART NUMBERS FOR MODEL 737–600, –700, AND –800 SERIES AIRPLANES

Boeing specification part No.	Equivalent Boeing supplier part Nos.	
	Puritan bennett	Hydraflow
10–60174–31	173470–31	37001–31
10–60174–35	173470–35	37001–35
60B50059–124	Not Applicable	38001–124

Parts Installation

(h) As of the effective date of this AD, no person may install a crew oxygen hose with a part number identified in Table 1 or Table 2 of this AD, as applicable, on any airplane.

Actions Accomplished According to Previous Issue of Service Bulletins

(i) Actions accomplished before the effective date of this AD in accordance with Boeing Alert Service Bulletin 737–35A1053, dated September 2, 1999; or Boeing Alert Service Bulletin 737–35A1058, dated September 2, 1999; as applicable; are considered acceptable for compliance with the corresponding actions specified in this AD.

Alternative Methods of Compliance (AMOCs)

(j)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the

authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to *Attn:* Susan L. Monroe, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 917–6457; fax (425) 917–6590. Or, e-mail information to *9–ANM–Seattle-ACO–AMOC–Requests@faa.gov.*

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

Material Incorporated by Reference

(k) You must use Boeing Service Bulletin 737–35A1053, Revision 1, dated June 1, 2000; or Boeing Service Bulletin 737–35A1058, Revision 1, dated June 1, 2000; as applicable; to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; e-mail *me.boecom@boeing.com*; Internet *https://www.myboeingfleet.com.*

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

(4) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Issued in Renton, Washington, on July 16, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–18624 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0758; Directorate Identifier 2010–SW–004–AD; Amendment 39–16385; AD 2010–16–08]

RIN 2120–AA64

Airworthiness Directives; Schweizer Aircraft Corporation (Schweizer) Model 269D Helicopters

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) for the Schweizer Model 269D helicopters. This action requires installing a Scroll Housing Blade Containment Shielding Kit on each helicopter. This amendment is prompted by 21 reports of the blades of the oil cooler impeller separating, one of which punctured the engine and transmission oil cooler resulting in loss of engine oil pressure. The actions specified in this AD are intended to protect the oil cooler from uncontained oil cooler impeller blades that could damage the oil cooler and result in loss of engine and transmission oil pressure, and subsequent loss of control of the helicopter.

DATES: Effective August 20, 2010.

Comments for inclusion in the Rules Docket must be received on or before October 4, 2010.

ADDRESSES: Use one of the following addresses to submit comments on this AD:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may get the service information identified in this AD from Schweizer Aircraft Corporation, Elmira/Corning Regional Airport, 1250 Schweizer Road, Horseheads, NY 14845, telephone (607) 739–3821, fax: (607) 796–2488, e-mail address *schweizer@sacusa.com*, or at *http://www.sacusa.com/support.*

Examining the Docket: You may examine the docket that contains the AD, any comments, and other information on the Internet at *http://www.regulations.gov,* or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Operations office (telephone (800) 647–5527) is located in Room W12–140 on the ground floor of the West Building at the street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Richard P. Fiesel, Aviation Safety Engineer, FAA, New York Aircraft Certification Office, Airframe and Propulsion Branch, 1600 Stewart Ave., suite 410, Westbury, New York 11590, telephone (516) 228–7304, fax (516) 794–5531.

SUPPLEMENTARY INFORMATION: This amendment adopts a new AD for the Schweizer Model 269D helicopters. This action requires installing a certain Scroll Housing Blade Containment Shielding Kit on each helicopter. This amendment is prompted by 21 reports of the blades of the oil cooler impeller separating and damaging the oil cooler. One failure resulted in an emergency landing when the crew experienced vibration and loss of oil pressure. Further investigation revealed that a portion of a fan impeller blade damaged the oil cooler resulting in a loss of oil. This condition, if not corrected, could result in loss of engine and transmission oil pressure and subsequent loss of control of the helicopter.

We have reviewed Schweizer Service Bulletin No. DB–031, dated September 1, 2009 (SB), which specifies installing a Scroll Housing Blade Containment Shielding Kit, part number (P/N) SA–269DK–048 on each Model 269D helicopter. The manufacturer developed the containment kit after a recent incident in which separation of a blade due to fatigue cracks at the root of the blade resulted in damage to the oil cooler and loss of engine oil pressure. The SB states that the containment kit will prevent the escape of any separated impeller blades from the scroll assembly and relieve the operator of daily and 25-hour time-in-service (TIS) inspections. The SB also states that future inspections of the cooling impeller will be done at 100-hour TIS intervals per the maintenance manual.

This unsafe condition is likely to exist or develop on other helicopters of the same type design. Therefore, this AD is being issued to prevent failure of the oil cooler, loss of engine and transmission

oil pressure, and subsequent loss of control of the helicopter. This AD requires installing a Scroll Housing Blade Containment Shielding Kit, P/N SA–269DK–048, on each helicopter.

The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability and structural integrity of the helicopter. Therefore, installing an SA–269DK–048 Scroll Housing Blade Containment Shielding Kit on each helicopter is required within 25 hours TIS, and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable and that good cause exists for making this amendment effective in less than 30 days.

We estimate that this AD will affect 21 helicopters, and removing the scroll assembly and installing the containment kit will take about 3 work hours at an average labor rate of $85 per work hour. Required parts will cost about $288 per helicopter. Based on these figures, we estimate the total cost impact of the AD on U.S. operators to be $11,403.

Comments Invited

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any written data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA–2010–0758; Directorate Identifier 2010–SW–004–AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the AD. We will consider all comments received by the closing date and may amend the AD in light of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the search function of our docket web site, you can find and read the comments to any of our dockets, including the name of the individual who sent the comment. You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared an economic evaluation of the estimated costs to comply with this AD. *See* the AD docket to examine the economic evaluation.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

2010–16–08 Schweizer Aircraft Corporation: Amendment 39–16385. Docket No. FAA–2010–0758; Directorate Identifier 2010–SW–004–AD.

Applicability: Model 269D helicopters, certificated in any category.

Compliance: Within 25 hours time-in-service, unless done previously.

To prevent the blades of the oil cooler impeller from separating and damaging the oil cooler, leading to loss of engine and transmission oil pressure and subsequent loss of control of the helicopter, do the following:

(a) Install a Scroll Housing Blade Containment Shielding Kit, part number (P/N) SA–269DK–048, on each helicopter.

Note: The Schweizer Model 269D Configuration "A" Basic Helicopter Maintenance Manual (HMI), revised April 17, 2009, contains guidance that pertains to the subject of this AD.

(b) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Contact the Manager, New York Aircraft Certification Office, *Attn:* Richard P. Fiesel, Aerospace Engineer, Aviation Safety Engineer, FAA, New York Aircraft Certification Office, Airframe and Propulsion Branch, 1600 Stewart Ave., suite 410, Westbury, New York 11590, telephone (516) 228–7304, fax (516) 794–5531, for information about previously approved alternative methods of compliance.

(c) The Joint Aircraft System/Component (JASC) Code is 6322: Rotorcraft Cooling Fan System.

(d) This amendment becomes effective on August 20, 2010.

Issued in Fort Worth, Texas, on July 26, 2010.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2010–19114 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0702; Directorate Identifier 2010–NM–144–AD; Amendment 39–16380; AD 2009–15–16 R1]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Corporation Model DC–9–10 Series Airplanes, DC–9–30 Series Airplanes, DC–9–81 (MD–81) Airplanes, DC–9–82 (MD–82) Airplanes, DC–9–83 (MD–83) Airplanes, DC–9–87 (MD–87) Airplanes, MD–88 Airplanes, and MD–90–30 Airplanes, Equipped With Flight Deck Doors Installed in Accordance With Supplemental Type Certificate ST02463AT

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: The FAA is revising an existing airworthiness directive (AD), which applies to all McDonnell Douglas Model DC–9–10 series airplanes, DC–9–30 series airplanes, DC–9–81 (MD–81) airplanes, DC–9–82 (MD–82) airplanes, DC–9–83 (MD–83) airplanes, DC–9–87 (MD–87) airplanes, MD–88 airplanes, and MD–90–30 airplanes. That AD currently requires modifying the flight deck door. This AD revises the applicability by removing certain airplanes. This AD was prompted by a report indicating that certain equipment of the flight deck door is defective. We are issuing this AD to prevent failure of this equipment, which could jeopardize flight safety.

DATES: This AD is effective August 5, 2010, to all persons except those persons to whom it was made immediately effective by AD 2009–15–16, issued July 15, 2009, which contained the requirements of this amendment.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of August 5, 2010.

On July 6, 2010 (75 FR 38017, July 1, 2010), the Director of the Federal Register approved the incorporation by reference of a certain other publication listed in the AD.

We must receive any comments on this AD by September 20, 2010.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this AD, contact TIMCO Aviation Services, 623 Radar Road, Greensboro, North Carolina 27410–6221; telephone 336–668–4410, extension 3063; fax 336–662–8330; Internet: *http://www.timco.aero.*

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Linda Haynes, Aerospace Engineer, COS—Certificate Management Branch, ACE–102A, FAA, Atlanta Aircraft Certification Office, 1701 Columbia Avenue, College Park, GA 30337; telephone 404–474–5525; fax 404–474–5606.

SUPPLEMENTARY INFORMATION:

Discussion

On June 18, 2010, we issued AD 2009–15–16, Amendment 39–16345 (75 FR 38017, July 1, 2010). That AD applies to all McDonnell Douglas Corporation Model DC–9–10 series airplanes, DC–9–30 series airplanes, DC–9–81 (MD–81) airplanes, DC–9–82 (MD–82) airplanes, DC–9–83 (MD–83) airplanes, DC–9–87 (MD–87) airplanes, MD–88 airplanes, and MD–90–30 airplanes. That AD requires modifying the flight deck door. That AD was prompted by a report indicating that certain equipment of the flight deck door is defective. The actions specified in that AD are intended to prevent failure of this equipment, which could jeopardize flight safety.

Actions Since AD Was Issued

Since we issued that AD, we have learned that certain airplanes were incorrectly included in the applicability. The only airplanes subject to the identified unsafe condition are those equipped with flight deck doors installed in accordance with Supplemental Type Certificate (STC) ST02463AT.

Relevant Service Information

AD 2009–15–16 referred to TIMCO Service Bulletin TSB–88–52–045, Revision E, dated November 6, 2008, as the appropriate source of service information for the required modification. TIMCO has since revised the service bulletin. Revision G, dated December 8, 2009, changes Part II., "Approval Basis," by referring to STC ST02463AT. The procedures specified in Revision G of this service bulletin are unchanged from those in Revision E.

FAA's Determination and Requirements of this AD

The unsafe condition described previously is likely to exist or develop on other airplanes of these same type designs. For this reason, we are issuing this AD to revise AD 2009–15–16. This new AD retains the requirements of the existing AD, and includes the following changes:

- This new AD revises the applicability by removing airplanes that do not have flight deck doors installed in accordance with STC ST02463AT.
- This new AD also refers to TIMCO Service Bulletin TSB–88–52–045, Revision G, dated December 8, 2009, as the appropriate source of service information for the required modification.
- This new AD adds new paragraph (h) in this AD to give credit for actions done before the effective date in accordance with TIMCO Service Bulletin TSB–88–52–045, Revision F, dated November 2, 2009.

FAA's Justification and Determination of the Effective Date

Certain defective equipment of the flight deck door could result in failure of the equipment and jeopardize flight safety. Because of our requirement to promote safe flight of civil aircraft and thus the critical need to ensure the proper functioning of the flight crew door, as well as the short compliance time involved with this action and the need to advise operators of the reduced applicability, this AD must be issued immediately.

Because an unsafe condition exists that requires the immediate adoption of this AD, we find that notice and opportunity for prior public comment hereon are impracticable and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not provide you with notice and an opportunity to provide your comments before it becomes effective. However, we invite you to send any written data, views, or arguments about this AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA–2010–0702; Directorate Identifier 2010–NM–144–AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;

2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. *See* the **ADDRESSES** section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by removing Amendment 39–16345 (75 FR 38017, July 1, 2010) and adding the following new AD:

2009–15–16 R1 McDonnell Douglas Corporation: Amendment 39–16380. Docket No. FAA–2010–0702; Directorate Identifier 2010–NM–144–AD.

Effective Date

(a) This airworthiness directive (AD) is effective August 5, 2010, to all persons except those persons to whom it was made immediately effective by AD 2009–15–16, issued July 15, 2009, which contained the requirements of this amendment.

Affected ADs

(b) This AD revises AD 2009–15–16, Amendment 39–16345.

Applicability

(c) This AD applies to McDonnell Douglas Corporation Model DC–9–11, DC–9–12, DC–9–13, DC–9–14, DC–9–15, and DC–9–15F airplanes, Model DC–9–31, DC–9–32, DC–9–32 (VC–9C), DC–9–32F, DC–9–33F, DC–9–34, DC–9–34F, and DC–9–32F (C–9A, C–9B) airplanes, Model DC–9–81 (MD–81) airplanes, Model DC–9–82 (MD–82) airplanes, Model DC–9–83 (MD–83) airplanes, Model DC–9–87 (MD–87) airplanes, Model MD–88 airplanes, and Model MD–90–30 airplanes; certificated in any category; equipped with flight deck doors installed in accordance with Supplemental Type Certificate ST02463AT.

Subject

(d) Air Transport Association (ATA) of America Code 52: Doors.

Unsafe Condition

(e) This AD was prompted by a report indicating that the current design of certain equipment of the flight deck door is defective. The Federal Aviation Administration is issuing this AD to prevent the failure of this equipment, which could jeopardize flight safety.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Installation

(g) Within 30 days after July 6, 2010 (the effective date of AD 2009–15–16), modify the flight deck door, in accordance with TIMCO Service Bulletin TSB–88–52–045, Revision E, dated November 6, 2008; or Revision G, dated December 8, 2009.

Actions Accomplished According to Previous Issue of Service Bulletin

(h) Modification of the flight deck door before the effective date of this AD in accordance with TIMCO Service Bulletin TSB–88–52–045, Revision F, dated November 2, 2009, is acceptable for compliance with the corresponding requirements of this AD.

Alternative Methods of Compliance (AMOCs)

(i)(1) The Manager, Atlanta Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Linda Haynes, Aerospace Engineer, COS—Certificate Management Branch, ACE–102A, FAA, Atlanta Aircraft Certification Office, 1701 Columbia Avenue, College Park, GA 30337; telephone 404–474–5525; fax 404–474–5606.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically refer to this AD.

(3) AMOCS previously in accordance with AD 2009–15–16, amendment 39–16345, are approved as AMOCs for the corresponding provisions of this AD.

Material Incorporated by Reference

(j) You must use TIMCO Service Bulletin TSB–88–52–045, Revision E, dated November 6, 2008; or TIMCO Service Bulletin TSB–88–52–045, Revision G, dated December 8, 2009; to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of TIMCO Service Bulletin TSB–88–52–045,

Revision G, dated December 8, 2009, under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The Director of the Federal Register previously approved the incorporation by reference of TIMCO Service Bulletin TSB–88–52–045, Revision E, dated November 6, 2008, on July 6, 2010 (75 FR 38017, July 1, 2010).

(3) For service information identified in this AD, contact TIMCO Aviation Services, 815 Radar Road, Greensboro, North Carolina 27410–6221; telephone 336–668–4410, extension 3063; fax 336–662–8330; Internet: *http://www.timco.aero.*

(4) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

(5) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Issued in Renton, Washington, on July 16, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–18620 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0713; Directorate Identifier 2009–SW–63–AD; Amendment 39–16369; AD 2010–15–03]

RIN 2120–AA64

Airworthiness Directives; Eurocopter France Model EC 130 B4 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) for the specified Eurocopter France helicopters. This action requires inspecting certain electrical harnesses for damage and if damage is found, repairing the electrical harness; protecting the electrical harness from damage; installing harness clamp blocks; and inspecting each fairing attachment screw to determine the length and replacing attachment screws, if they exceed a certain length. This amendment is prompted by a report of an in-flight incident that led to the inflation of the emergency floatation gear (emergency floats) and the activation of various warnings. The actions specified in this AD are intended to prevent interference between an electrical harness and the lower structure fairing attachment screws. Damage to an electrical harness by a lower structure fairing attachment screw could lead to short-circuiting of various warnings, inflation of the emergency floats during flight, and subsequent loss of control of the helicopter.

DATES: Effective August 20, 2010.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 20, 2010.

Comments for inclusion in the Rules Docket must be received on or before October 4, 2010.

ADDRESSES: Use one of the following addresses to submit comments on this AD:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

You may get the service information identified in this AD from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, TX 75053–4005, telephone (800) 232–0323, fax (972) 641–3710, or at *http://www.eurocopter.com.*

Examining the Docket: You may examine the docket that contains the AD, any comments, and other information on the Internet at *http://www.regulations.gov,* or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Operations office (telephone (800) 647–5527) is located in Room W12–140 on the ground floor of the West Building at the street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: DOT/FAA Southwest Region, George Schwab, Aviation Safety Engineer, ASW–112, Rotorcraft Directorate, Safety Management Group, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5114, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION:

Discussion

This amendment adopts a new AD for Eurocopter France Model EC 130 B4 helicopters that have been modified in accordance with MOD 073774, and have not had MOD 073591 nor the modification specified in Eurocopter Drawing No. 350A085340 incorporated. This action requires, within 10 hours time-in-service (TIS), removing the lower forward right-hand, left-hand, and center lower structure fairings (fairings); inspecting each electrical harness for chaffing, tears, holes, or other damage at the location of each attachment screw and repairing any damage; protecting electrical harnesses by wrapping them with electrical tape; installing harness clamp blocks; and inspecting each attachment screw to determine the length and replacing any attachment screw that is longer than 14mm. This amendment is prompted by a report of an in-flight incident in which an attachment screw that secures the right-hand lower center fairing damaged the electrical harness and caused several short circuits, resulting in the described incident. This condition, if not detected, could lead to inflation of the emergency floats during flight, and subsequent loss of control of the helicopter.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued AD No. 2006–0344 R1, dated May 10, 2007, to correct an unsafe condition for Eurocopter France Model EC 130 B4 helicopters. EASA advises that their AD was initially issued as an Emergency AD, following a report of an in-flight incident which led to activation of various warning lights and inflation of the emergency floats. The pilot was able to land the helicopter without damage. EASA AD No. 2006–0344 R1 revises EASA Emergency AD 2006–0344–E, dated November 13, 2006.

Related Service Information

Eurocopter France has issued Emergency Alert Service Bulletin (EASB) No. 88A001 R1, dated April 17, 2007, which specifies procedures for detecting and correcting interference between an electrical harness and a fairing attachment screw. The EASA classified this EASB as mandatory and issued AD No. 2006–0344 R1, dated May 10, 2007, to ensure the continued airworthiness of these helicopters.

FAA's Evaluation and Unsafe Condition Determination

This helicopter has been approved by the aviation authority of France and is approved for operation in the United States. Pursuant to our bilateral agreement with France, EASA, their technical representative, has notified us of the unsafe condition described in the EASA AD. We are issuing this AD because we evaluated all information provided by the EASA and determined the unsafe condition exists and is likely to exist or develop on other helicopters of this same type design.

Differences Between This AD and the EASA AD

This AD requires inspections by a qualified mechanic rather than checks, which may be conducted by a pilot. Also, this AD requires contacting the FAA, Safety Management Group, ASW–112, instead of contacting Eurocopter France to define a certain customized repair solution before returning the helicopter to flight configuration if 4 or more electrical wires or cables need repair. Additionally, this AD uses the term "hours time-in-service" instead of "flight hours".

FAA's Determination and Requirements of This AD

This unsafe condition is likely to exist or develop on other helicopters of the same type design. Therefore, this AD is being issued to prevent, on helicopters post MOD 073774, any interference between an electrical harness and an attachment screw. Embodiment of a modification in accordance with Eurocopter drawing 350A085342 is considered to be a temporary solution to be applied rapidly in order to ensure that there is no interference. Embodiment of a modification in accordance with Eurocopter Drawing 350A085340 is the permanent solution. The EASA AD has been revised to provide additional information that MOD 073591 also is a permanent solution and has been incorporated on new helicopters. This AD requires removing the fairings; inspecting each electrical harness for any chaffing, tear, hole, or other damage at the location of each attachment screw and repairing any damage; protecting electrical harnesses by wrapping them with electrical tape; installing harness clamp blocks; and inspecting each attachment screw to determine the length and replacing any that are longer than 14mm.

Accomplish the actions by following specified portions of the EASB described previously. The short compliance time involved is required because the previously described critical unsafe condition can adversely affect the controllability of the helicopter. Therefore, inspecting each electrical harness for damage at the location of each attachment screw and repairing any damage, if found; protecting the electrical harness by wrapping with electrical tape; installing harness clamp blocks; and inspecting each attachment screw to determine the length and replacing any that are longer than 14mm, are required within 10 hours time-in-service (TIS), a short compliance time, and this AD must be issued immediately.

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Costs of Compliance

We estimate that this AD will affect about 13 helicopters of U.S. registry. We also estimate that it will take about 12 work-hours per helicopter to remove the lower structure fairings; inspect an electrical harness for interference and damage; repair an electrical harness, if necessary; shorten the attachment screws; install harness clamp blocks; and reinstall the lower fairings. The average labor rate is $85 per work-hour. Required parts will cost about $120 per helicopter. Based on these figures, we estimate the cost of this AD on U.S. operators is $1,140 per helicopter, $14,820 for the entire fleet.

Comments Invited

This AD is a final rule that involves requirements that affect flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to submit any written data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA–2010–0713; Directorate Identifier 2009–SW–63–AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the AD. We will consider all comments received by the closing date and may amend the AD in light of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the search function of the docket Web site, you can find and read the comments to any of our dockets, including the name of the individual who sent the comment. You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78).

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared an economic evaluation of the estimated costs to comply with this AD. See the AD docket to examine the economic evaluation.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me by the Administrator,

the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

2010–15–03 Eurocopter France: Amendment 39–16369. Docket No. FAA–2010–0713; Directorate Identifier 2009–SW–63–AD.

Applicability: Model EC 130 B4 helicopters that have been modified in accordance with MOD 073774, and have not had MOD 073591 nor the modification specified in Eurocopter Drawing No. 350A085340 incorporated, certificated in any category.

Compliance: Required within 10 hours time-in-service (TIS), unless accomplished previously.

To detect interference and prevent damage to an electrical harness by a lower structure fairing attachment screw (attachment screw), which could lead to short-circuiting of various warnings, inflation of the emergency floatation gear (emergency floats) during flight, and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove the lower forward right-hand, left-hand, and center fairings.

(b) Inspect each electrical harness for chaffing, a tear, a hole, or other damage at the location of each attachment screw as depicted in Details B, C, and D in Figure 1 in Eurocopter Emergency Alert Service Bulletin No. 88A001 R1, dated April 17, 2007 (EASB), and as shown at point (a) in Figure 2 and Figure 3 in the EASB.

(1) If there is *no* chaffing, tear, hole, or other damage to the electrical harness at any attachment screw:

(i) Determine the length of each attachment screw that secures the fairings. Replace any attachment screw that is longer than 14mm with an airworthy attachment screw, part number (P/N) A0164TK050S014X;

(ii) Install the spacer on the electrical harness in accordance with paragraph 2.B.3.a. of the Accomplishment Instructions of the EASB;

(iii) Relocate the electrical harness on the cable holders in accordance with paragraph 2.B.3.b. of the Accomplishment Instructions of the EASB; and

(iv) Install the harness clamp blocks in accordance with paragraph 2.B.4. of the Accomplishment Instructions of the EASB.

(2) If there is chaffing, a tear, a hole, or other damage to an electrical harness at the location of an attachment screw, remove any protective tape from the electrical harness as shown at point (b) in Figure 2 of the EASB and inspect the insulation on each electrical wire and cable strand for chaffing, a tear, a hole, or other damage at the attachment screw location.

(i) If there is *no* chaffing, tear, hole, or other damage to the insulation on any wire or cable strand, wrap the electrical harness with protective tape and comply with paragraphs (b)(1)(i) through (b)(1)(iv) of this AD.

(ii) If there is chaffing, a tear, a hole, or other damage to the insulation on any electrical wire or cable strand, but the electrical wire or cable strand is not damaged, wrap the electrical wire or cable strand that has damaged insulation with protective tape and wrap the electrical harness with protective tape, then comply with paragraphs (b)(1)(i) through (b)(1)(iv) of this AD.

(c) If 3 or less electrical wires or cable strands in the same immediate area are damaged:

(1) Repair each damaged electrical wire or cable strand with an extension lead, P/N E0541–10, in accordance with the Appendix to the EASB; test the electrical continuity of the repaired electrical wire or cable strand using an ohmmeter, continuity test light, or equivalent device; and functionally test the system affected by the repair;

(2) Wrap the electrical harness with protective tape; and

(3) Comply with paragraphs (b)(1)(i) through (b)(1)(iv) of this AD.

(d) If 4 or more electrical wires or cable strands in the same immediate area are damaged:

(1) Contact the Safety Management Group, Rotorcraft Directorate, FAA, ATTN: George Schwab, Aviation Safety Engineer, 2601 Meacham Blvd., Fort Worth, Texas, 76137, telephone (817) 222–5114, fax (817) 222–5961, for an approved electrical conductor repair procedure; and

(2) Comply with (b)(1)(i) through (b)(1)(iv) of this AD.

(e) Reinstall the fairings.

(f) Contact the Manager, Safety Management Group, Rotorcraft Directorate, FAA, ATTN: George Schwab, Aviation Safety Engineer, 2601 Meacham Blvd., Fort Worth, Texas, 76137, telephone (817) 222–5114, fax (817) 222–5961, for information about previously approved alternative methods of compliance.

(g) The Joint Aircraft System/Component (JASC) Code is 3297: Landing Gear System Wiring.

(h) The inspections, modifications and repairs, if needed, shall be done in accordance with the specified portions of Eurocopter Emergency Alert Service Bulletin No. 88A001 R1, dated April 17, 2007. The Director of the Federal Register approved this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, TX 75053–4005, telephone (800) 232–0323, fax (972) 641–3710, or at *http://www.eurocopter.com.* Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

(i) This amendment becomes effective on August 20, 2010.

Note: The subject of this AD is addressed in European Aviation Safety Agency (France) AD No. 2006–0344 R1, dated May 10, 2007, which revises European Aviation Safety Agency Emergency AD No. 2006–0344–E, dated November 13, 2006.

Issued in Fort Worth, Texas, on July 8, 2010.

Scott A. Horn,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 2010–17282 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2008–0403; Directorate Identifier 2007–NM–166–AD; Amendment 39–16379; AD 2010–16–03]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Corporation Model MD–11 and MD–11F Airplanes Equipped With General Electric CF6–80C2 Series Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Model MD–11 and MD–11F airplanes. This AD requires revising the airplane flight manual to advise the flightcrew to use certain procedures during descent in certain icing conditions. This AD results from reports of several in-flight engine flameouts, including multiple dual engine flameout events, in ice-crystal icing conditions. We are issuing this AD to ensure that the flightcrew has the proper procedures to follow in certain icing conditions. These certain icing conditions could cause a multiple engine flameout during flight with the potential inability to restart the engines, and consequent forced landing of the airplane.

DATES: This AD is effective September 9, 2010.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and

other information. The address for the Docket Office (telephone 800–647–5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Samuel Lee, Aerospace Engineer, Propulsion Branch, ANM–140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5262; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to certain Model MD–11 and MD–11F airplanes. That NPRM was published in the **Federal Register** on April 7, 2008 (73 FR 18719). That NPRM proposed to require revising the airplane flight manual (AFM) to advise the flightcrew to use certain procedures during descent in certain icing conditions.

Other Relevant Proposed Rulemaking

NPRM, Docket No. FAA–2008–0402, Directorate Identifier 2007–NM–165–AD (73 FR 18721, April 7, 2008), proposes to require similar actions for Model 747 airplanes and Model 767 airplanes, certified in any category, equipped with General Electric Model CF6–80C2 or CF6–80A series engines. These airplanes have been determined to be subject to the identified unsafe condition addressed in this AD.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Support for the NPRM

The Air Line Pilots Association, International supports the intent and language of the NPRM. The National Transportation Safety Board (NTSB), based on the success of similar AFM requirements to address this unsafe condition on Hawker Beechcraft Corporation Model 400, 400A, and 400T series airplanes and Model MU–300 airplanes, supports the adoption of the proposed requirements.

Request for FAA To Actively Pursue Research To Develop a Permanent Solution

The NTSB notes that the NPRM is intended as interim action, and points out that it has issued Safety Recommendation A–06–59, dated August 25, 2006. In this safety recommendation the NTSB asked the FAA to "* * * work with engine and airplane manufacturers and other industry personnel as well as the appropriate international airworthiness authorities to actively pursue research to develop an ice detector that would alert pilots to internal engine icing and require that it be installed on new production turbojet engines, as well as retrofitted to existing turbojet engines." Therefore, the NTSB hopes the FAA pursues research in concert with the multinational Aircraft Icing Research Alliance that might develop an ice detector to alert flightcrews to the accretion of ice crystals on internal engine surfaces, so that flightcrews can take the appropriate actions.

We partially agree with the commenter's request. We agree that the General Electric (GE) CF6–80C2 series engine needs to be modified to mitigate the risk of flameouts caused by ice crystal accretion. However, at this time, we do not agree to pursue research to develop an ice detector that would alert flightcrews to the internal engine icing, or with requiring manufacturers to install ice detectors internal to the engines. In addition, no such designs have been proposed to the FAA. Instead, for future designs, we are developing rulemaking to show acceptable engine operation in an ice crystal environment. For engines that currently demonstrate a susceptibility to ice crystals, we are working with manufacturers to develop engine design changes to make engines more robust during ice crystal accumulation and shedding encounters. We will continue to provide feedback to the NTSB through the established process for addressing safety recommendations. For this AD, if different methods to address the unsafe condition are developed, under the provisions of paragraph (h) of this AD, we will consider requests for approval of an AMOC if sufficient data are submitted to substantiate that the method would provide an acceptable level of safety. No change to the AD is necessary in this regard.

Request To Require Demonstration of Non-Susceptibility in Future Designs

The NTSB states that it hopes the FAA will require future engine designs to demonstrate that they will not be susceptible to the accretion of ice crystals on internal surfaces. The NTSB points out that this request is in keeping with information provided to the NTSB by an FAA icing expert during a briefing with the Safety Board.

From these statements, we infer that the NTSB is requesting that we revise the NPRM to include a statement of our intent to require manufacturers to demonstrate that future engine designs are not susceptible to the accretion of ice crystals. We partially agree. We agree that current FAA regulations addressing engine and airplane icing do not apply to the ice crystal environment; therefore, we are working with the aviation industry to develop appropriate regulations that address operation in an ice crystal environment. As we determine the necessary requirements to address this issue, we will consider additional rulemaking. We do not agree to revise this AD to include a statement regarding future regulations that have not yet been determined. No change to the AD is necessary in this regard.

Request To Withdraw the NPRM

GE acknowledges that a small number of inclement weather or significant weather system encounters have resulted in short-duration multiple engine power loss. GE points out that these few events occurred out of 14 million flights over 20 years of total service experience on the Model CF6–80C2 series engine. GE states that a forced landing resulting from one of these in-flight ice-crystal icing events is extremely improbable (including demonstrated relight performance). Therefore, GE asserts that the proposed condition does not meet the definition of "unsafe condition," as defined by FAA Advisory Circular 39–8, "Continued Airworthiness Assessments of Powerplant and Auxiliary Power Unit Installations of Transport Category Airplanes," dated September 8, 2003.

From these statements, we infer that GE requests that we withdraw the NPRM. We do not agree. We have evaluated the unsafe condition and find that sufficient data exist to demonstrate that the environment that causes the engine flameout would likely cause engine damage that potentially would prevent an engine from relighting. The condition could exist on all of an airplane's engines, resulting in a forced landing. The advisory circular referenced by the commenter merely provides guidance. We have determined that an unsafe condition exists, and the appropriate vehicle for correcting an unsafe condition is an AD. We have not changed the AD regarding this issue.

Request To Revise Wording of the Unsafe Condition

Boeing proposes that we revise the wording of the unsafe condition from, "These certain icing conditions could cause a multiple engine flameout during

flight without the ability of the engines to be relit * * *" to "These certain icing conditions may cause a multiple engine flameout during flight, with the potential inability to restart the engines * * *." Boeing asserts that the wording in the NPRM overly conveys the likelihood of not being able to restart the engine(s) after flameout. While the possibility exists, Boeing confirms that all engines involved in all of the flameout events to date have been restarted in flight with subsequent normal landings.

We agree. We acknowledge that none of the flameout events on this engine model to date have resulted in a forced landing due to the inability to restart the engines. We agree that the inability to restart the engines following flameout is possible, not probable. Therefore, we have revised the unsafe condition statement in the Summary section and paragraph (e) of this AD (specified as paragraph (d) of the NPRM) as proposed by Boeing.

Requests To Revise Wording in the Discussion Section of the NPRM

Boeing proposes that we revise the Discussion section of the NPRM to state that there have been seven engine flameout events, not six. Boeing states that it has received seven reports of flameout events on Model MD–11 airplanes due to ice-crystal icing conditions.

We acknowledge that Boeing has received seven reports, instead of the six specified in the NPRM. However, the Discussion section of the NPRM is not restated in the final rule; therefore, no change to the AD is necessary in this regard.

GE suggests that we revise the wording of the Discussion section of the NPRM to remove the word "core," or, if that is not acceptable, to change "core flow path" to "booster and core flow path." GE points out that the term "core" can be interpreted to mean just the high-pressure spool portion of a turbofan.

We partially agree. We do not agree with GE's suggestion to remove the word "core" from the Discussion section. We do agree that the phrase "booster and core flow path" is more accurate; however, because the Discussion section of the NPRM is not restated in this AD, there is no need to revise the AD in this regard.

GE suggests that we revise the Discussion section of the NPRM to change the word "usually" to "often" in the following sentence: "Therefore, it [ice-crystal icing] is usually undetected by the flightcrew." GE states that this change would make the NPRM consistent with a similar NPRM (Directorate Identifier 2007–NM–165–AD, Docket FAA–2008–0402 (73 FR 18721, April 7, 2008)), which addresses the same unsafe condition on certain Model 747 and 767 airplanes.

From this statement, we infer that GE is requesting that we revise the Discussion section of the NPRM to clarify that ice-crystal icing is often undetected by the flightcrew, not usually undetected. We partially agree. We agree that the wording change suggested by GE would make this AD consistent with a similar NPRM that addresses the same unsafe condition on certain Model 747 and 767 airplanes. However, as previously noted, the Discussion section in the NPRM is not restated in this AD, therefore, there is no need to revise the AD in this regard.

Requests To Revise the Costs of Compliance Section of the NPRM

GE suggests that there should be an operational cost of compliance included in the proposed Costs of Compliance provided in the NPRM. GE states that, while increasing engine off-take or bleed does provide additional margin against flameout, doing so requires somewhat increased fuel burn. GE believes the proposed procedure would be required on a significant percentage of flights.

Federal Express (FedEx) believes that the total cost of the NPRM has either not been fully considered, or has not been properly communicated. FedEx asserts that the cost of using wing and tail anti-ice increases fuel burn and exposes the airplane to additional reliability risks associated with increased use of the anti-ice system, while only providing a small incremental amount of effectiveness. FedEx also states that it estimates the increased fuel consumption to be 40 pounds for a descent from flight level (FL) 400 to landing.

From these statements, we infer that GE and FedEx are requesting that we revise the Costs of Compliance section of the NPRM to provide an operational cost for increased fuel burn necessitated by use of the proposed AFM procedure. We do not agree. The cost information in AD actions describes only the direct costs of the specific action required by the AD: an AFM revision in this case. The estimated cost of this action represents the time necessary to perform only the actions actually required by this AD. We recognize that, in doing the actions required by an AD, operators might incur operational costs in addition to the direct costs. The cost analysis in AD rulemaking actions, however, typically does not include incidental or operational costs such as the time required for planning or other administrative actions, and, in this case, possible additional fuel costs. Those costs, which might vary significantly among operators, are almost impossible to calculate. Additionally, we have determined that the additional fuel burn necessitated by the AFM procedure would be insignificant. However, as we explain under "Request to Revise the Proposed AFM Text," we have revised the procedure to allow the ANTI–ICE switches to be placed in the OFF position when icing conditions are no longer present or anticipated. This allowance will further reduce any additional fuel burn caused by the use of the anti-ice system. We have not changed the Costs of Compliance section of this AD in this regard.

Request To Include Alternative AFM Requirements

FedEx recommends that we revise the NPRM to allow alternative AFM requirements based on the full authority digital engine control (FADEC) electronic control unit (ECU) installed software version. FedEx states that GE has documented six flameout events suspected to be a result of ice-crystal accretion. FedEx points out that GE Service Bulletin 73–21–07, Engine fuel and control—Electronic Control Unit Introduction of Software Version 8.3.K (8322), was introduced to improve the flameout margin in ice-crystal conditions. FedEx explains that this software change will create new engine control configurations with enhanced variable bypass valve (VBV) scheduling logic for inclement weather, and will change the scheduling of the VBVs at high altitude to increase ice extraction from the booster-core flowpath transition to the fan exit stream. FedEx believes there have been no suspected flameout events on airplanes using the combination of engine anti-ice and ECU software version 8.3.K on Model MD–11s, and indicates that it is upgrading its fleet to ECU software version 8.3.K in accordance with AD 2007–22–07, Amendment 39–15243 (72 FR 60227, October 24, 2007), applicable to GE CF6–80C2D1F turbofan engines. Therefore, FedEx proposes that airplanes with ECU software version 8.3.J or previous should follow the AFM requirement proposed in the NPRM, and airplanes with software version 8.3.K or subsequent should be allowed to follow alternative AFM requirements. FedEx provides suggested wording for an alternative AFM requirement.

We do not agree to revise this AD to allow alternative AFM requirements based on the installed software version. Based on a recent multiple engine flameout incident on a Model 747–400

airplane equipped with CF6–80C2B1F engines and ECU software equivalent to the version 8.3.K, we have determined that ECU software version 8.3.K alone will not necessarily provide an adequate margin of safety against engine flameout in all environments. We note that the nacelle anti-ice had been switched on prior to engine flameout. Increasing the bleed flow and engine idle speed by placing the ENG, WING, and TAIL ANTI-ICE switches in the ON position will provide additional margin for engine flameout. We have not revised the AD in this regard.

Request To Remove Part of the AFM Requirement

FedEx requests that additional justification be made available to support the proposed AFM requirement to use wing and tail anti-ice systems. FedEx states that both its flight operations and engineering staffs agree that increasing the flameout margin to buffer against possible core shedding of ice-crystal accretion is an important requirement, and fully support activation of the ENG IGN OVRD switch and engine anti-ice as effective means of reducing flameouts. However, FedEx feels strongly that part of the proposed AFM requirement is of limited value and might not be justifiable. FedEx asserts that selection of wing anti-ice would result in a small or incremental increase in core temperature, while increasing fuel flow and unnecessarily exposing the airplane to additional reliability risks. FedEx further notes that the NTSB, in its comments to the NPRM, made no mention of wing and tail anti-ice systems being part of the successful recommendations on Model 400A airplanes.

We do not agree to remove the requirement to use wing and tail anti-ice. As discussed previously, despite having the nacelle anti-ice switched on, a Model 747–400 airplane experienced a multiple engine flameout. Therefore, the use of nacelle anti-ice alone is not sufficient to prevent a multiple engine flameout. Increasing the bleed flow and engine idle speed by placing the ENG, WING, and TAIL ANTI-ICE switches in the ON position will provide additional margin against engine flameout. We have not revised the AD in this regard.

Request To Revise the Proposed AFM Text

Boeing proposes that we revise the proposed AFM text provided in the NPRM as follows:

> Prior to reducing thrust for descent, when icing conditions (defined by visible moisture in the air and TAT is 6 Deg C or below) are present, the ENG IGN OVRD switch and the ENG, WING, and TAIL ANTI-ICE switches must be placed in the ON position. When icing conditions are no longer present or anticipated, place the ENG IGN OVRD switch and the ENG, WING, and TAIL ANTI-ICE switches in the OFF position.

Boeing states that this AFM text provides additional procedural information, as noted in the current Interim Operating Procedures for icing conditions that exist or are anticipated prior to descent.

We agree that the AFM text changes suggested by Boeing do provide helpful procedural information. We have also determined that there is no additional benefit to having the engine, wing, and tail anti-ice switched on once icing conditions are no longer present or anticipated. Therefore, we have revised the AFM text provided in paragraph (g) of this AD (specified in paragraph (f) of the NPRM) to include the supplemental procedural information provided by Boeing, and to allow engine, wing, and tail anti-ice to be switched off once icing conditions are no longer present or anticipated.

Explanation of Additional Paragraph in This AD

We have added a new paragraph (d) to this AD to provide the Air Transport Association (ATA) of America subject code 30: Ice and rain protection. This code is added to make this AD parallel with other new AD actions. We have reidentified subsequent paragraphs accordingly.

Explanation of Additional Change Made to the AD

We have revised this AD to identify the legal name of the manufacturer as published in the most recent type certificate data sheet for the affected airplane models.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD with the changes described previously. We also determined that these changes will not increase the economic burden on any operator or increase the scope of the AD.

Interim Action

We consider this AD interim action. If final action is later identified, we might consider further rulemaking then.

Explanation of Change to Costs of Compliance

Since issuance of the original NPRM, we have increased the labor rate used in the Costs of Compliance from $80 per work-hour to $85 per work-hour. The Costs of Compliance information, below, reflects this increase in the specified hourly labor rate.

Costs of Compliance

There are about 118 airplanes of the affected design in the worldwide fleet. The following table provides the estimated costs for U.S. operators to comply with this AD.

ESTIMATED COSTS

Action	Work hours	Average labor rate per hour	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
AFM revision	1	$85	$0	$85	70	$5,950

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on

products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a "significant regulatory action" under Executive Order 12866,

(2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979), and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

You can find our regulatory evaluation and the estimated costs of compliance in the AD Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2010–16–03 McDonnell Douglas Corporation: Amendment 39–16379. Docket No. FAA–2008–0403; Directorate Identifier 2007–NM–166–AD.

Effective Date

(a) This airworthiness directive (AD) is effective September 9, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to McDonnell Douglas Corporation Model MD–11 and MD–11F airplanes, certified in any category, equipped with General Electric CF6–80C2 series engines.

Subject

(d) Air Transport Association (ATA) of America Code 30: Ice and rain protection.

Unsafe Condition

(e) This AD results from reports of several in-flight engine flameouts, including multiple dual engine flameout events, in ice-crystal icing conditions. We are issuing this AD to ensure that the flightcrew has the proper procedures to follow in certain icing conditions. These certain icing conditions could cause a multiple engine flameout during flight with the potential inability to restart the engines, and consequent forced landing of the airplane.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Airplane Flight Manual (AFM) Revision

(g) Within 14 days after the effective date of this AD, revise the Limitations Section of the McDonnell Douglas MD–11/MD–11F AFM to include the following statement. This may be done by inserting a copy of this AD into the AFM.

"Prior to reducing thrust for descent when icing conditions (defined by visible moisture in the air and TAT is 6 °C or below) are present, the ENG IGN OVRD switch and the ENG, WING, and TAIL ANTI-ICE switches must be placed in the ON position. When icing conditions are no longer present or anticipated, place the ENG IGN OVRD switch and the ENG, WING, and TAIL ANTI-ICE switches in the OFF position."

Note 1: When a statement identical to that in paragraph (g) of this AD has been included in the general revisions of the AFM, the general revisions may be inserted into the AFM, and the copy of this AD may be removed from the AFM.

Alternative Methods of Compliance (AMOCs)

(h)(1) The Manager, Los Angeles Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Samuel Lee, Aerospace Engineer, Propulsion Branch, ANM–140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5262; fax (562) 627–5210.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

Material Incorporated by Reference

(i) None.

Issued in Renton, Washington on July 16, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–19156 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2009–1215; Directorate Identifier 2009–NM–126–AD; Amendment 39–16364; AD 2010–14–19]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A330–200 and –300 Series Airplanes, and Model A340–200, –300, –500 and –600 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; correction.

SUMMARY: The FAA is correcting airworthiness directive (AD) 2010–14–19, which published in the **Federal Register** on July 13, 2010. That AD applies to certain Model A330–200 and –300 series airplanes, and Model A340–200, –300, –500 and –600 series airplanes. A certain service bulletin number in Note 3 of the regulatory section is incorrect. This document corrects that service bulletin number. In all other respects, the original document remains the same.

DATES: This correction is effective August 5, 2010. The effective date of AD 2010–14–19 remains August 17, 2010.

ADDRESSES: You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (telephone 800–647–5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Vladimir Ulyanov, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1138; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: On June 29, 2010, the FAA issued AD 2010–14–19, Amendment 39–16364 (75 FR 39814, July 13, 2010), for certain Airbus Model A330–200 and –300 series airplanes, and Model A340–200, –300, –500 and –600 series airplanes. The AD requires replacing or modifying the Halon dual-filter assemblies of the flow metering fire extinguishing system in the forward and bulk cargo compartments, as applicable.

As published, Note 3 of the AD specifies in error Airbus Service Bulletin A340–26–4038. The correct service bulletin is Airbus Service Bulletin A340–26–4030.

No other part of the regulatory information has been changed; therefore, the final rule is not republished in the **Federal Register**.

The effective date of this AD remains August 17, 2010.

§ 39.13 [Corrected]

■ In the **Federal Register** of July 13, 2010, on page 39817, in the second and third columns, Note 3 of AD 2010–14–19 is corrected to read as follows:

* * * * *

Note 3: The Halon dual-filter assembly P/N QA06753 is embodied in production through Airbus modification 40041. The Halon dual-filter assembly P/N QA06753–01 is only embodied in service through Airbus Service Bulletin A330–26–3030 or Airbus Service Bulletin A340–26–4030. The Halon dual-filter assembly P/N QA06753–02 is embodied in production through modification 47197 or 47883 or 50108 (BCRC) and 51065 or 51329 (LDCC) or in service through Airbus Service Bulletin A330–26–3030 or Airbus Service Bulletin A340–26–4030.

* * * * *

Issued in Renton, Washington, on July 27, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–19151 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0045; Directorate Identifier 2009–NM–085–AD; Amendment 39–16382; AD 2010–16–05]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, 747SR, and 747SP Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Model 747 airplanes. This AD requires inspecting to verify the part number of the low-pressure flex-hoses of the crew oxygen system installed under the oxygen mask stowage boxes in the flight deck, and replacing the flex-hose with a new non-conductive low-pressure flex-hose if necessary. This AD results from reports of low-pressure flex-hoses of the crew oxygen system that burned through due to inadvertent electrical current from a short circuit in the audio select panel. We are issuing this AD to prevent inadvertent electrical current, which can cause the low-pressure flex-hoses of the crew oxygen system to melt or burn, causing oxygen system leakage and smoke or fire.

DATES: This AD is effective September 9, 2010.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of September 9, 2010.

ADDRESSES: For service information identified in this AD, contact Boeing Commercial Airplanes, *Attention:* Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; e-mail *me.boecom@boeing.com;* Internet *https://www.myboeingfleet.com.*

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The address for the Docket Office (telephone 800–647–5527) is the Document Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Susan L. Monroe, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6457; fax (425) 917–6590.

SUPPLEMENTARY INFORMATION:

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an airworthiness directive (AD) that would apply to certain Model 747 airplanes. That NPRM was published in the **Federal Register** on January 22, 2010 (75 FR 3658). That NPRM proposed to require inspecting to verify the part number of the low-pressure flex-hoses of the crew oxygen system installed under the oxygen mask stowage boxes in the flight deck, and replacing the flex-hose with a new non-conductive low-pressure flex-hose if necessary.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Support for the NPRM

Boeing concurs with the contents of the NPRM, and the Air Line Pilots Association, International (ALPA) supports the intent of the NPRM.

Request To Shorten Compliance Time

ALPA requests that the 36-month compliance time specified in the NPRM be shortened given the potential consequence of an oxygen-fed fire in the vicinity of the flightcrew station.

We do not agree. In developing an appropriate compliance time, we considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of replacement of the fasteners. Further, we arrived at the compliance time with manufacturer concurrence. In consideration of all of these factors, we determined that the compliance time, as proposed, represents an appropriate interval in which the inspections can be done in a timely manner within the fleet, while still maintaining an adequate level of safety. Operators are always permitted to accomplish the requirements of an AD at a time earlier than the specified compliance time; therefore, an operator may choose to do

the inspection before 36 months in order to accomplish the requirements of this AD. If additional data are presented that would justify a shorter compliance time, we may consider further rulemaking on this issue. We have not changed the AD in this regard.

Conclusion

We reviewed the relevant data, considered the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

Explanation of Change to Costs of Compliance

Since issuance of the NPRM, we have increased the labor rate used in the Costs of Compliance from $80 per work-hour to $85 per work-hour. The Costs of Compliance information, below, reflects this increase in the specified hourly labor rate.

Costs of Compliance

We estimate that this AD will affect 211 airplanes of U.S. registry. We also estimate that it will take 1 work-hour per product to comply with this AD. The average labor rate is $85 per work-hour. Based on these figures, we estimate the cost of this proposed AD to the U.S. operators to be $17,935, or $85 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a "significant regulatory action" under Executive Order 12866,

(2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979), and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

You can find our regulatory evaluation and the estimated costs of compliance in the AD Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2010–16–05 The Boeing Company: Amendment 39–16382. Docket No. FAA–2010–0045; Directorate Identifier 2009–NM–085–AD.

Effective Date

(a) This airworthiness directive (AD) is effective September 9, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to The Boeing Company Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747–400, 747–400D, 747–400F, 747SR, and 747SP series airplanes, certificated in any category; line numbers 1 through 1229 inclusive.

Subject

(d) Air Transport Association (ATA) of America Code 35: Oxygen.

Unsafe Condition

(e) This AD results from reports of low-pressure flex-hoses of the crew oxygen system that burned through due to inadvertent electrical current from a short circuit in the audio select panel. The Federal Aviation Administration is issuing this AD to prevent inadvertent electrical current, which can cause the low-pressure flex-hoses of the crew oxygen system to melt or burn, resulting in oxygen system leakage and smoke or fire.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Inspection

(g) Within 36 months after the effective date of this AD, do an inspection to determine whether any low-pressure flex-hose of the crew oxygen system installed under the oxygen mask stowage box in the flight deck has a part number identified in Table 1 of this AD. A review of airplane maintenance records is acceptable in lieu of this inspection if the part number of the low-pressure flex-hoses of the crew oxygen system can be conclusively determined from that review.

(1) For any hose having a part number identified in Table 1 of this AD, before further flight, replace the hose with a new or serviceable part, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 747–35A2101, Revision 1, dated May 15, 2003.

(2) For any hose not having a part number identified in Table 1 of this AD, no further action is required by this paragraph.

TABLE 1—APPLICABLE PART NUMBERS

Boeing specification part No.	Equivalent hydraflow part No.
60B50059–19	38001–19
60B50059–20	38001–20
60B50059–60	38001–60
60B50059–62	38001–62
60B50059–69	38001–69
60B50059–70	38001–70
60B50059–81	38001–81
60B50059–94	38001–94
60B50059–95	38001–95
60B50059–101	38001–101
60B50059–129	38001–129

Parts Installation

(h) As of the effective date of this AD, no person may install on any airplane a crew oxygen hose with a part number identified in Table 1 of this AD.

Alternative Methods of Compliance (AMOCs)

(i)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to *Attn:* Susan L. Monroe, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM–150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 917–6457; fax (425) 917–6590. Or, e-mail information to *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR

39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD. Material Incorporated by Reference.

Material Incorporated by Reference

(j) You must use Boeing Service Bulletin 747–35A2101, Revision 1, dated May 15, 2003 to do the actions required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P. O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; e-mail *me.boecom@boeing.com;* Internet *https://www.myboeingfleet.com.*

(3) You may review copies of the service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

(4) You may also review copies of the service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.*

Issued in Renton, Washington, on July 16, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–18619 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

AGENCY: Department of the Navy, DoD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law) has determined that USS RUSSELL (DDG 59) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

DATES: This rule is effective August 5, 2010 and is applicable beginning July 23, 2010.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Ted Cook, JAGC, U.S. Navy, Admiralty Attorney, (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE., Suite 3000, Washington Navy Yard, DC 20374–5066, *telephone number:* 202–685–5040.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR part 706.

This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that USS RUSSELL (DDG 59) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Annex I, paragraph 3(a), pertaining to the horizontal distance between the forward and after masthead lights; and, Rule 21(a) pertaining to the forward masthead light arc of visibility. The Deputy Assistant Judge Advocate General (Admiralty and Maritime Law) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

■ For the reasons set forth in the preamble, amend part 706 of title 32 of the Code of Federal Regulations as follows:

PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

■ 1. The authority citation for part 706 continues to read as follows:

Authority: 33 U.S.C. 1605.

■ 2. Section 706.2 is amended in Table Four, Paragraph 16 by revising, in alpha numerical order, by vessel number, an entry for USS RUSSELL (DDG 59):

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

* * * * *

TABLE FOUR—PARAGRAPH 16

Vessel	Number	Obstruction angle relative ship's headings
*	*	*
USS RUSSELL	DDG 59	103.66 thru 112.50.°
*	*	*

* * * * *

Approved: July 23, 2010.

M. Robb Hyde,

Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty and Maritime Law).

Dated: July 28, 2010.

D.J. Werner,

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

[FR Doc. 2010–19206 Filed 8–4–10; 8:45 am]

BILLING CODE 3810–FF–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 3 and 165

[Docket No. USCG–2010–0351]

RIN 1625–ZA25

Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Sector Puget Sound, WA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: This rule makes non-substantive changes throughout our regulations. The purpose of this rule is to make conforming amendments and technical corrections to reflect the renaming of Sector Seattle to Sector Puget Sound as part of the Coast Guard reorganization.

DATES: This final rule is effective August 5, 2010.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–2010–0351 and are available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet by going to *http://www.regulations.gov,* inserting USCG–2010–0351 in the "Keyword" box, and then clicking "Search."

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or e-mail Lt. Matthew Jones, Coast Guard; telephone 206–220–7110, e-mail *Matthew.m.jones@uscg.mil.* If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this rule. Under 5 U.S.C. 553(b)(3)(A), the Coast Guard finds this rule is exempt from notice and comment rulemaking requirements because these changes involve rules of agency organization, procedure, or practice. In addition, the Coast Guard finds notice and comment procedure are unnecessary under 5 U.S.C. 553(b)(3)(B) as this rule consists only of corrections and editorial, organizational, and conforming amendments and these changes will have no substantive effect on the public.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that, for the same reasons, good cause exists for making this rule effective upon publication in the **Federal Register.**

Basis and Purpose

This rule makes technical and editorial corrections to Title 33 parts 3 and 165 in the Code of Federal Regulations. This rule does not create any substantive requirements.

Discussion of Rule

This rule revises 33 CFR parts 3 and 165 to reflect changes in Coast Guard internal organizational structure. Sector Seattle has been disestablished and Sector Puget Sound has been established in its place. This rule revises 33 CFR Parts 3 and 165 to reflect the Sector name change in current regulations. This rule is a technical revision reflecting changes in agency procedure and organization, and does not indicate new authorities.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. Because this rule involves non-substantive changes and internal agency practices and procedures, it will not impose any additional costs on the public.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

We estimate this rule will not impose any additional costs and should have little or no impact on small entities because the provisions of this rule are technical and non-substantive, and will have no substantive effect on the public and will impose no additional costs. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or Tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have Tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded under section 2.B.2, figure 2–1, paragraph (34) (a) of the Instruction. This rule involves regulations which are editorial and/or procedural, such as those updating addresses or establishing application procedures. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

List of Subjects

33 CFR Part 3

Organization and functions (government agencies).

33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and record keeping requirements, Security measures, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR parts 3 and 165 as follows:

PART 3—COAST GUARD AREAS, DISTRICTS, SECTORS, MARINE INSPECTION ZONES, AND CAPTAIN OF THE PORT ZONES

■ 1. The authority citation for part 3 continues to read as follows:

Authority: 14 U.S.C. 92, Pub. L. 107–296, 116 Stat. 2135; Department of Homeland Security Delegation No. 0170.1, para. 2(23).

■ 2. In § 3.65–10, revise the introductory text to read as follows:

§ 3.65–10 Sector Puget Sound Marine Inspection Zone and Captain of the Port Zone.

Sector Puget Sound's office is located in Seattle, WA. The boundaries of Sector Puget Sound's Marine Inspection and Captain of the Port Zones.

* * * * *

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 3. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

§ 165.1327 [Amended]

■ 4. In § 165.1327(a), remove the phrase "Sector Seattle" and add, in its place, the phrase "Sector Puget Sound".

Dated: July 30, 2010.

Steve Venckus,

Chief, Office of Regulations and Administrative Law, United States Coast Guard.

[FR Doc. 2010–19326 Filed 8–3–10; 4:15 pm]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2010–0713]

RIN 1625–AA08

Special Local Regulation for Marine Events; Elizabeth River, Portsmouth, VA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a special local regulation during the USCG City of Portsmouth Celebration Rowing Regatta on the Elizabeth River. The event consists of a series of crew rowing races to be held on the waters of the Elizabeth River, near Portsmouth, Virginia. This special local regulation will restrict vessel traffic and is necessary to provide for the safety of life on navigable waters during the event.

DATES: This rule is effective from 5 p.m. to 7 p.m. on August 6, 2010.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket USCG–2010–0713 and are available online by going to *http://www.regulations.gov,* inserting USCG–2010–0713 in the "Keyword" box, and then clicking "Search." This material is also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590,

between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or e-mail LT Michael DiPace, Chief Waterways Management Division, Sector Hampton Roads, Coast Guard; telephone (757) 668–5580, e-mail *Michael.S.DiPace@uscg.mil.* If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because immediate action is needed to ensure the safety of the event participants, spectator craft, and other vessels transiting the event area. For the same reasons, the Coast Guard also finds, under 5 U.S.C. 553(d)(3), that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

Basis and Purpose

The City of Portsmouth Ports Events will sponsor a series of crew rowing races titled the "USCG City of Portsmouth Celebration Rowing Regatta." The crew rowing races will be held on August 6, 2010. The races will be held on the Elizabeth River adjacent to the Portsmouth seawall from High Street Landing to Livingston Street, located on Norfolk Naval Shipyard in Portsmouth, Virginia. The crew rowing races will consist of approximately 20 outrigger canoes conducting slow speed straight line runs along the river and parallel to the shoreline. To provide for the safety of participants, spectators and other transiting vessels, the Coast Guard will temporarily restrict vessel traffic in the event area during the rowing races.

Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of the Elizabeth River adjacent to the Portsmouth seawall in Portsmouth, Virginia. The regulated area includes a section of the Elizabeth River approximately one half mile long and bounded in width from shoreline to shoreline, bounded to the north by the waters adjacent to High Street Landing located at latitude 36°50′07″ N, longitude 076°17′46″ W (NAD 1983), and bounded to the south by the waters adjacent to Livingston Street on Norfolk Naval Shipyard in Portsmouth, Virginia located at latitude 36°49′30″ N, longitude 076°17′34″ W (NAD 1983). The temporary special local regulations will be enforced from 5 p.m. to 7 p.m. on August 6, 2010, and will restrict general navigation in the regulated area during the crew races. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area during the enforcement period.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. Although this regulation will prevent traffic from transiting a portion of the Elizabeth River during the events, the effect of this regulation will not be significant due to its limited duration and the advance notification that will be made to the maritime community via marine information broadcast so mariners can adjust their plans accordingly. Additionally, the regulated area has been designed to impose the least impact on general navigation yet provide the necessary level of safety. Vessel traffic will be able to transit the regulated area between races and when the Coast Guard Patrol Commander deems it is safe to do so.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which may be small entities: Owners or operators of vessels intending to transit this section of the Elizabeth River from 5 p.m. to 7 p.m. on August 6, 2010. This rule would not have a significant economic impact on a substantial number of small entities for the following reasons: Although the regulated area will apply to a half mile segment of the Elizabeth River, traffic may be allowed to pass through the regulated area with the permission of the Coast Guard Patrol Commander between races. Additionally, the Coast Guard will issue maritime advisories prior to the enforcement period so mariners can adjust their plans accordingly.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have

determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2–1, paragraph (34)(h), of the Instruction. This rule involves implementation of regulations within 33 CFR part 100 that apply to organized marine events on the navigable waters of the United States that may have potential for negative impact on the safety or other interest of waterway users and shore side activities in the event area. The category of water activities includes but is not limited to sail boat regattas, boat parades, power boat racing, swimming events, crew racing, and sail board racing. An environmental analysis checklist and a categorical exclusion determination will be available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233.

■ 2. Add temporary § 100.35–T05–0713 to read as follows:

§ 100.35–T05–0713 Elizabeth River, Portsmouth, Virginia.

(a) *Regulated area.* The following is a regulated area: All waters of the Elizabeth River from bottom to surface and from shoreline to shoreline, bounded to the north by the waters adjacent to High Street Landing located at latitude 36°50′07″ N, longitude 076°17′46″ W, and bounded to the south by the waters adjacent to Livingston Street on Norfolk Naval Shipyard in Portsmouth, Virginia located at latitude 36°49′30″ N, longitude 076°17′34″ W (NAD 1983).

(b) *Definitions.* (1) *Coast Guard Patrol Commander* means a commissioned, warrant or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Sector Hampton Roads.

(2) *Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Sector Hampton Roads with a commissioned, warrant or petty officer on board and displaying a Coast Guard ensign.

(c) *Special local regulations.* (1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area must:

(i) Stop the vessel immediately when directed to do so by an Official Patrol.

(ii) Proceed as directed by any official patrol.

(d) *Enforcement period.* This regulation will be enforced from 5 p.m. to 7 p.m. on August 6, 2010.

Dated: July 23, 2010.

M.S. Ogle,

Captain, U.S. Coast Guard, Captain of the Port Hampton Roads.

[FR Doc. 2010–19322 Filed 8–4–10; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2010–0675]

RIN 1625–AA08

Special Local Regulation; Marine Events Within the Captain of the Port Sector Boston Zone

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations within the Captain of the Port Sector Boston Zone for several swim events and power boat races. These special local regulations are necessary to provide for the safety of life on navigable waters during these events. Entry into, transit through, mooring or anchoring within these zones is prohibited unless authorized by the Captain of the Port Sector Boston.

DATES: This rule is effective in the Code of Federal Regulations on August 5, 2010 through 11:59 p.m. on August 29, 2010. This rule is effective with actual notice for purposes of enforcement from 7 a.m. on July 25, 2010 through 11:59 p.m. on August 29, 2010.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG–2010–0675 and are available online by going to *http://www.regulations.gov,* inserting USCG–2010–0675 in the "Keyword" box, and then clicking "Search." They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary rule, call or e-mail MST1 David Labadie, Waterways Management Division at Coast Guard Sector Boston; telephone (617) 223–5768, e-mail *David.J.Labadie@uscg.mil.* If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Regulatory Information

The Coast Guard is issuing this temporary final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are "impracticable, unnecessary, or contrary to the public interest."

Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the Coast Guard did not receive notification of the specific location or planned dates for the events in sufficient time to issue a NPRM without delaying this rulemaking. Delaying the effective date by first publishing a NPRM and holding a comment period would be contrary to the rule's objectives of ensuring safety of life on the navigable waters during these scheduled events as immediate action is needed to protect persons and vessels from the hazards associated with participation in these marine events. For the same reasons, the Coast Guard also finds, under 5 U.S.C. 553(d)(3), that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

Basis and Purpose

This temporary rule is necessary to ensure the safety of vessels and spectators from hazards associated with marine events. The Captain of the Port Boston has determined that events in close proximity to watercraft and waterfront structures pose a significant risk to public safety and property. The likely combination of a large number of participants in close proximity to recreational vessels and spectators poses significant risks of serious injuries or fatalities. Establishing special local regulations around the location of these events will help ensure the safety of persons and property and help minimize the associated risks.

The Coast Guard has ordered safety zones or special local regulations for these events in previous years and has not received public comments or concerns regarding impact to waterway traffic from these annual events.

Discussion of Rule

This rule establishes temporary special local regulations on:

(1) The Charles River between the Longfellow Bridge and the Harvard Bridge from 8 a.m. through 9 a.m. on July 25, 2010;

(2) The Merrimack River near Newburyport, MA within a 400 yard radius of 42°80.4′ N, 070°85.4′ W from 3 p.m. through 5 p.m. on July 31, 2010;

(3) Western Harbor near Gloucester, MA starting at the beach at position 42°36′34″ N, 070°40′02″ W, thence to 42°36′29″ N, 070°40′04″ W, thence to 42°36′28″ N, 070°40′00″ W, thence to the beach at position 42°36′33″ N, 070°39′58″ W from 10 a.m. through 11 a.m. on August 8, 2010;

(4) Gloucester Harbor near Gloucester, MA within a 400 yard radius of approximate position 41°35′35″ N, 070°39′45″ W from 9 a.m. through 12 p.m. on August 21, 2010; and,

(5) The Merrimack River between the Interstate 495 Highway Bridge and the Haverhill-Groveland SR97/113 Bridge from 12 p.m. on August 28 through 5 p.m. on August 29, 2010.

This rule is necessary to ensure the safety of participants, spectators and vessels during annual swim and high speed races that may pose a hazard to the public in the Captain of the Port Boston area of responsibility. The regulated areas will be enforced immediately before, during, and after the events.

The Captain of the Port will inform the public about the details of each swim and high speed race covered by these special local regulations using a variety of means, including, but not limited to, Broadcast Notices to Mariners and Local Notices to Mariners.

All persons and vessels must comply with the instructions of the Captain of the Port Boston or designated on scene patrol personnel. Entry into, transiting through, mooring or anchoring within any of the regulated areas is prohibited unless authorized by the Captain of the Port Boston or his designated on scene representative. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

The Coast Guard determined that this rule is not a significant regulatory action for the following reasons: The regulated areas will be of limited duration, they

cover only a small portion of the navigable waterways, and the events are designed to avoid, to the extent possible, deep draft, fishing, and recreational boating traffic routes. In addition, vessels requiring entry into a regulated area may be authorized to do so by the Captain of the Port.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule will affect the following entities, some of which might be small entities: The owners and operators of vessels intending to enter into, transit through, moor or anchor within any of the regulated areas during the enforcement periods.

These special local regulations will not have a significant economic impact on a substantial number of small entities because the regulated areas will be of limited duration, they cover only a small portion of the navigable waterways, and the events are designed to avoid, to the extent possible, deep draft, fishing, and recreational boating traffic routes. In addition, vessels requiring entry into a regulated area may be authorized to do so by the Captain of the Port.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2–1, paragraph (34)(h) of the Instruction. An environmental analysis checklist and categorical exclusion determination are

available in the federal docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233.

■ 2. Add § 100.35–T01–0675 to read as follows:

§ 100.35–T01–0675 Special Local Regulations; Summer Marine Events, Coastal Massachusetts.

(a) *General.* Special local regulations are established for the following marine events:

(1) Charles River One Mile Swim, Charles River, Boston, MA.

(i) *Location.* All waters of the Charles River, from surface to bottom, between the Longfellow Bridge and the Harvard Bridge.

(ii) *Enforcement Date.* This regulation will be enforced from 8 a.m. through 9 a.m. on July 25, 2010.

(2) Joppa Flats Open Water Mile, Merrimack River, Newburyport, MA

(i) *Location.* All waters of the Merrimack River, from surface to bottom, within a 400 yard radius of position 42°80.4′ N; 070°85.4′ W.

(ii) *Enforcement Date.* This regulation will be enforced from 3 p.m. through 5 p.m. July 31, 2010.

(3) Gloucester Fisherman Triathlon, Western Harbor, Gloucester, MA.

(i) *Location.* All waters of Western Harbor, from surface to bottom, starting at the beach at position 42°36′34″ N 070°40′02″ W, thence to 42°36′29″ N 070°40′04″ W, thence to 42°36′28″ N 070°40′00″ W, thence to the beach at position 42°36′33″ N 070°39′58″ W.

(ii) *Enforcement Date.* This regulation will be enforced from 10 a.m. through 11 a.m. on August 8, 2010.

(4) 32nd Annual Celebrate the Clean Harbor Swim, Gloucester Harbor, Gloucester, MA.

(i) *Location.* All waters of Gloucester Harbor, from surface to bottom, within a 400 yard radius of approximate position 41°35′35″ N 070°39′45″ W.

(ii) *Enforcement Date.* This regulation will be enforced from 9 a.m. through 12 p.m. on August 21, 2010.

(5) Haverhill River Run, Merrimack River, Haverhill, MA.

(i) *Location.* All waters of the Merrimack River, from surface to bottom, between the Interstate 495 Highway Bridge and the Haverhill-Groveland SR97/113 Bridge.

(ii) *Enforcement Date.* This regulation will be effective from 12 p.m. on August 28, 2010 to 5 p.m. on August 29, 2010. This regulation will be enforced daily from 12 p.m. to 5 p.m. on both August 28th and 29th, 2010.

(b) *Regulations.*

(1) In accordance with the general regulations in Section 100.35 of this part, entry into, and transiting or anchoring within any of these special local regulation areas is prohibited unless authorized by the Captain of the Port Boston or his designated on-scene representative.

(2) These special local regulation areas are closed to all vessel traffic, except as may be permitted by the Captain of the Port Boston or his designated on-scene representative.

(3) The "on-scene representative" of the Captain of the Port Boston is any Coast Guard commissioned, warrant, or petty officer who has been designated by the Captain of the Port Boston to act on his behalf. The on-scene representative of the Captain of the Port Boston will be aboard either a Coast Guard or Coast Guard Auxiliary vessel. The Captain of the Port or his designated on scene representative may be contacted via VHF Channel 16.

(4) Vessel operators desiring to enter or operate within any of the special local regulation areas must contact the Captain of the Port Boston or his on-scene representative to obtain permission to do so. Vessel operators given permission to enter or operate in the special local regulation areas must comply with all directions given to them by the Captain of the Port or his on-scene representative.

Dated: July 23, 2010.

John N. Healey,

Captain, U.S. Coast Guard, Captain of the Port Boston.

[FR Doc. 2010–19291 Filed 8–4–10; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2010–0702]

Drawbridge Operation Regulations; Newark Bay, NJ, Maintenance

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Lehigh Valley Railroad Bridge across Newark Bay, mile 4.3, at Newark, New Jersey. This deviation allows the bridge to remain in the closed position on three Mondays to facilitate scheduled maintenance.

DATES: This rule is effective in the CFR from August 5, 2010 through through 2 p.m. on August 16, 2010, and with actual notice for purposes of enforcement from 9 a.m. on August 2, 2010, with actual notice through 2 p.m. on August 16, 2010.

ADDRESSES: Documents mentioned in this preamble as being available in the docket are part of docket USCG–2010–0702 and are available online at *http://www.regulations.gov,* inserting USCG–2010–0702 in the "Keyword" and then clicking "Search". They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or e-mail Mr. Joe Arca, Project Officer, First Coast Guard District, telephone (212) 668–7165. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The Lehigh Valley Railroad Bridge, across Newark Bay at mile 4.3, Newark, New Jersey, has a vertical clearance in the closed position of 35 feet at mean high water and 39 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.5.

The owner of the bridge, Conrail, requested a temporary deviation from the regulations to facilitate scheduled bridge maintenance, lift cable replacement.

Under this temporary deviation the Lehigh Valley Bridge may remain in the closed position on three Mondays, August 2, 9, and 16, 2010, between 9 a.m. and 2 p.m. to facilitate lift cable replacement.

Waterway users were advised of the requested bridge closures and offered no objection.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: July 26, 2010.

Gary Kassof,

Bridge Program Manager, First Coast Guard District.

[FR Doc. 2010–19290 Filed 8–4–10; 8:45 am]

BILLING CODE 9110–04–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 52 and 81

[EPA–R04–OAR–2010–0134–201027; FRL–9184–9]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky; Redesignation of the Kentucky Portion of the Cincinnati-Hamilton 1997 8-Hour Ozone Nonattainment Area to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is taking final action to approve a request submitted on January 29, 2010, from the Commonwealth of Kentucky, through the Kentucky Energy and Environment Cabinet, Division for Air Quality (DAQ), to redesignate the Kentucky portion of the tri-state Cincinnati-Hamilton 8-hour ozone nonattainment area (hereafter referred to as "the Cincinnati-Hamilton Area") to attainment for the 1997 8-hour ozone national ambient air quality standards (NAAQS). The Cincinnati-Hamilton Area is comprised of Boone, Campbell and Kenton Counties in Kentucky (hereafter also referred to as "Northern Kentucky"); Butler, Clermont, Clinton, Hamilton and Warren Counties in Ohio; and a portion of Dearborn County in Indiana. EPA's approval of the redesignation request is based on the determination that Northern Kentucky has met the criteria for redesignation to attainment set forth in the Clean Air Act (CAA), including the determination that the Cincinnati-Hamilton Area has attained the 1997 8-hour ozone NAAQS. Additionally, EPA is approving a revision to the Kentucky State Implementation Plan (SIP) including the 1997 8-hour ozone maintenance plan for Northern Kentucky that contains the new 2015 and 2020 motor vehicle emission budgets (MVEBs) for nitrogen oxides (NO_X) and volatile organic compounds (VOC) for Northern Kentucky. This action also approves the emissions inventory submitted with the maintenance plan. EPA has previously approved, in a separate rulemaking, similar redesignation requests submitted by the States of Ohio and Indiana for their portions of this 1997 8-hour ozone area.

DATES: *Effective Date:* This rule will be effective August 5, 2010.

ADDRESSES: EPA has established a docket for this action under Docket Identification No. EPA–R04–OAR–2010–0134. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.,* Confidential Business Information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *http://www.regulations.gov* or in hard copy at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jane Spann, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. Jane Spann may be reached by phone at (404) 562–9029 or via electronic mail at *spann.jane@epa.gov*.

SUPPLEMENTARY INFORMATION:

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I. What Is the Background for the Actions?

On January 29, 2010, the Commonwealth of Kentucky, through DAQ, submitted a request to redesignate Northern Kentucky (as a portion of the Cincinnati-Hamilton Area) to attainment for the 1997 8-hour ozone NAAQS, and for EPA approval of the Kentucky SIP revision containing a maintenance plan for Northern Kentucky. In an action published on May 12, 2010 (75 FR 26685), EPA proposed to approve the redesignation of Northern Kentucky to attainment. EPA also proposed approval as a SIP revision of Kentucky's plan for maintaining the 1997 8-hour NAAQS, including the emissions inventory submitted pursuant to CAA section 172(c)(3); and the NO_X and VOC MVEBs for Northern Kentucky contained in the maintenance plan. The background for these rulemakings is set forth in detail in EPA's May 12, 2010 proposal.

The MVEBs included in the maintenance plan are as follows:

TABLE 1—NORTHERN KENTUCKY VOC AND NO_X MVEBS

[Summer season tons per day (tpd)]

Year	2015	2020
NO_X	14.40	13.27
VOC	9.76	10.07

In its May 12, 2010, proposed action, EPA stated that the adequacy public comment period on these MVEBs (as contained in Kentucky's submittal) began on February 3, 2010, and closed on March 5, 2010. No comments were received during this public comment period, and therefore, EPA deems the new MVEBs for Northern Kentucky adequate for the purposes of transportation conformity. In a separate action, EPA previously found adequate and approved the MVEB's for the Ohio and Indiana portions of the Cincinnati-Hamilton Area (75 FR 26118, May 11, 2010).

As we stated in the May 12, 2010, proposal, this redesignation addresses Northern Kentucky's status solely with respect to the 1997 8-hour ozone NAAQS, for which designations were finalized on April 30, 2004 (69 FR 23857). In 2008, EPA issued a revised 8-hour ozone NAAQS, which is currently under reconsideration. Today's rulemaking concerns only the 1997 8-hour ozone NAAQS, and does not address or affect the 2008 or any subsequently revised and promulgated ozone NAAQS.

In this final rulemaking, EPA is noting a correction for the site identification numbers listed in EPA's May 12, 2010 (75 FR 26685), proposed approval. Specifically, the air quality monitor site identification number (ID) listed in Table 2 (Annual 4th Max High and Design Value Concentration for 8-Hour Ozone for the Cincinnati-Hamilton OH-KY-IN Area (parts per million)) of EPA's May 12, 2010 proposed rulemaking, column 3 labeled "Monitor" were incorrect for the Boone and Campbell County, Kentucky entries. The site monitor IDs should read: Boone

County—KY 338 & Lower River Road *21–015–0003* and Campbell County—Highland Heights *21–037–3002.* Please see below for the corrected table.

TABLE 2—ANNUAL 4TH MAX HIGH AND DESIGN VALUE CONCENTRATION FOR 8-HOUR OZONE FOR THE CINCINNATI-HAMILTON OH-KY-IN AREA

[Parts per million]

State*/county	Monitor	2007 4th high (ppm)	2008 4th high (ppm)	2009 4th high (ppm)	2007–2009 average (ppm)
Ohio:					
Butler	Hamilton, 39–017–0004	0.091	0.071	0.073	0.078
	Middletown, 39–017–1004	0.091	0.079	0.076	0.082
Clermont	Batavia 39–025–0022	0.086	0.071	0.069	0.075
Clinton	Wilmington, 39–027–1022	0.082	0.076	0.070	0.076
Hamilton	Grooms Rd., Cincinnati, 39–061–0006	0.089	0.086	0.072	0.082
	Cleves, 39–061–0010	0.086	0.077	0.065	0.076
	250 Wm. Howard Taft, Cincinnati, 39–061–0040	0.086	0.080	0.074	0.080
Warren	Lebanon, 39–165–0007	0.088	0.082	0.077	0.082
Kentucky:					
Boone	KY 338 & Lower River Road, *21–015–0003*	0.078	0.064	0.064	0.068
Campbell	Highland Heights, *21–037–3002*	0.086	0.075	0.068	0.076
Kenton	Covington, 21–117–0007	0.085	0.073	0.074	0.077

II. What Actions Is EPA Taking?

In today's rulemaking, EPA is finalizing several related actions. EPA is approving: (1) Kentucky's redesignation request to change the legal designation of the Northern Kentucky portion of the Cincinnati-Hamilton Area from nonattainment to attainment for the 1997 8-hour ozone NAAQS; (2) Kentucky's 1997 8-hour ozone maintenance plan for Northern Kentucky, including MVEB's (such approval being one of the CAA criteria for redesignation to attainment status); and (3) Kentucky's emissions inventory which was submitted pursuant to CAA section 172(c)(3). The maintenance plan is designed to help keep the Cincinnati-Hamilton Area in attainment for the 1997 8-hour ozone NAAQS through 2020. EPA's approval of the redesignation request is based on EPA's determination that Northern Kentucky meets the criteria for redesignation set forth in CAA, sections 107(d)(3)(E) and 175A, including EPA's determination that the Cincinnati-Hamilton Area has attained the 1997 8-hour ozone NAAQS. EPA's analyses of Kentucky's redesignation request, emissions inventory, and maintenance plan are described in detail in the May 12, 2010 proposed rule (75 FR 26685).

Consistent with the CAA, the maintenance plan that EPA is approving also includes 2015 and 2020 MVEBs for NO_X and VOC for Northern Kentucky. In this action, EPA is approving these NO_X and VOC MVEBs for the purposes of transportation conformity. For regional emission analysis years that involve the year 2015, and any year between 2015 and 2020, the new 2015 MVEBs are the applicable budgets (for the purpose of conducting transportation conformity analyses). For regional emission analysis years that involve the year 2020 and beyond, the applicable budgets, for the purpose of conducting transportation conformity analyses, are the new 2020 MVEBs.

III. Why Is EPA Taking These Actions?

EPA has determined that the Cincinnati-Hamilton Area has attained the 1997 8-hour ozone NAAQS and has also determined that all other criteria for the redesignation of Northern Kentucky (as part of the Cincinnati-Hamilton Area) from nonattainment to attainment of the 1997 8-hour ozone NAAQS have been met. See section 107(d)(3)(E) of the CAA. EPA is also taking final action to approve the maintenance plan for Northern Kentucky as meeting the requirements of sections 175A and 107(d)(3)(E) of the CAA, and the emissions inventory as meeting the requirements of section 172(c)(3) of the CAA. Furthermore, EPA is approving the new NO_X and VOC MVEBs for the years 2015 and 2020 as contained in Kentucky's maintenance plan for Northern Kentucky because these MVEBs are consistent with maintenance for the Cincinnati-Hamilton Area. In the May 12, 2010, proposal to redesignate Northern Kentucky, EPA described the applicable criteria for redesignation to attainment and its analysis of how those criteria have been met. The bases and rationale for EPA's findings and actions are set forth in the proposed rulemaking, and in the responses to comments and other discussion in this final rulemaking.

IV. What Are the Effects of These Actions?

Approval of the redesignation request changes the legal designation of Boone, Campbell and Kenton Counties in Kentucky (the Kentucky portion of the Cincinnati-Hamilton Area) from nonattainment to attainment for the 1997 8-hour ozone NAAQS. 40 CFR part 81. EPA is also approving as a revision to the Kentucky SIP, Kentucky's plan for maintaining the 1997 8-hour ozone NAAQS in the Cincinnati-Hamilton Area through 2020. The maintenance plan includes contingency measures to remedy possible future violations of the 1997 8-hour ozone NAAQS, and establishes NO_X and VOC MVEBs for the years 2015 and 2020 for Northern Kentucky. Additionally, this action approves the emissions inventory for Northern Kentucky pursuant to section 172(c)(3) of the CAA.[1]

V. Response to Comments

EPA received one set of comments from the Allegheny County Health Department on EPA's proposal. The comment received addresses minor arithmetic errors in tabulating totals in some maintenance plan emissions inventories. EPA's response to the comment is provided below.

Comment: The Commenter, the Allegheny County Health Department states: "In Table 3 of the proposed approval **Federal Register** the nonroad total for 2018 VOC should be 7.43 tons

[1] On May 11, 2010, EPA took final action to approve Ohio's and Indiana's redesignation requests for their respective portions of the Cincinnati-Hamilton Area, including approval of the associated emissions inventories, maintenance plans and MVEB's (75 FR 26118).

per day (tpd) not 7.68 tpd and the 2018 VOC total for all sources should be 40.10 tpd when the nonroad total is corrected."

Response: EPA acknowledges the Commentor's correction for the total nonroad VOC and also notes that there were additional typographical errors in the proposed rule with regard to some of the totaled emission categories. See Table 3 and 4 below for the corrected VOC and NO_X emissions totals. The corrected numbers are underlined. None of these corrections changes the downward trend of total Northern Kentucky VOC and NO_X emissions from 2008 to 2020, and in some cases the revisions reflect lower emissions totals than were indicated in EPA's proposed rule. With these corrections, as in EPA's original proposal, Kentucky's plan for Northern Kentucky continues to demonstrate maintenance for the initial maintenance period with a total of 3.89 tpd reduction in VOC emissions, and 14.48 tpd reduction in NO_X emissions from the 2008 baseline to the 2020 outyear.

TABLE 3—NORTHERN KENTUCKY VOC EMISSIONS (tpd)

	2008	2011	2015	2018	2020
Point					
Boone	2.81	2.90	3.04	3.14	3.20
Campbell	0.28	0.29	0.30	0.31	0.31
Kenton	1.17	1.23	1.31	1.38	1.42
Point Total	*4.26*	4.42	4.65	*4.83*	4.93
Area					
Boone	8.41	8.45	8.50	8.50	8.50
Campbell	4.34	4.28	4.20	4.20	4.20
Kenton	7.88	7.79	7.66	7.66	7.66
Area Total	20.63	20.52	20.36	20.36	20.36
Nonroad					
Boone	5.07	4.84	4.55	4.44	4.36
Campbell	1.51	1.41	1.29	1.25	1.22
Kenton	1.95	1.87	1.76	1.74	1.73
Nonroad Total	8.53	8.12	7.60	*7.43*	7.31
Mobile*					
Boone	4.00	3.63	3.17	3.04	2.96
Campbell	2.29	2.04	1.74	1.62	1.55
Kenton	3.85	3.39	2.85	2.67	2.56
Mobile Total	10.14	9.06	*7.76*	*7.33*	7.07
Northern Kentucky Total	*43.56*	42.12	*40.37*	*39.95*	39.67

* Calculated using MOBILE6.2.

TABLE 4—NORTHERN KENTUCKY NO_X EMISSIONS (tpd)

	2008	2011	2015	2018	2020
Point					
Boone	23.27	24.04	25.08	25.91	26.47
Campbell	0.02	0.02	0.02	0.03	0.03
Kenton	0.03	0.03	0.03	0.03	0.03
Point Total	23.32	24.09	25.13	25.97	26.53
Area					
Boone	5.02	5.02	5.03	5.03	5.03
Campbell	1.32	1.31	1.30	1.30	1.30
Kenton	4.06	4.04	4.02	4.02	4.02
Area Total	10.40	10.37	10.35	10.35	10.35
Nonroad					
Boone	11.02	10.47	9.77	9.60	9.48
Campbell	5.34	5.00	4.57	4.43	4.34

TABLE 4—NORTHERN KENTUCKY NO_X EMISSIONS (tpd)—Continued

	2008	2011	2015	2018	2020
Kenton	7.33	6.81	6.15	5.91	5.75
Nonroad Total	23.69	22.28	20.49	19.94	19.57
Mobile*					
Boone	8.53	6.64	4.63	3.90	3.45
Campbell	4.88	3.74	2.54	2.09	1.81
Kenton	8.37	6.33	4.23	3.47	3.01
Mobile Total	21.78	16.71	11.40	9.46	8.27
Northern Kentucky Total	79.19	73.45	67.37	65.72	*64.72*

* Calculated using MOBILE6.2.

EPA has determined that the Commonwealth's redesignation request meets all of the CAA redesignation criteria for the 1997 8-hour ozone NAAQS. EPA's May 12, 2010, proposed rulemaking, as supplemented by today's notice, specifically addresses each of the criteria and provides detailed analysis of how they are met.

VI. Final Action

After evaluating Kentucky's redesignation request and comments received, EPA is taking final action to approve the redesignation and change the legal designation of Boone, Campbell and Kenton Counties in Kentucky (as part of the Cincinnati-Hamilton Area) from nonattainment to attainment for the 1997 8-hour ozone NAAQS. EPA has already taken final action to approve the redesignation requests, emission inventories and maintenance plans for the Ohio and Indiana portions of this Area in a separate but coordinated action. See 75 FR 26118. Through this action, EPA is also approving into the Kentucky SIP, the 1997 8-hour ozone maintenance plan for Northern Kentucky, which includes the new NOx MVEBs of 14.40 tpd for 2015, and 13.27 tpd for 2020; and new VOC MVEBs of 9.76 tpd for 2015, and 10.07 tpd for 2020. Additionally, EPA is approving the emissions inventory for Northern Kentucky pursuant to section 172(c)(3) of the CAA. Finally, EPA is finding the new Northern Kentucky MVEBs are adequate for the purposes of transportation conformity. Within 24 months from the effective date of EPA's adequacy finding for the MVEBs, the transportation partners will need to demonstrate conformity to the new NOx and VOC MVEBs pursuant to 40 CFR 93.104(e).

In accordance with 5 U.S.C. 553(d), EPA finds there is good cause for this action to become effective immediately upon publication. This is because a delayed effective date is unnecessary due to the nature of a redesignation to attainment, which relieves the area from certain CAA requirements that would otherwise apply to it. The immediate effective date for this action is authorized under both 5 U.S.C. 553(d)(1), which after publication it provides that rulemaking actions may become effective less than 30 days after publication if the rule "grants or recognizes an exemption or relieves a restriction," and section 553(d)(3), which allows an effective date less than 30 days after publication "as otherwise provided by the agency for good cause found and published with the rule." The purpose of the 30-day waiting period prescribed in section 553(d) is to give affected parties a reasonable time to adjust their behavior and prepare before the final rule takes effect. Today's rule, however, does not create any new regulatory requirements such that affected parties would need time to prepare before the rule takes effect. Rather, today's rule relieves the Commonwealth of various requirements for the Northern Kentucky Area. For these reasons, EPA finds good cause under 5 U.S.C. 553(d)(3) for this action to become effective on the date of publication of this action.

VII. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country

located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 4, 2010. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (*See* section 307(b)(2)).

List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Intergovernmental relations, and Volatile organic compounds.

40 CFR Part 81

Environmental protection and Air pollution control.

Dated: July 26, 2010.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

■ Accordingly, 40 CFR parts 52 and 81 are amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart S—Kentucky

■ 2. Section 52.920(e) is amended by adding a new entry at the end of the table for "Northern Kentucky 8-Hour Ozone Maintenance Plan" to read as follows:

§ 52.920 Identification of plan.

* * * * *

(e) * * *

EPA–APPROVED KENTUCKY NON-REGULATORY PROVISIONS

Name of non-regulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approval date	Explanations
*	*	*	*	*
Northern Kentucky 8-Hour Ozone Maintenance plan.	Boone, Campbell and Kenton Counties in Kentucky.	1/29/2010	8/5/2010 [Insert citation of publication].	For the 1997 8-hour ozone NAAQS.

PART 81—[AMENDED]

■ 3. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

■ 4. In § 81.318, the table entitled "Kentucky-Ozone (8-Hour Standard)" is amended under "Cincinnati-Hamilton, OH-KY-IN" by revising the entries for "Boone County," "Campbell County," and "Kenton County" to read as follows:

§ 81.318 Kentucky.

* * * * *

KENTUCKY-OZONE

[8-Hour Standard]

Designated	Designation [a]		Category/classification	
	Date [1]	Type	Date [1]	Type
Cincinnati-Hamilton, OH-KY-IN:				
Boone County	This action is effective 08/05/10	Attainment		
Campbell County	This action is effective 08/05/10	Attainment		
Kenton County	This action is effective 08/05/10	Attainment		
*	*	*	*	*

[a] Includes Indian Country located in each county or area, except as otherwise specified.

[1] This date is June 15, 2004, unless otherwise noted.

* * * * *

[FR Doc. 2010–19170 Filed 8–4–10; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 271 and 272

[EPA–R06–2009–0570; FRL–9172–6]

Louisiana: Final Authorization of State-Initiated Changes and Incorporation by Reference of Approved State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: During a review of Louisiana's regulations, the EPA identified a variety of State-initiated changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). We have determined that these changes are minor and satisfy all requirements needed to qualify for Final authorization and are authorizing the State-initiated changes through this direct Final action. In addition, this document corrects technical errors made in various **Federal Register** authorization documents for Louisiana.

The Solid Waste Disposal Act, as amended, commonly referred to as the Resource Conservation and Recovery Act (RCRA), allows the Environmental Protection Agency (EPA) to authorize States to operate their hazardous waste management programs in lieu of the Federal program. The EPA uses the regulations entitled "Approved State Hazardous Waste Management Programs" to provide notice of the authorization status of State programs and to incorporate by reference those provisions of the State statutes and regulations that will be subject to the EPA's inspection and enforcement. The rule codifies in the regulations the prior approval of Louisiana's hazardous waste management program and incorporates by reference authorized provisions of the State's statutes and regulations.

DATES: This regulation is effective October 4, 2010, unless the EPA receives adverse written comment on this regulation by the close of business September 7, 2010. If the EPA receives such comments, it will publish a timely withdrawal of this direct final rule in the **Federal Register** informing the public that this rule will not take effect. The Director of the Federal Register approves this incorporation by reference as of October 4, 2010 in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

ADDRESSES: Submit your comments by one of the following methods:

1. *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the on-line instructions for submitting comments.

2. *E-mail: patterson.alima@epa.gov* or *banks.julia@epa.gov.*

3. *Mail:* Alima Patterson, Region 6, Regional Authorization Coordinator, or Julia Banks, Codification Coordinator, State/Tribal Oversight Section (6PD–O), Multimedia Planning and Permitting Division, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733.

4. *Hand Delivery or Courier:* Deliver your comments to Alima Patterson, Region 6, Regional Authorization Coordinator, or Julia Banks, Codification Coordinator, State/Tribal Oversight Section (6PD–O), Multimedia Planning and Permitting Division, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733.

Instructions: Direct your comments to Docket ID No. EPA–R06–RCRA–2009–0570. EPA's policy is that all comments received will be included in the public docket without change, including personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov,* or e-mail. The Federal *http://www.regulations.gov* Web site is an "anonymous access" system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to the EPA without going through *http://www.regulations.gov,* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If the EPA cannot read your comment due to technical difficulties, and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. (For additional information about the EPA's public docket, visit the EPA Docket Center homepage at *http://www.spa.gov/epahome/dockets.htm).*

You can view and copy the documents that form the basis for this codification and associated publicly available materials from 8:30 a.m. to 4 p.m. Monday through Friday at the following location: EPA Region 6, 1445 Ross Avenue, Dallas, Texas, 75202–2733, phone number (214) 665–8533 or (214) 665–8178. Interested persons wanting to examine these documents should make an appointment with the office at least two weeks in advance.

FOR FURTHER INFORMATION CONTACT: Alima Patterson, Region 6 Regional Authorization Coordinator, or Julia Banks, Codification Coordinator, State/Tribal Oversight Section (6PD–O), Multimedia Planning and Permitting Division, (214) 665–8533 or (214) 665–8178, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, and e-mail address *patterson.alima@epa.gov* or *banks.julia@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Authorization of State-Initiated Changes

A. Why are revisions to State programs necessary?

States which have received Final authorization from the EPA under RCRA section 3006(b), 42 U.S.C. 6926(b), must maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. As the Federal program changes, the States must change their programs and ask the EPA to authorize the changes. Changes to State hazardous waste programs may be necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, States must change their programs because of changes to the EPA's regulations in 40 Code of Federal Regulations (CFR) parts 124, 260 through 268, 270, 273 and 279. States can also initiate their own changes to their hazardous waste program and these changes must then be authorized.

B. What decisions have we made in this rule?

We conclude that Louisiana's revisions to its authorized program meet all of the statutory and regulatory requirements established by RCRA. We found that the State-initiated changes make Louisiana's rules more clear or conform more closely to the Federal equivalents and are so minor in nature that a formal application is unnecessary. Therefore, we grant Louisiana final authorization to operate its hazardous

waste program with the changes described in the table at Section G below. Louisiana has responsibility for permitting Treatment, Storage, and Disposal Facilities (TSDFs) within its borders (except in Indian Country) and for carrying out all authorized aspects of the RCRA program, subject to the limitations of the Hazardous and Solid Waste Amendments of 1984 (HSWA). New Federal requirements and prohibitions imposed by Federal regulations that EPA promulgates under the authority of HSWA take effect in authorized States before they are authorized for the requirements. Thus, the EPA will implement those requirements and prohibitions in Louisiana, including issuing permits, until the State is granted authorization to do so.

C. What is the effect of this authorization decision?

The effect of this decision is that a facility in Louisiana subject to RCRA will now have to comply with the authorized State requirements instead of the equivalent Federal requirements in order to comply with RCRA. Louisiana has enforcement responsibilities under its State hazardous waste program for violations of such program, but the EPA retains its authority under RCRA sections 3007, 3008, 3013, and 7003, which include, among others, authority to:

- Do inspections, and require monitoring, tests, analyses, or reports;
- Enforce RCRA requirements and suspend or revoke permits; and
- Take enforcement actions regardless of whether the State has taken its own actions.

This action does not impose additional requirements on the regulated community because the statutes and regulations for which Louisiana is being authorized by this direct final action are already effective and are not changed by this action.

D. Why wasn't there a proposed rule before this rule?

The EPA did not publish a proposal before this rule because we view this as a routine program change and do not expect comments that oppose this approval. We are providing an opportunity for public comment now. In addition to this rule, in the Proposed Rules section of this **Federal Register** we are publishing a separate document that proposes to authorize the State program changes.

E. What happens if EPA receives comments that oppose this action?

If the EPA receives comments that oppose this authorization or the incorporation-by-reference of the State program, we will withdraw this rule by publishing a timely document in the **Federal Register** before the rule becomes effective. The EPA will base any further decision on the authorization of the State program changes, or the incorporation-by-reference, on the proposal mentioned in the previous paragraph. We will then address all public comments in a later final rule. If you want to comment on this authorization and incorporation-by-reference, you must do so at this time. If we receive comments that oppose only the authorization of a particular change to the State hazardous waste program or the incorporation-by-reference of the State program, we may withdraw only that part of this rule, but the authorization of the program changes or the incorporation-by-reference of the State program that the comments do not oppose will become effective on the date specified above. The **Federal Register** withdrawal document will specify which part of the authorization or incorporation-by-reference of the State program will become effective and which part is being withdrawn.

F. For what has Louisiana previously been authorized?

The State of Louisiana initially received final authorization on January 24, 1985, effective February 7, 1985 (*see* 50 FR 3348), to implement its Base Hazardous Waste Management Program. Louisiana received authorization for revisions to its program effective January 29, 1990 (54 FR 48889), October 25, 1991 (56 FR 41958) as corrected October 15, 1991 (56 FR 51762); January 23, 1995 (59 FR 55368) as corrected April 11, 1995 (60 FR 18360); March 8, 1995 (59 FR 66200); January 2, 1996 (60 FR 53704 and 60 FR 53707); June 11, 1996 (61 FR 13777), March 16, 1998 (62 FR 67572), December 22, 1998 (63 FR 56830), October 25, 1999 (64 FR 46302), November 1, 1999 (64 FR 48099), April 28, 2000 (65 FR 10411), March 5, 2001 (66 FR 23), February 9, 2004 (68 FR 6852), August 9, 2005 (70 FR 33852), January 12, 2007 (71 FR 66118), and October 15, 2007 (72 FR 45905).

G. What changes are we authorizing with this action?

The State has made amendments to the provisions listed in the table which follows. These amendments clarify the State's regulations and make the State's regulations more internally consistent. The State's laws and regulations, as amended by these provisions, provide authority which remains equivalent to and no less stringent than the Federal laws and regulations. These State-initiated changes satisfy the requirements of 40 CFR 271.21(a). We are granting Louisiana final authorization to carry out the following provisions of the State's program in lieu of the Federal program. These provisions are analogous to the indicated RCRA statutory provisions or RCRA regulations found at 40 CFR as of July 1, 2005. The Louisiana provisions are from the Louisiana Administrative Code (LAC), Title 33, Part V effective December 31, 2006 (except as noted below).

State citation (LAC 33:V)	Federal analog (40 CFR)
State analogs to 40 CFR Part 260 provisions (Hazardous waste management system: General)	
105.L.1	260.40.
105.L.2	260.41.
State analogs to 40 CFR Part 261 provisions (Identification and listing of hazardous waste)	
108.C	261.5(c).
109 Hazardous Waste.1	261.3(a)(1).
4103 (repealed 4/20/06)	RCRA § 3010 related.
4105 introductory paragraph (removed 4/20/06)	261.6(a) related.
4105.B.5, B.6, (removed 6/20/98)	No Federal analog.
4105.B.7 and B.3 (removed 5/20/01)	No Federal analog.

State citation (LAC 33:V)	Federal analog (40 CFR)
4105.A introductory paragraph	261.6(a)(1).
4105.A.1 introductory paragraph and A.1.a. introductory paragraph.	261.6(a)(3) introductory paragraph and (a)(3)(i) introductory paragraph.
4105.A.1.b–A.1.d.iii	261.6(a)(3)(ii)–(a)(3)(iv)(C).
4105.A.2.–2.d	261.6(a)(2)–(a)(2)(d).
4105.A.3	261.6(a)(4).
4105.B	261.6(b).
4105.C	261.6(c)(1).
4105.D–D.2	261.6(c)(2)–(c)(2)(ii).
4105.D.3	261.6(c)(2)(iii).
4105.E	261.6(d).
4107 (repealed 4/20/06)	No Federal analog.
4109 (repealed 4/20/06)	No Federal analog.
4111 (repealed 4/20/06)	261.6(a)(1) (duplicate analog).
4137 (repealed 9/20/98)	261.6(a)(2) (duplicate analog).
4901.B.3	261.35.
4901.D.5 (repealed 9/20/98)	No Federal analog.
4903.A	261.20 related.
State analogs to 40 CFR Part 262 provisions (Standards applicable to generators of hazardous waste)	
1109.E.1.a introductory paragraph	262.34(a)(1) introductory paragraph.
1109.E.1.b	262.34(a) unnumbered paragraph.
1109.E.1.d	262.34(a)(3).
1109.E.2	262.34(b).
1101.A	262.10(c).
1107.A.3	262.20(d).
1109.E.1.a.i.–iii	262.34(a)(i)–(iii).
1109.E.3 (Reserved)	262 related; no direct Federal analog.
1109.E.7.a	262.34(d)(2).
1109.E.10	262.34(g).
1115 (Repealed)	262 related; no Federal analog.
1117 (Repealed)	262 related; no Federal analog.
1119 (Repealed)	262 related; no Federal analog.
State analogs to 40 CFR Part 263 provisions (Standards applicable to transporters of hazardous waste)	
1307.H (Repealed)	263.20 related; no direct Federal analog.
1309.F–G (Repealed)	263.20 related; no direct Federal analog.
State analogs to 40 CFR Part 264 provisions (Standards for owners and operators of hazardous waste treatment, storage, and disposal facilities)	
303.H.4	264.11.
1501.C.2	264.1(g)(2).
1501.C.3 (Reserved)	264.1(g)(6) related.
1501.C.7 (except C.7.a.iv and C.7.d)	264.1(g)(8), except (g)(8)(i)(D) and (iv).
1501.E–G	264.1(c) B (e).
1519.B.2	264.13(b)(2).
1531.C	264.12(b).
1533	264.3.
1535	264.4.
1705.A.1.a and A.1.b	264.1030(b)(1) and (b)(2).
1717.B.1 and B.2.	264.1050(b)(1) and (b)(2).
1717 Note	264.1050(f) Note.
1901 introductory paragraph	264.190 introductory paragraph.
1913	264.196.
2101 introductory paragraph	264.170.
2301	264.250.
2503.K.1.o	264.301 related.
2515.F introductory paragraph—F.1	264.314(e) introductory paragraph—(e)(1).
2701	264.270.
2809.B introductory paragraph and B.1	264.575(b).
2901	264.220.
2911.B, except B.1.	264.228(b).
3309	264.94.
3501.B	264.110(a).
3507.A	264.111.
3515	264.114.
3525.B.1.c	264.119(b)(1)(iii).
3707.F.1 and 2	264.143(f)(1) and (f)(2).
3707.G	264.143(g).
3711.F.1 and .2	264.145(f)(1) and (f)(2).

State citation (LAC 33:V)	Federal analog (40 CFR)
3711.G	264.145(g).
3715.C	264.147(c).
3715.F.1.a and b	264.147(f)(1)(i) and (ii).
3715.F.3.a,	264.147(f)(3)(i).
3719.E	264.151(e).
3719.M	264.151(m).
State analogs to 40 CFR Part 265 provisions (Interim standards for owners and operators of hazardous waste treatment, storage, and disposal facilities)	
4301.C except C.13.c and C.13.e	265.1(c) except (c)(14)(iii).
4301.I	265.1(f).
4306	265.4.
4307.A	265.10.
4311	265.12(a).
4337	265.50.
4351.A	265.70.
4357.B and B.1	265.73 (b) and (b)(1).
4367.A	265.90(a).
4375.A.1	265.94(a)(1).
4377 introductory paragraph	265.110 introductory paragraph.
4379.A	265.111.
4397.A	265.140(a).
4403.E.1–2	265.143(e)(1) and (e)(2).
4403.F	265.143(f).
4407.E.1–2	265.145(e)(1) and (e)(2).
4407.F	265.145(f).
4411.F.1.a and .b	265.146(f)(1)(i) and (ii).
4447	265.220.
4457.B, except the wording ""If the owner or operator he must".	265.228(a)(2).
4457.C	265.228(b).
4463	265.250.
4475.B introductory paragraph and 4375.B.1.	265.258.
4477	265.270.
4495	265.300.
4511.E	265.316(e).
4523	265.370.
4535	265.400.
4705.B introductory paragraph and 4705.B.1.	265.1102(b).
State analogs to 40 CFR Part 266 provisions (Standards for the management of specific hazardous wastes and specific types of hazardous waste management facilities)	
3001.C.3	266.100(c)(3).
3005.B.1	266.102(b)(1).
3007.B.2.b.ii and iii	266.103(b)(2)(ii)(B) and (C).
3007.B.2.d.ii	266.103(b)(2)(iv)(B).
3007.B.4 and .7	266.103(b)(4) and (b)(7).
3007.C introductory paragraph	266.103(c) introductory paragraph.
3007.C.3.b.i	266.103(c)(3)(ii)(A).
3007.C.6.a	266.103(c)(6)(i).
3007.J.1.b	266.103(j)(1)(ii).
3009.B.2	266.104(b)(2).
3009.C.3	266.104(c)(3).
3009.E.4	266.104(e)(4).
3011.A	266.105(a).
3013.A	266.106(a).
3013.B introductory paragraph	266.106(b) introductory paragraph.
3013.B.1, B.2 and B.5	266.106(b)(1), (b)(2) and (b)(5).
3013.C introductory paragraph	266.106(c) introductory paragraph.
3013.C.1 and .C.2	266.106(c)(1) and (c)(2).
3013.D.2	266.106(d)(2).
3013.E	266.106(e).
3013.F.2.a, F.2.b.i	266.106(f)(2)(i) and (f)(2)(ii)(A).
3015.B introductory paragraph	266.107(b) introductory paragraph.
3015.B.1 and .B.2	266.107(b)(1) and (b)(2).
3015.C.2	266.107(c)(2).
3015.E	266.107(e).
3019.A.2.d.i–iii	266.109(a)(2)(iv)(A)–(C).
3023.D.2	266.111(d)(2).
3025 introductory paragraph	266.112 introductory paragraph.
3025.A.2	266.112(a)(2).
3025.B.1.a	266.112(b)(1)(i).
3025.B.2.b	266.112(b)(2)(ii).

State citation (LAC 33:V)	Federal analog (40 CFR)
3099, Appendices A–G	Part 266, Appendices I B VII.
3099, Appendices I–L	Part 266, Appendices IX, XI B XIII.
4139.A	266.20(a).
4139.B	266.20(b).
4139.C	266.20(d).
4139.D	266.20(c).
4141.A	266.21.
4141.B	266.22.
4141.C	266.23(a).
4141.D	266.23(b).
4143.A	266.70(a).
4143.B–B.4	266.70(b)–(b)(2).
4143.C	266.70(c).
4143.D	266.70(d).
4145.A and Table	266.80(a) and Table.
4145.B	266.80(b).
4145.B.1–B.1.c	266.80(b)(1)–(b)(1)(vii).
4145.B.2–B.2.d	266.80(b)(2)–(b)(2)(vii).
State analogs to 40 CFR Part 268 provisions (Land Disposal Restrictions)	
2201.B	268.1 related.
2201.E and F	268.1 related.
2203.A. "Duly Authorized Representative"	270.11(b) related.
2203.A. "Petitioner"	268 related.
2203.B	268.2 related.
2205.D, except the phrase "or a determination under LAC 33:V.2273,"	268.50(d).
2209.D.1, the phrase "or a determination under LAC 33:V.2273,"	268.30(d)(2).
2211.B.2	268.31(d)(2).
2211.B.3	268.31(d)(3).
2237.A.2 a	268.4(a)(2)(.i).
2247.E	268.7(b)(6).
State analogs to 40 CFR Part 270 provisions (The hazardous waste permit program)	
305.C.13 introductory paragraph and 305.C.13.a–c	270.1(c)(3)(i) introductory paragraph and (c)(3)(i)(A)–(C).
305.C.14	270.1(c)(3)(ii).
517 introductory paragraph	270.14(a) and (b) intro.
517.B.5	270.14(b)(19)(iv).
517.T.6.a	270.14(c) related.
517.V	270.14(b)(21).
519	270.14(a).
3801.A (2004)	273.1.
3805.B.1	273.3(b)(1).
3855.A.2 and B.2 (December, 2004)	273.39(a)(2) and (b)(2).
3873.B	273.60(b).
3877.A.2 (December, 2004)	273.62(b)(2).
4003 introductory paragraph	279.10 introductory paragraph.
4003.E.1.b	279.10(e)(1)(ii).
4037.A.5	279.46(a)(5).

H. Who handles permits after the authorization takes effect?

This authorization does not affect the status of State permits and those permits issued by the EPA because no new substantive requirements are a part of these revisions.

I. How does this action affect Indian Country (18 U.S.C. 1151) in Louisiana?

Louisiana is not authorized to carry out its Hazardous Waste Program in Indian Country within the State. This authority remains with EPA. Therefore, this action has no effect in Indian Country.

II. Technical Corrections

The following technical corrections are made to various Louisiana authorization **Federal Register** documents. There are two types of corrections being made. The first type includes additions or corrections to the list of citations for checklist entries that were actually included in the published **Federal Register** documents. These are presented in order of the entry number and associated checklist followed by a brief description of the correction being made. The second type of correction is the addition of entire checklist entries for Federal rules which were inadvertently omitted from the original authorization tables.

A. Corrections to the 3/28/96 ***Federal Register*** *(61 FR 13777; effective 3/28/96)*

1. For Checklist 112, the following corrections should be made:

a. "4021.A, amended March 20, 1995, effective March 20, 1995" is added to the list of citations.

b. The second citation "4065.A" is corrected to read "4065.B".

B. Corrections to the 12/29/97 **Federal Register** *(62 FR 67572; effective 3/16/98)*

1. Throughout the authorization Table, the amendment and effective date for the citation "105.D.33.b" is corrected to read "amended September 20, 1996, effective September 20, 1996".

2. For Checklist 85, the following corrections should be made:

a. The citation "321.C.7–C.a.v" is corrected to read "321.C.7–C.7.a.v".

b. The entry "321.C.7.iv amended September 20, 1995, effective September 20, 1995" is removed.

c. The citation "321.C.i–iv" is removed.

d. The amendment and effective dates for the citation "322" are corrected to read "as amended September 20, 1996 effective September 20, 1996".

e. The citation "3007.B.b.2ii.c" is removed.

f. The citation "3009.A–" is corrected to read "3009.A–I".

g. The citation "3025.B.2.b, amended March 20, 1995, effective March 20, 1995" is added to the list of citations.

h. The citation "3025.C.2.b, amended March 20, 1995, effective March 20, 1995" is added to the list of citations.

i. The amendment and effective dates for citations "4303.A.6 & B.7" are corrected to read "as amended March 20, 1995, effective March 20, 1995".

3. For Checklist 125, the amendment and effective dates for citations "3009.E.3" and "3013.H" are corrected to read "as amended September 20, 1996, effective September 20, 1996".

4. For Checklist 126, the amendment and effective dates for citation "3115.B.1.c–d" are corrected to read "as amended September 20, 1996, effective September 20, 1996".

5. For Checklist 130, the following corrections should be made:

a. The citation "4009.B.b" is corrected to read "4009.B.2.b".

b. The language "as amended March 20, 1995; effective March 20, 1995, § 4003.G, 4003.G.1–6, 4009.B.2.c–e" is removed.

C. Corrections to the 10/23/98 **Federal Register** *(63 FR 56830; effective 12/22/98)*

1. The entry for Checklist 137 is removed.

2. For Checklist 142A, the following corrections should be made:

a. The citation "3813.H" is removed.

b. The citation "3817–B" is corrected to read "3817.A–A.2".

c. The citation "3835–3835.C" is corrected to read "3835.A–A.3".

d. The citation "3839–3839.B" is corrected to read "3839.A–A.2".

e. The citation "3857.A–C" is corrected to read "3857".

f. The citation "3861–3861.B" is corrected to read "3861.A–A.2".

g. The citation "3871–3871.B" is corrected to read "3871.A–A.2".

3. For Checklist 142B, add "4105.B.4, as amended May 20, 1997, effective May 20, 1997" to the list of citations.

4. For Checklist 142C, the following corrections should be made:

a. The citation "3823.B–C.2" is corrected to read "3823.A.2–A.3".

b. The citation "3845.B–C.2" is corrected to read "3845.A.2–A.3".

5. For Checklist 142D, the following corrections should be made:

a. The entries for "3823.B–C.2" and "3823.D" are removed from the list of citations.

b. The citation "3823.A.4, as amended May 20, 1997, effective May 20, 1997" is added to the list of citations.

c. The citation "3845.D" is corrected to read "3845.A.4".

6. For Checklist 142E, the following corrections should be made:

a. The citation "3881.A–C" is corrected to read "3881.A–D".

b. The citation "3883.A–H" is corrected to read "3883.A–A.8".

7. For Checklist 148, the following corrections should be made:

a. Add "537.B.2.g" to the list of citations.

b. The citation "708.A.b.i–vi" is corrected to read "708.B.1–2".

c. The citation "3115.b.12.BI–IV" is corrected to read "*3115.B.12.bi–iv*".

D. Corrections to the 8/25/99 **Federal Register** *(64 FR 46302; effective 10/25/99)*

1. For Checklist 34, the following corrections should be made:

a. The amendment and effective dates for citation "109 Empty Container.1.a" are corrected to read "as amended September 20, 1998, effective September 20, 1998".

b. The citation "109.Empty Container.2.b" is corrected to read "109.Empty Container.1.b.ii".

c. The citation "501.D" is corrected to read "1501.D".

d. The citation "1518.B.b" is corrected to read "1519.B.8.b".

e. The citation "1518.B.c.ii" is corrected to read "1519.B.8.c.ii.a".

f. The amendment and effective dates for citation "4313.E.7.c.ii.(b)" are corrected to read "as amended September 20, 1998, effective September 20, 1998".

2. For Checklist 39, the amendment and effective dates for citation "1101.D" are corrected to read "as amended June 20, 1998, effective June 20, 1998".

3. For Checklist 50, the following corrections should be made:

a. The citation "4319.A.2" is corrected to read "4139.A.2–A.4".

b. The amendment and effective dates for citation "4313.E.7.c.ii.(b)" are corrected to read "as amended September 20, 1998, effective September 20, 1998".

4. For Checklist 66, the citation "4319.A.2" is corrected to read "4139.A.2–A.4".

5. For Checklist 78, the following corrections should be made:

a. The citation "2203.A.Dris" is corrected to read "2203.A.Debris".

b. Add "Chapter 22.Table 2, as amended January 20, 1996, effective January 20, 1996" to the list of citations.

c. The citation "4312.B" is corrected to read "4313.B"

6. For Checklist 83, the citation "Chapter 22.Table 9" is corrected to read "Chapter 22.Table 3".

7. For Checklist 102, add "1519.A.1, as amended September 20, 1996, effective September 20, 1996" to the list of citations.

8. For Checklist 109, the following corrections should be made:

a. The correct amendment and effective dates for "109.Hazardous Waste.6" and "109.Hazardous Waste.6.a–b" are "June 20, 1998" rather than "May 20, 1997".

b. After the entry 321.C.5.d.ii(b), as amended September 20, 1995, effective September 20, 1995, insert "322.I.6 and 322.M, as amended September 20, 1996".

c. The citation "515.A.25" is corrected to read "515.25".

d. The citation "1109.E.1.c" is corrected to read "1109.E.1.a.iii".

e. The citation "1109.E.1.d" is corrected to read "1109.E.1.a.iv".

f. The citation "1109.E.1.e" is corrected to read "1109.E.1.c".

g. Add citation "2227.D," after "2227.B".

h. Add citations "2230.D.1.b, 2230.D.2–5" after "2230.D.1.a".

i. Add citation "4701.A" before "4701.A.1".

9. For Checklist 151, the following corrections should be made:

a. The citation "221.F.2–3" is corrected to read "2221.F.2–3".

b. Add citation "2223.G," after "2223.E,".

10. Add the following new entry to the Table:

Federal citation	State analog
* *	* * * * *
17. Universal Treatment Standards and Treatment Standards for Organic Toxicity Characteristic Wastes and Newly Listed Wastes, [59 FR 47982–48110]; September 19, 1994, as amended at 60 FR 242–302, January 3, 1995. (Checklist 137.)	LRS:30:2180 *et seq.,* as amended June 14, 1991, effective June 14, 1991, LHWR §§ 105.K.1 introductory paragraph, 105.K.2 introductory paragraph, 105.K.2.a, 105.K.2.b, 105.O.1 introductory paragraph, 105.O.1.b, 105.O.2.a introductory paragraph, 105.O.2.b introductory paragraph, 109.Solid Waste.5.a.iii, as amended June 20, 1998, effective June 20, 1998, 1501.C.6, amended May 20, 1997, effective May 20, 1997, 2201.G.4.b, amended April 20, 1998, effective April 20, 1998, 2201.G.4.c.2, amended January 20, 1996, effective January 20, 1996, 2201.I.3, amended September 20, 1998, effective September 20, 1998, 2203.A.Debris, amended January 20, 1996, effective January 20, 1996, 2203.A.Underlying Hazardous Constituent, as amended April 20, 1998, effective April 20, 1998, 2221.E, as amended January 20, 1996, effective January 20, 1996, 2223.A, amended April 20, 1998, effective April 20, 1998, 2223.A.1–A.3, amended January 20, 1996, effective January 20, 1996, 2223.B, amended September 20, 1996, effective September 20, 1996, 2223.C, 2223.D, 2223.D.1–D.3, 2223.E, 2223.F, as amended September 20, 1998, effective September 20, 1998, 2227.A, as amended February 20, 1998, effective February 20, 1998, 2227.C.2, 2227.D, amended January 20, 1996, effective January 20, 1996, 2230.B.2, amended May 20, 1997, effective May 20, 1997, 2233.A, amended January 20, 1996, effective January 20, 1996, 2245.A, amended April 20, 1998, effective April 20, 1998, 2245.B.1–3, amended January 20, 1996, effective January 20, 1996, 2245.B.4–6, amended April 20, 1998, effective date April 20, 1998, 2245.C.1, amended January 20, 1996, effective January 20, 1996, 2245.C.1.b, 2245.D, 2245.D.1–2, amended April 20, 1998, effective April 20, 1998, 2245.D.4–6, 2245.D.4.a–b, 2245.D.7, 2245.E, 2245.E.1–3, 2245.F, 2245.G–I, amended January 20, 1996, effective January 20, 1996, 2246.A, amended April 20, 1998, effective April 20, 1998, 2246.D.1.a–b, 2246.D.3, 2246.E, 2246.E.1. amended January 20, 1996, effective January 20, 1996, 2247.B.2, amended September 20, 1998, effective September 20, 1998, 2247.C.4, amended April 20, 1998, effective April 20, 1998, Chapter 22.Table 2, as amended January 20, 1996, effective January 20, 1996, Chapter 22.Table 3, amended September 20, 1998, effective September 20, 1998, Chapter 22.Table 6, amended January 20, 1996, effective January 20, 1996, Chapter 22.Table 7, amended April 20, 1998, effective April 20, 1998, Chapter 22.Table 11, amended January 20, 1996, effective January 20, 1996, 3001.C.1, 3001.C.3, 3001.C.3.a, 3001.C.3.a.1, 3001.C.3.b, Chapter 30, Appendix M, amended September 20, 1996, effective September 20, 1996, 4139.B.3, 4301.E, amended September 20, 1998, effective September 20, 1998,
* *	* * * * *

E. Corrections to the September 2, 1999 **Federal Register** *(64 FR 48099; effective 11/1/99)*

1. For Checklist 155, the citations in the State Analog entry should consist of only "LRS 30:2180 et seq., as amended June 14, 1991, effective June 14, 1991; LHWR § 2221.F.3, amended April 20, 1998, effective April 20, 1998".

2. For Checklist 156, the citation "5305.A.l.a–c" is corrected to read "5305.A.1.a–d".

3. For Checklist 157, the following corrections should be made:

a. The citation "2245.C.1.b" is corrected to read "2245.C.2".

b. The citation "2245.I.3" is corrected to read "2245.I.4".

c. The citation "2747.A" is corrected to read "2247.A".

4. For Checklist 158, the amendment and effective dates for citation "Chapter 30. Appendix I" are corrected to read "as amended September 20, 1996, effective September 20, 1996".

F. Corrections to the 2/28/00 **Federal Register** *(65 FR 10411; effective 4/28/00)*

1. For Checklist 17D the amendment and effective dates for citation "4301.B" are corrected to read "September 20, 1994" rather than "March 20, 1999".

2. For Checklist 154, the following corrections should be made:

a. The correct amendment and effective dates for "307.A.2, 307.A.3" and "307.A.4" are corrected to read "March 20, 1999" rather than "September 20, 1998".

b. The amendment and effective dates for "521.E": are corrected to read "September 20, 1998" rather than "March 20, 1998".

c. The correct amendment and effective dates for "1109.E.7.a" are corrected to read "March 20, 1999".

d. The citation A1713.10.e.i–ii" is corrected to read A1713.C.10.e.i–ii".

e. The amendment and effective dates for "1713.D" are corrected to read "March 20, 1999" rather than "September 20, 1998".

f. The citation "1725.E" is corrected to read "1731.E".

g. The citation "1751.C.2.i–ii" is corrected to read "1751.C.2.i.i–ii".

h. The citation "1755.C.2.C.i–ii" is corrected to read "1755.C.2.c.i–ii".

i. The citation "1755C.2.i–ii" is corrected to read "1755.C.2.c.i–ii".

j. The second occurrence of citation "1765.A" is corrected to read "1767.A".

k. The citation "1767.C.1–3" is corrected to read "1767.C.1–2" and the amendment and effective dates for "1767.C.1" is corrected to read "March 20, 1999" rather than "September 20, 1998".

l. The citation "4301.C" is corrected to read "4301.B" and the amendment and effective dates are corrected to read "March 20, 1999" rather than "September 20, 1998".

m. The citation "4313.4.6" is corrected to read "4313.E.6".

n. The amendment and effective dates for "4456" are corrected to read "September 20, 1998".

o. The amendment and effective dates for "4721" are corrected to read "September 20, 1998".

p. The citations "4729, 4731, 4733, 4735, 4737" are added to the list of citations as amended September 20, 1998, effective September 20, 1998.

3. For Checklist 162, the citation "2231.G.3" is corrected to read "2231.G.5".

4. For Checklist 163, the following corrections should be made:

a. The amendment and effective dates for the following citations are corrected to read "March 20, 1999" rather than "September 20, 1998": "517.G", "1703. In Light Service", "1705.A.1.c", 1705.A.2", 1705.A.3", "1709.A.2.a–d", "1717.B.3", "1717 Note", "1735.A", "1747.C", "1751.B", "1751.C.4.b", "1753.B.1", "1755.C.2.c", "1755.E.4", "1755.F.3.a.iv.d", "1757.E.2.c", "1759.C.2", "1759.C.4.a", "1759.D.4.a", "1759.G", "1761.C.3.b", "1765.B.1.b.ii", "1765.F.1", "1765.J".

b. The citation "1735.A.B.1–4" is corrected to read "1735.B.1–4".

c. The citation "17.G.6" is corrected to read "1743.G.6".

d. The citation "1751.C.2.i–ii" is corrected to read "1751.C.2.i.i–ii" with an amendment and effective dates of "March 20, 1999".

e. The citation "1755C.2.i–ii" is corrected to read "1755.C.2.c.i–ii".

f. The citation "1755.F.3.c.iv.d" is removed from the list of citations.

g. The citations "4549.B.3" and "4549.C" as amended March 20, 1999, effective March 20, 1999 are added to the list of citations.

h. The amendment and effective dates for "4719" and "4721" are corrected to read "September 20, 1998".

i. The amendment and effective dates for "4723.A" is corrected to read "March 20, 1999".

j. The citations "4729, 4731, 4733, 4735" are added to the list of citations as amended September 20, 1998, effective September 20, 1998.

5. For Checklist 161, the correct amendment and effective dates for "Chapter 22.Table 7" are "March 20, 1999".

6. For Checklist 167A, the citations "2215.A–D, 2215.D.1–4, 2215.E," are corrected to read "2216.A–E, 2216.E.1–4, 2216.F".

7. For Checklist 167B, the following corrections should be made:

a. Remove "2223.J" from the list of citations.

b. The citation "221.G" is corrected to read "2231.G".

c. The citation "2236.C.a–b" is corrected to read "2236.C.3.a–b".

d. The citation "2245.C.1.b" is corrected to read "2245.C.2".

e. Remove "2245.C.3" from the list of citations.

f. Add "2247.B" to the list of citations.

g. The citation "2247.C.1.a" is corrected to read "2247.C".

8. For Checklist 167C, the citation "2245.D.Generator Table" is replaced with "2247.B.2.a–f".

9. For Checklist 167D, the amendment and effective dates for "109.Solid Waste.5.a.iii" are corrected to read "February 20, 2000" rather than "March 20, 1999".

10. For Checklist 167E, the citation "105.D.h.i–ii" is corrected to read "105.D.2.h.i–ii".

11. For Checklist 168, the following corrections should be made:

a. The citation "105.D.1.p.vi" is corrected to read "105.D.1.q".

b. The citation "322.l.9" is corrected to read "322.L.9".

c. "4909.D–D.13" is added to the list of citations.

G. Corrections to the 1/2/01 **Federal Register** *(66 FR 23; effective 3/5/01)*

1. For Checklist 169, the following corrections should be made:

a. The amendment and effective dates for "4105.B.11" are corrected to read "May 20, 1997".

b. The citation "4109.B.b.Table 1" is corrected to read "4109.B.1.Table 1".

2. For Checklist 175, the following corrections should be made:

a. Add "109 Facility" to the list of citations.

b. The citation "606.A.2.C" is corrected to read "605.A.2.c."

c. The correct amendment and effective dates for citation "660" are "July 20, 2000" rather than "February 20, 2000".

3. For Checklist 177, the following corrections should be made:

a. The citation "1747.A.1.a" is corrected to read "1753.A.1.a".

b. The citation "1719" is corrected to read "4719".

c. The entry "2000;" after the citation "4727.A.1.b" is removed.

d. The citation "4727.B.1.b.ii" is corrected to read "4727.B.3.b.ii".

4. For Checklist 179:

a. The amendment and effective dates for "2203.A.Hazardous Debris" is corrected to read "February 20, 2000" rather than "March 20, 1999".

b. The amendment and effective dates for "2203.A.Soil" is corrected to read "February 20, 2000" rather than "March 20, 1999".

c. The citation "2236.C" is corrected to read "2236.C.3".

d. The amendment and effective dates for "2245.D.Generator Table" is corrected to read "February 20, 2000" rather than "March 20, 1999".

H. Corrections to the 12/9/03 **Federal Register** *(68 FR 98526; effective 2/9/04)*

1. Add an entry for 905.B.5, analogous to 40 CFR 264.71(b)(5), amended to be equivalent to Federal.

2. For Checklist 181, the following corrections should be made:

a. The citation "2201.I.l.5.b–d" is corrected to read "2201.I.5.b–d".

b. The amendment and effective dates for "3809.A" are corrected to read "September 20, 1998".

c. For citation "3809.C", the amendment date "September 20, 198" is corrected to read "September 20, 1998".

d. For citation "3813.Small quantity handler of universal waste", the amendment and effective dates are corrected to read "February 20, 2000".

e. The citation "3815.B" is corrected to read "3815.A".

3. For Checklist 182, the following corrections should be made:

a. The citation "332.B.8" is corrected to read "322.B.8".

b. The citation "525.G" is corrected to read "535.G".

4. For Checklist 190, the citation "2215 Appendix Table 9" is corrected to read "Chapter 22.Table 9"

5. For Checklist 192A, add "109.HW.4.b.i" to the list of citations.

6. For Checklist 196, the following corrections should be made:

a. The citations "2602, 2602.A" are corrected to read "2602.A–H".

b. The citation "12607.A.2" is corrected to read "2607.A.2".

7. For Checklist 197, the citation "3001B.2.a–d" is corrected to read "3001.B.2.a–e".

I. Corrections to the 6/10/05 **Federal Register** *(70 FR 33852; effective 8/9/05)*

For Checklist 200, the citation "4139.A.6" is corrected to read "4139.A.3".

J. Corrections to the 8/16/07 **Federal Register** *(72 FR 45905; effective 10/15/07)*

1. For Checklist 206, the following corrections should be made:

a. The citation "2208.B.5" is corrected to read "2208.A, 2208.B, 2208.B.1–B.5".

b. The citation "49o.C.2" is corrected to read "4901.C.2".

c. The citation "– 3" is corrected to read "4901.C.3".

d. The citation "4901.C.3.3.c.v–x" is corrected to read "4901.C.3.c.v–x".

e. The citation "4901.C.3.c.(a)–(d)" is corrected to read "4901.C.3.c.x.(a)–(d)".

f. The citation "4901.C.3.xi.(a)–(d)" is corrected to read "4901.C.3.c.xi.(a)–(c)".

g. The citation "4901.C.3.d" is inserted before "4901.C.3.e".

2. For Checklist 207, add "1107" to the list of citations.

III. Incorporation-by-Reference

A. What is codification?

Codification is the process of placing a State's statutes and regulations that comprise the State's authorized hazardous waste management program into the Code of Federal Regulations (CFR). Section 3006(b) of RCRA, as amended, allows the Environmental Protection Agency (EPA) to authorize State hazardous waste management programs to operate in lieu of the Federal hazardous waste management regulatory program. The EPA codifies its authorization of State programs in 40 CFR part 272 and incorporates by reference State statutes and regulations that the EPA will enforce under sections 3007 and 3008 of RCRA and any other applicable statutory provisions.

The incorporation by reference of State authorized programs in the CFR

should substantially enhance the public's ability to discern the current status of the authorized State program and State requirements that can be Federally enforced. This effort provides clear notice to the public of the scope of the authorized program in each State.

B. What is the history of codification of Louisiana's hazardous waste management program?

The EPA incorporated by reference Louisiana's then authorized hazardous waste program effective March 16, 1998 (62 FR 67578). In this document, the EPA is revising Subpart T of 40 CFR part 272 to include the authorization revision actions effective March 16, 1998 (62 FR 67572), December 22, 1998 (63 FR 56830), October 25, 1999 (64 FR 46302), November 1, 1999 (64 FR 48099), April 28, 2000 (65 FR 10411), March 5, 2001 (66 FR 23), February 9, 2004 (68 FR 6852), August 9, 2005 (70 FR 33852), January 12, 2007 (71 FR 66118), and October 15, 2007 (72 FR 45905).

C. What codification decisions have we made in this rule?

The purpose of this **Federal Register** document is to codify Louisiana's base hazardous waste management program and its revisions to that program. The EPA provided notices and opportunity for comments on the Agency's decisions to authorize the Louisiana program, and the EPA is not now reopening the decisions, nor requesting comments, on the Louisiana authorizations as published in the **Federal Register** notices specified in Section I.F of this document.

This document incorporates by reference Louisiana's hazardous waste statutes and regulations and clarifies which of these provisions are included in the authorized and federally enforceable program. By codifying Louisiana's authorized program and by amending the Code of Federal Regulations, the public will be more easily able to discern the status of federally approved requirements of the Louisiana hazardous waste management program.

The EPA is incorporating by reference the Louisiana authorized hazardous waste program in subpart T of 40 CFR part 272. Section 272.951 incorporates by reference Louisiana's authorized hazardous waste statutes and regulations. Section 272.951 also references the statutory provisions (including procedural and enforcement provisions) which provide the legal basis for the State's implementation of the hazardous waste management program, the Memorandum of Agreement, the Attorney General's Statements and the Program Description, which are approved as part of the hazardous waste management program under Subtitle C of RCRA.

D. What is the effect of Louisiana's codification on enforcement?

The EPA retains its authority under statutory provisions, including but not limited to, RCRA sections 3007, 3008, 3013 and 7003, and other applicable statutory and regulatory provisions to undertake inspections and enforcement actions and to issue orders in authorized States. With respect to these actions, the EPA will rely on Federal sanctions, Federal inspection authorities, and Federal procedures rather than any authorized State analogues to these provisions. Therefore, the EPA is not incorporating by reference such particular, approved Louisiana procedural and enforcement authorities. Section 272.951(c)(2) of 40 CFR lists the statutory provisions which provide the legal basis for the State's implementation of the hazardous waste management program, as well as those procedural and enforcement authorities that are part of the State's approved program, but these are not incorporated by reference.

E. What State provisions are not part of the codification?

The public needs to be aware that some provisions of Louisiana's hazardous waste management program are not part of the federally authorized State program. These non-authorized provisions include:

(1) Provisions that are not part of the RCRA subtitle C program because they are "broader in scope" than RCRA subtitle C (see 40 CFR 271.1(i));

(2) Federal rules adopted by Louisiana but for which the State is not authorized;

(3) Unauthorized amendments to authorized State provisions; and

(4) Other new unauthorized State requirements.

State provisions that are "broader in scope" than the Federal program are not part of the RCRA authorized program and the EPA will not enforce them. Therefore, they are not incorporated by reference in 40 CFR part 272. For reference and clarity, 40 CFR 272.951(c)(3) lists the Louisiana regulatory provisions which are "broader in scope" than the Federal program and which are not part of the authorized program being incorporated by reference. "Broader in scope" provisions cannot be enforced by the EPA; the State, however, may enforce such provisions under State law.

Additionally, Louisiana's hazardous waste regulations include amendments which have not been authorized by the EPA. Since the EPA cannot enforce a State's requirements which have not been reviewed and authorized in accordance with RCRA section 3006 and 40 CFR part 271, it is important to be precise in delineating the scope of a State's authorized hazardous waste program. Regulatory provisions that have not been authorized by the EPA include amendments to previously authorized State regulations as well as certain Federal rules and new State requirements.

Federal rules Louisiana has adopted but is not authorized for include those published in the **Federal Register** on August 8, 1986 (51 FR 28664); December 1, 1987 (52 FR 45788); April 12, 1996 (61 FR 16290), August 5, 2005 (70 FR 45508), and July 28, 2006 (71 FR 42928). In those instances where Louisiana has made unauthorized amendments to previously authorized sections of State code, the EPA is identifying in 40 CFR 272.951(c)(4) any regulations which, while adopted by the State and incorporated by reference, include language not authorized by the EPA. Those unauthorized portions of the State regulations are not federally enforceable. Thus, notwithstanding the language in Louisiana hazardous waste regulations incorporated by reference at 40 CFR 272.951(c)(1), the EPA will only enforce those portions of the State regulations that are actually authorized by the EPA. For the convenience of the regulated community, the actual State regulatory text authorized by the EPA for the citations listed at 272.951(c)(4) (i.e., without the unauthorized amendments) is compiled as a separate document, *Addendum to the EPA Approved Louisiana Regulatory Requirements Applicable to the Hazardous Waste Management Program, October 2007.* This document is available from EPA Region 6, Sixth Floor, 1445 Ross Avenue, Dallas, Texas 75202–2733, Phone number: (214) 665–8533, and also Louisiana Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, Louisiana 70884–2178, phone number (225) 219–3559.

State regulations that are not incorporated by reference in this rule at 40 CFR 272.951(c)(1), or that are not listed in 40 CFR 272.951(c)(2) ("legal basis for the State's implementation of the hazardous waste management program"), 40 CFR 272.951(c)(3) ("broader in scope") or 40 CFR 272.951(c)(4) ("unauthorized state amendments"), are considered new unauthorized State requirements. These

requirements are not federally enforceable.

With respect to any requirement pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA) for which the State has not yet been authorized, the EPA will continue to enforce the Federal HSWA standards until the State is authorized for these provisions.

F. What will be the effect of Federal HSWA requirements on the codification?

The EPA is not amending 40 CFR part 272 to include HSWA requirements and prohibitions that are implemented by the EPA. Section 3006(g) of RCRA provides that any HSWA requirement or prohibition (including implementing regulations) takes effect in authorized and not authorized States at the same time. A HSWA requirement or prohibition supersedes any less stringent or inconsistent State provision which may have been previously authorized by the EPA (50 FR 28702, July 15, 1985). The EPA has the authority to implement HSWA requirements in all States, including authorized States, until the States become authorized for such requirement or prohibition. Authorized States are required to revise their programs to adopt the HSWA requirements and prohibitions, and then to seek authorization for those revisions pursuant to 40 CFR part 271.

Instead of amending the 40 CFR part 272 every time a new HSWA provision takes effect under the authority of RCRA section 3006(g), the EPA will wait until the State receives authorization for its analog to the new HSWA provision before amending the State's 40 CFR part 272 incorporation by reference. Until then, persons wanting to know whether a HSWA requirement or prohibition is in effect should refer to 40 CFR 271.1(j), as amended, which lists each such provision.

Some existing State requirements may be similar to the HSWA requirement implemented by the EPA. However, until the EPA authorizes those State requirements, the EPA can only enforce the HSWA requirements and not the State analogs. The EPA will not codify those State requirements until the State receives authorization for those requirements.

Statutory and Executive Order Reviews

The Office of Management and Budget (OMB) has exempted this action from the requirements of Executive Order 12866 (58 FR 51735, October 4, 1993), and therefore this action is not subject to review by OMB. This rule incorporates by reference Louisiana's authorized hazardous waste management regulations and imposes no additional requirements beyond those imposed by State law. Accordingly, I certify that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule merely incorporates by reference certain existing State hazardous waste management program requirements which the EPA already approved under 40 CFR part 271, and with which regulated entities must already comply, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4).

This action will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely incorporates by reference existing authorized State hazardous waste management program requirements without altering the relationship or the distribution of power and responsibilities established by RCRA. This action also does not have tribal implications within the meaning of Executive Order 13175 (65 FR 67249, November 6, 2000).

This action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental health or safety risks. This rule is not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001), because it is not a significant regulatory action under Executive Order 12866.

The requirements being codified are the result of Louisiana's voluntary participation in the EPA's State program authorization process under RCRA Subtitle C. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, the EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. The EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.,* as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this document and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2). This action will be effective October 4, 2010.

List of Subjects in 40 CFR Parts 271 and 272

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Incorporation by reference, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This action is issued under the authority of Sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: April 30, 2010.

Lawrence E. Starfield,

Acting Regional Administrator, Region 6.

■ For the reasons set forth in the preamble, under the authority at 42 U.S.C. 6912(a), 6926, and 6974(b), EPA is granting final authorization under part 271 to the State of Louisiana for revisions to its hazardous waste program under the Resource Conservation and Recovery Act and is amending 40 CFR part 272 as follows.

PART 272—APPROVED STATE HAZARDOUS WASTE MANAGEMENT PROGRAMS

■ 1. The authority citation for part 272 continues to read as follows:

Authority: Sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

■ 2. Revise § 272.951 to read as follows:

§ 272.951 Louisiana State-Administered Program: Final Authorization.

(a) Pursuant to section 3006(b) of RCRA, 42 U.S.C. 6926(b), the EPA granted Louisiana final authorization for the following elements as submitted to EPA in Louisiana's base program application for final authorization which was approved by EPA effective on February 7, 1985. Subsequent program revision applications were approved effective on January 29, 1990, October 25, 1991 as corrected October 15, 1991; January 23, 1995 as corrected April 11, 1995; March 8, 1995; January 2, 1996; June 11, 1996, March 16, 1998, December 22, 1998, October 25, 1999, November 1, 1999, April 28, 2000, March 5, 2001, February 9, 2004, August 9, 2005, January 12, 2007, and October 15, 2007, and October 4, 2010.

(b) The State of Louisiana has primary responsibility for enforcing its hazardous waste management program. However, EPA retains the authority to exercise its inspection and enforcement authorities in accordance with sections 3007, 3008, 3013, 7003 of RCRA, 42 U.S.C. 6927, 6928, 6934, 6973, and any other applicable statutory and regulatory provisions, regardless of whether the State has taken its own actions, as well as in accordance with other statutory and regulatory provisions.

(c) *State Statutes and Regulations.* (1) The Louisiana statutes and regulations cited in paragraph (c)(1)(i) of this section are incorporated by reference as part of the hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.* The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain copies of the Louisiana regulations that are incorporated by reference in this paragraph from the Office of the State Register, P.O. Box 94095, Baton Rouge, LA 70804–9095; *Phone number:* (225) 342–5015; *Web site: http://doa.louisiana.gov/osr/lac/lac.htm.* The statutes are available from West Publishing/Company, 610 Opperman Drive, P.O. Box 64526, St. Paul, Minnesota 55164 0526; *Phone:* 1–800–328–4880; *Web site: http://west.thomson.com.* You may inspect a copy at EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202 (Phone number (214) 665–8533), or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

(i) The binder entitled "EPA Approved Louisiana Statutory and Regulatory Requirements Applicable to the Hazardous Waste Management Program", dated October, 2007.

(ii) [Reserved]

(2) The following provisions provide the legal basis for the State's implementation of the hazardous waste management program, but they are not being incorporated by reference and do not replace Federal authorities:

(i) Louisiana Statutes Annotated, Revised Statutes, 2000 Main Volume (effective August 15, 1999), Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act, 2000: Chapter 1, Sections 2002, 2013, 2014.2, 2020, 2021, 2023, 2024, 2026 through 2029, 2033.A–D; Chapter 2–A, Section 2050.8; Chapter 9, Sections 2172, 2174, 2175, 2181, 2183.C, F–H, 2183.1.B, 2183.2, 2184.B, 2187, 2188.A and C, 2189.A and B, 2190.A–D, 2191.A–C, 2192, 2193, 2196, 2199, 2200, 2203.B and C, 2204.A(2), A(3) and B; Chapter 13, Sections 2294(6), 2295.C; Chapter 16, Section 2369.

(ii) Louisiana Statutes Annotated, Revised Statutes, 2007 (effective August 15, 2006) Cumulative Annual Pocket Part, Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act: Chapter 2, 2011.A(1), 2011.B and C, 2011.D (except 2011.D(4), (10)–(12), (16), (19), (20), (23) and (25)), 2011.E–G, 2012, 2014.A, 2017, 2019.A–C, 2022 (except the first sentence of 2022.A(1)), 2022.1(B), 2025 (except 2025.D, .F(3), .H and .K); Chapter 3, Sections 2054.B(1), 2054.B(2)(a); Chapter 9, Sections 2180.A–C, 2186.A–C; Chapter 18, Section 2417.A.

(iii) Louisiana Administrative Code, Title 33, Part I, Office of The Secretary Part I, Subpart 1: Departmental Administrative Procedures: Chapter 5, Sections 501 through 511, effective October 20, 2005; Chapter 7, Section 705, effective March 20, 2004; Chapter 19, Sections 1901 through 1911, effective October 20, 2005; Chapter 23, Sections 2303 through 2309, effective May 20, 2003.

(iv) Louisiana Administrative Code, Title 33, Part V, Hazardous Waste and Hazardous Materials, Louisiana Hazardous Waste Regulations, revised as of December 31, 2006: Chapter 1, Sections 101, 107.A.–C; Chapter 3, Sections 301, 311.A, 311.C, 315 introductory paragraph, 323.B.3; 323.B.4.d and e; Chapter 5, Section, 503; Chapter 7, Sections 703, 705, 707 through 721; and Chapter 22, Sections 2201.A, 2201.E, 2201.F.

(3) The following statutory and regulatory provisions are broader in scope than the Federal program, are not part of the authorized program, and are not incorporated by reference:

(i) Louisiana Statutes Annotated, Revised Statutes, 2000 Main Volume (effective August 15, 1999), Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act, 2000: Chapter 9, Sections 2178 and 2197.

(ii) Louisiana Statutes Annotated, Revised Statutes, 2007 (effective August 15, 2006) Cumulative Annual Pocket Part, Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act: Chapter 2, Sections 2014.B and D.

(iii) Louisiana Administrative Code, Title 33, Part V, Hazardous Waste And Hazardous Materials, Louisiana Hazardous Waste Regulations, revised as of December 31, 2006: Chapter 1, Section, 108.G.5; Chapter 3, Section 327; Chapter 11, Sections 1101.G and 1109.E.7.f ; Chapter 13, Section 1313; Chapter 51.

(4) *Unauthorized State Amendments.* (i) The State's adoption of the Non-HSWA Federal rule listed in the following Table is not approved by the EPA and is, therefore, not enforceable. Louisiana has also adopted but is not authorized to implement the HSWA rules that are listed in the Table in lieu of the EPA. The EPA will enforce the Federal HSWA standards for which Louisiana is not authorized until the State receives specific authorization from EPA.

Federal requirement	Federal Register reference	Publication date
Exports of Hazardous Waste (HSWA)	51 FR 28664	August 8, 1986.
HSWA Codification Rule 2: Post-Closure Permits (HSWA)	52 FR 45788	December 1, 1987.

Federal requirement	Federal Register reference	Publication date
Imports and Exports of Hazardous Waste: Implementation of OECD Council Decision (HSWA).	61 FR 16290	April 12, 1996.
Universal Waste Rule: Specific Provisions for Mercury Containing Equipment (Non-HSWA).	70 FR 45508	August 5, 2005.

(ii) Louisiana adopted the changes made by the August 5, 2005 Federal final rule addressing Mercury Containing Equipment (70 FR 45508) and, at the same time, made changes conforming to the addition of Consumer Electronics as a state universal waste. These changes were made as part of the same state amendment effective December 20, 2005. As noted in the table above, Louisiana is not authorized for the August 5, 2005 Federal final rule, however, EPA does recognize Consumer Electronics as part of the State's approved program.

(iii) The following authorized provisions of the Louisiana regulations include amendments published in the Louisiana Register that are not approved by EPA. Such unauthorized amendments are not part of the State's authorized program and are, therefore, not federally enforceable. Thus, notwithstanding the language in the Louisiana hazardous waste regulations incorporated by reference at paragraph (c)(1)(i) of this section, EPA will enforce the State provisions that are actually authorized by EPA. The effective dates of the State's authorized provisions are listed in the following Table.

State provision	Effective date of authorized provision	Unauthorized State amendments	
		State reference	Effective date
LAC 1111.B.1.c	March 20, 1984	LR 16:220	March 20, 1990.
LAC 1113	March 20, 1984	LR 16:220	March 20, 1990.
LAC 4407.A.12	March 20, 1984	LR 16:220	March 20, 1990.

The actual State regulatory text authorized by EPA (i.e., without the unauthorized amendments) is available as a separate document, *Addendum to the EPA-Approved Louisiana Regulatory and Statutory Requirements Applicable to the Hazardous Waste Management Program, October, 2007.* Copies of the document can be obtained from U.S. EPA Region 6, 1445 Ross Avenue, Dallas, TX 75202 also Louisiana Department of Environmental Quality, 602 N. Fifth Street, Baton Rouge, Louisiana 70884–2178.

(5) *Memorandum of Agreement.* The Memorandum of Agreement between EPA Region 6 and the State of Louisiana, signed by the EPA Regional Administrator on September 26, 2006 is referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(6) *Statement of Legal Authority.* "Attorney General's Statement for Final Authorization", signed by the Attorney General of Louisiana on December, 13, 1996 and revisions, supplements and addenda to that Statement dated January 13, 1998, January 13, 1999, January 27, 1999, August 19, 1999, August 29, 2000, October 17, 2001, February 25, 2003, October 20, 2004, December 19, 2005, September 5, 2006 are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

(7) *Program Description.* The Program Description and any other materials submitted as supplements thereto are referenced as part of the authorized hazardous waste management program under subtitle C of RCRA, 42 U.S.C. 6921 *et seq.*

■ 3. Appendix A to part 272 is amended by revising the listing for "Louisiana" to read as follows:

Appendix A to Part 272—State Requirements

* * * * *

Louisiana

The statutory provisions include:

Louisiana Statutes Annotated, Revised Statutes, 2000 Main Volume (effective August 15, 1999), Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act, 2000: Chapter 1, Sections 2004 introductory paragraph, 2004(2)–(4), 2004(7)–(10), 2004(13), 2004(14) introductory paragraph, 2004(14)(a) and (e), 2004(15), 2004(18); Chapter 8, Section 2153(1); Chapter 9, Sections 2173, except 2173(9), 2183.A, B, D, E and I, 2183.1.A, 2184.A, 2188.B, 2189.C, 2202, 2203.A, 2204.A(1) and C, 2295.A and B.

Louisiana Statutes Annotated, Revised Statutes, 2007 (effective August 15, 2006) Cumulative Annual Pocket Part, Volume 17B, Subtitle II of Title 30, Louisiana Environmental Quality Act: Chapter 1, Sections 2003; Chapter 2, Sections 2022.A(1), first sentence, 2022.1(A); Chapter 18, 2417.E(5).

Copies of the Louisiana statutes that are incorporated by reference are available from and published by West Publishing Company, 610 Opperman Drive, P.O. Box 64526, St. Paul, Minnesota 55164–0526; *Phone:* 1–800–328–4880; *Web site: http://west.thomson.com.*

The regulatory provisions include:

Louisiana Administrative Code, Title 33, Part V, Hazardous Waste and Hazardous Materials, Louisiana Hazardous Waste Regulations, Part V, Subpart 1: Department of Environmental Quality—Hazardous Waste, revised as of December 31, 2006 (unless otherwise specified):

Chapter 1—General Provisions and Definitions, Sections 103, 105, 108, (except G.5), 109 (except "Competent Authorities", "Concerned Countries", the two occurrences of "Consignee", "Country of Transit", "EPA Acknowledgement of Consent", "Exporting Country", "Importing Country", "Notifier", "Organization for Economic Cooperation and Development (OECD) Area", "Primary Exporter", "Receiving Country", "Recognized Trader", "Recovery Facility", "Recovery Operations", "Transfrontier Movement", "Transit Country"), 110 (except 110.A.16), 111;

Chapter 3—General Conditions for Transfer Storage and Disposal Facility Permits, Sections 303, 305 (except 305.C.11.c, 305.F and 305.G), 305.C.11.c (December 2004), 307, 309, 311 (except 311.A and .C), 313, 315.A–.D, 317 through 321, 322 (except 322.D.1.g), 323 (except 323.B.3, .B.4.d and .B.4.e), 325, 329;

Chapter 5—Permit Application Contents, Sections 501, 505 through 516, 517 (except the following phrases in 517.V: "or 2271, or a determination made under LAC 33:V.2273," and, "or a determination"), 519 through 528, 529 (except 529.E), 530 through 536, 537 (except 537.B.2.f and .B.2.l), 540 through 699;

Chapter 7—Administrative Procedures for Treatment Storage and Disposal Facility Permits, Sections 701, 706, 708;

Chapter 11—Generators, Sections 1101 (except 1101.B and .G), 1103, 1105, 1107 (except 1107.D.5), 1109 (except 1109.E.3 and .E.7.f), 1111.A, 1111.B.1 introductory paragraph (except the phrase "to a treatment, storage, or disposal facility within the United

States"), 1111.B.1.a.–.c, 1111.B.1.d (except the phrase "within the United States"), 1111.B.1.e (except the phrase "within the United States"), 1111.B.1.f–.h, 1111.B.2 (except the phrase "for a period of at least three years from the date of the report" and the third and fourth sentences), 1111.C–.E, 1113, 1121, 1199 Appendix A;

Chapter 13—Transporters, Sections 1301 (except 1301.F), 1303, 1305, 1307.A introductory paragraph (except the third sentence), 1307.B, 1307.C (except the last sentence), 1307.D, 1307.E (except the phrase "and, for exports, an EPA Acknowledgment of Consent"), 1307.F (except the phrase "and, for exports, an EPA Acknowledgment of Consent" at 1307.F.2), 1307.G (except .1307.G.4), 1307.H, 1309, 1311, 1315 through 1323;

Chapter 15—Treatment, Storage and Disposal Facilities, Sections 1501 (except 1501.C.3, 1501.C.11.c), 1501.C.11.c (December 2004), 1503 through 1515, 1516 (except 1516.B.4), 1517, 1519 (except 1519.D), 1521 through 1529, 1531 (except 1531.B), 1533, 1535;

Chapter 17—Air Emission Standards, Sections 1701 through 1767, Appendix Table 1;

Chapter 18—Containment Buildings, Sections 1801, 1802, 1803, (except 1803.B.2);

Chapter 19—Tanks, Sections 1901 (except 1901.D), 1903, 1905 (except 1905.H), 1907, 1909 (except 1909.D), 1911, 1913, 1915 (except 1915.D), 1917, 1919, 1921;

Chapter 20—Integration with Maximum Achievable Control Technology (MACT), Section 2001;

Chapter 21—Containers, Sections 2101 (except 2101.D), 2103 through 2119;

Chapter 22—Prohibitions on Land Disposal, Sections 2201.B–.D, 2201.G (except 2201.G.3), 2201.H, 2201.I (except 2201.I.5.c), 2201.I.5.c (December 2004), 2203.A (except "Cone of influence", "Confining zone", "Formation", "Injection Interval", "Injection Zone", "Mechanical Integrity", "Transmission Fault or Fracture", "Treatment", "Underground Source of Drinking Water"), 2203.B, 2205, (except the phrase "or a determination under LAC 33:V.2273," in 2205.D), 2207, 2208, 2209 (except the phrase "or a determination under LAC 33:V.2273," in 2209.D.1), 2211, 2213, 2215, 2216 (except the phrase "or 2271" in 2216.E.2), 2218 (except the phrase "or 2271" in 2218.B.2), 2219, 2221.D–.F, 2223, 2227 (except 2227.B), 2230, 2231.G–.M, 2233, 2236, 2237, 2245 (except 2245.J and .K), 2246, 2247 (except 2247.G and .H), 2299 Appendix (except 2299 Tables 4 and 12);

Chapter 23—Waste Piles, Sections 2301, 2303 (except 2303.K), 2304 through 2313, 2315 (except the word "either" at the end of the introductory paragraph, the word "or" at the end of 2315.B.1, and .B.2), 2317;

Chapter 24—Hazardous Waste Munitions and Explosives Storage, Sections 2401 through 2405;

Chapter 25—Landfills, Sections 2501 through 2513, 2515 (except 2515.F.2.d), 2517 through 2523;

Chapter 26—Corrective Action Management Units And Temporary Units, Sections 2601 through 2607;

Chapter 27—Land Treatment, Sections 2701, 2703 (except 2703.I and .J), 2705 through 2723;

Chapter 28—Drip Pads, Sections 2801 through 2807, 2809 (except the word "either" at the end of 2809.B introductory paragraph, the word "or" at the end of 2809.B.1, and .B.2);

Chapter 29—Surface Impoundments, Sections 2901, 2903 (except 2903.I), 2904 through 2909, 2911 (except the word "either" at end of 2911.B introductory paragraph, 2911.B.1), 2913 through 2919;

Chapter 30—Hazardous Waste Burned In Boilers and Industrial Furnaces, Sections 3001 through 3007, 3009 (except 3009.F), 3011 through 3025, 3099 Appendices A through L;

Chapter 31—Incinerators, Sections 3101 through 3121;

Chapter 32—Miscellaneous Units, Sections 3201, 3203, 3205, 3207.A;

Chapter 33—Groundwater Protection, Sections 3301 through 3313, 3315 (except 3315.K), 3317 through 3321, 3322 (except 3322.D), 3323, 3325;

Chapter 35—Closure and Post-Closure, Sections 3501—3505, 3507 (except 3507.B), 3509 through 3519, 3521 (except 3521.A.3), 3523 through 3527;

Chapter 37—Financial Requirements 3701, 3703, 3705 (except the last sentence in 3705.D), 3707 introductory paragraph, 3707.A–.H, 3707.I (except for ", and for facilities subject to LAC 33:V.3525 * * * LAC 33:V.3525.B.2", and the two occurrences of "or that the owner or operator has failed * * * LAC 33:V.3525 "), 3709 through 3713, 3715 (except 3715.F.8), 3717, 3719;

Chapter 38—Universal Wastes, Sections 3801.A (December 2004), 3801.B–.D, 3803, 3805, 3807.A–.C (December 2004), 3809 through 3811, 3813, (except "Ampule", "Mercury-Containing Equipment", "Mercury-containing Lamp", "Universal Waste" .3), 3813 "Universal Waste" .3, (December 2004), 3815, 3817, 3819, 3821 (except 3821.C), 3821.C (December 2004), 3823 (except 3823.A.4 and .A.5), 3823.A.4, (December 2004), 3825 through 3833, 3835 (except the phrase "other than to those OECD countries...requirements of LAC 33:V.Chapter 11.Subchapter B,"), 3837, 3839, 3841 (except 3841.B.5), 3841.B.5 (December 2004), 3843 (except 3843.C), 3843.C (December 2004), 3845 (except 3845.A.4 and .A.5), 3845.A.4, (December 2004), 3847 through 3853, 3855 (except 3855.A.2 and .B.2), 3855.A.2 (December 2004), 3855.B.2 (December 2004), 3857 introductory paragraph (except the phrase "other than to those OECD countries * * * requirements of LAC 33:V.Chapter 11.Subchapter B"), 3857.A.1–.A.3, 3859 through 3869, 3871.A introductory paragraph (except the phrase "other than to those OECD countries * * * requirements of LAC 33:V.Chapter 11.Subchapter B"), 3871.A.1–.2, 3873, 3875, 3877 (except 3877.A.2), 3877.A.2 (December 2004), 3879 (except 3879.B), 3881, 3883;

Chapter 40—Used Oil 4001 through 4093;

Chapter 41. Recyclable Materials, Sections 4101, 4105 (except 4105.A.1.a.i and ii, 4105.A.4), 4139, 4141, 4143 (except the word "and" at end of 4143.B.4, 4143.B.5), 4145;

Chapter 42—Conditional Exemption For Low-Level Mixed Waste Storage and Disposal, Sections 4201 through 4243;

Chapter 43—Interim Status, Sections 4301.A, 4301.B (June 1995), 4301.B, 4301.C, (June 1995), 4301.C, (except 4301.C.13.c), 4301.C.13.c. (December 2004), 4301.D–.I, 4302 through 4371, 4373 (except the last two sentences "The administrative authority * * * as demonstrated in accordance with LAC 33:I.Chapter 13." in 4373.K.1), 4375, 4377, 4379 (except 4379.B), 4381 through 4387, 4389 (except 4389.C), 4391 through 4397, 4399 (except 4399.A.6.i), 4401, 4403 (except the phrases: "and after receiving the certification required under LAC 33:V.4393.B.2. for facilities subject to LAC 33:V.4393", and the two occurrences of "or that the owner or operator has failed * * * LAC 33:4393" in 4403.H), 4405 through 4413, 4417 through 4456, 4457.A (except 4457.A.2), 4457.B (except the phrase: "If the owner or operator * * *he must" in the introductory paragraph), 4457.C, 4459 through 4474, 4475 (except the word "either" at the end of 4475.B introductory paragraph, the word "or" at the end of 4475.B.1, and 4475.B.2); 4476 through 4499, 4501 (except 4501.D.3), 4502 through 4599, 4601, 4701, 4703, 4705 (except the word "either" at the end of 4705.B introductory paragraph, the word "or" at the end of 4705.B.1, and 4705.B.2); 4707 through 4739;

Chapter 49—Lists of Hazardous Wastes, Sections 4901, 4903, 4907, 4909, 4999 Appendices A through E;

Chapter 53—Military Munitions 5301 through 5311;

Louisiana Administrative Code, Title 33, Part VII, Solid Waste, as amended through June 20, 2000; 301.B.1, 315.N, 521.H;

Copies of the Louisiana Administrative Code as published by the Office of the State Register, P.O. Box 94095, Baton Rouge, LA 70804–9095; *Phone:* (225) 342–5015; *Web site: http://doa.louisiana.gov/osr/lac/lac.htm.*

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Proposed Rules

Federal Register

Vol. 75, No. 150

Thursday, August 5, 2010

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Parts 741 and 750

RIN 3133–AD73

Golden Parachute and Indemnification Payments

AGENCY: National Credit Union Administration (NCUA).

ACTION: Proposed rule.

SUMMARY: NCUA proposes to adopt a rule to prohibit, with some exceptions, a federally insured credit union (FICU) from making golden parachute and indemnification payments to an institution-affiliated party (IAP). The proposed rule is intended to help safeguard the National Credit Union Share Insurance Fund (NCUSIF) by preventing the wrongful or improper disposition of FICU assets and to inhibit unwarranted rewards to IAPs who may have contributed to an FICU's troubled condition. The proposed rule would also provide FICUs with greater clarity on the distinction between legitimate employee severance payments and improper golden parachute payments.

DATES: Comments must be received on or before September 7, 2010.

ADDRESSES: You may submit comments by any of the following methods (Please send comments by one method only):

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *NCUA Web site: http://www.ncua.gov/RegulationsOpinionsLaws/proposed_regs/proposed_regs.html.* Follow the instructions for submitting comments.
- *E-mail:* Address to *regcomments@ncua.gov.* Include "[Your name] Comments on "Golden Parachute and Indemnification Payments" in the e-mail subject line.
- *Fax:* (703) 518–6319. Use the subject line described above for e-mail.
- *Mail:* Address to Mary Rupp, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.
- *Hand Delivery/Courier:* Same as mail address.

Public Inspection: All public comments are available on the agency's Web site at *http://www.ncua.gov/RegulationsOpinionsLaws/comments* as submitted, except as may not be possible for technical reasons. Public comments will not be edited to remove any identifying or contact information. Paper copies of comments may be inspected in NCUA's law library at 1775 Duke Street, Alexandria, Virginia 22314, by appointment weekdays between 9 a.m. and 3 p.m. To make an appointment, call (703) 518–6546 or send an e-mail to *OGCMail@ncua.gov.*

FOR FURTHER INFORMATION CONTACT: Pamela Yu, Staff Attorney, at the above address, or telephone: (703) 518–6540.

SUPPLEMENTARY INFORMATION:

I. Background

Section 2523 of the Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990 (Fraud Act) [1] amended the Federal Credit Union Act (FCU Act) by adding section 206(t). Public Law No. 101–647, 2523 (1990). Section 206(t) states that "[t]he Board may prohibit or limit, by regulation or order, any golden parachute payment or indemnification payment." 12 U.S.C. 1786(t)(1).

This proposal implements section 206(t) by adding a new part 750 to NCUA's regulations. Although the Fraud Act authorized the Board to prescribe rules in this area, the Board did not promulgate rules to implement section 206(t) initially because of a government-wide moratorium on rulemaking. Regarding the golden parachute and indemnification provisions in the proposed corporate rule, the Board noted its concern with "recent problems exposed by the corporate financial crisis, including corporate governance problems" but stated it did not intend to apply the requirements of the proposed corporate rule to natural person credit unions. 74 FR 65210, 65255 (Dec. 9, 2009). Given the current economic climate and continuing financial problems facing many natural person credit unions, the Board now believes it should implement the golden parachute and indemnification provisions of the anti-fraud legislation for all FICUs. Furthermore, because the Board wishes to implement this regulation without delay, the comment period will be 30 days, as required under the Administrative Procedure Act, 5 U.S.C. 553(d), rather than a 60-day comment period NCUA generally provides under IRPS 87–2, *Developing and Reviewing Government Regulations,* 52 FR 35231 (Sept. 18, 1987), as amended by IRPS 03–2, 68 FR 31949 (May 29, 2003). The provisions of this proposed rule, substantively identical to the provisions in the proposed corporate rule, will prevent the improper disposition of FICU assets and inhibit unwarranted rewards that can contribute to an FICU's troubled condition.

II. Summary of the Proposed Rule

NCUA proposes to adopt a rule to prohibit, with certain exceptions, an FICU from making golden parachute and indemnification payments to an IAP. The purpose of the proposed rule is to safeguard the NCUSIF by preventing the wrongful or improper disposition of FICU assets and to inhibit rewards to IAPs who may have contributed to an FICU's troubled condition. It is also intended to provide FICUs with greater clarity on the distinction between legitimate employee severance payments and improper golden parachute payments. The proposed rule tracks closely to existing regulations applying to banks.[2]

This proposal is drafted so as to apply to all FICUs, including natural person and corporate credit unions. NCUA previously issued a proposal to implement section 206(t) for corporate credit unions on November 19, 2009, as part of a comprehensive proposal to amend part 704, NCUA's rule governing corporate credit unions. 74 FR 6520 (Dec. 9, 2009) (to be codified at 12 CFR 704.20).[3] This proposed rule, with only minor differences, for example, in grammar or simpler word choice, is substantively the same as the proposed corporate provisions. A final corporate rule may be adopted before this

[1] The Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990 is title XXV of the Crime Control Act of 1990, S. 3266, which Congress passed on October 27, 1990 and the President signed into law on November 29, 1990.

[2] *See* 12 CFR part 359.

[3] The comment period for the corporate proposal ended March 9, 2010.

proposal is finalized and, if so, the Board may then consider consolidating the corporate rule's golden parachute provisions into a final rule for this proposal to avoid duplicative sections on the same subject.

Once finalized, the new part 750 will apply to all new employment contracts entered into on or after that date, as well as to existing contracts that are renewed or modified in any way after the final rule's effective date.

A. Prohibited Golden Parachute Payments

Proposed part 750 prohibits, with some exceptions, FICUs that are insolvent, in conservatorship, rated CAMEL 4 or 5, or in an otherwise troubled condition from making golden parachute payments. Golden parachutes are payments made to an IAP that are contingent on the termination of that person's employment and received when the credit union making the payment is troubled, undercapitalized, or insolvent. 12 U.S.C. 1786(t)(4).

Recognizing, however, that certain post-employment payments have reasonable business purposes, the proposal includes several "exceptions" to the general prohibition against golden parachutes to allow FICUs to offer, consistent with normal business practice, "bona fide" deferred compensation plans and legitimate "nondiscriminatory" severance pay plans. The proposal also includes an exception to permit a troubled FICU to hire and agree to pay a golden parachute to competent management to assist in bringing a troubled credit union back to financial health. The proposal would also permit limited golden parachute payments, with prior NCUA approval, in circumstances involving the merger of a troubled FICU.

B. Prohibited Indemnification Payments

The proposal also prohibits FICUs, regardless of their financial condition, from paying or reimbursing an IAP's legal or other professional expenses incurred in administrative or civil proceedings instituted by NCUA or the appropriate state regulatory authority where the IAP is assessed a civil money penalty, removed from office or made subject to a cease and desist order.[4] FICUs, however, may purchase reasonable commercial insurance policies or fidelity bonds. The proposal also allows for partial indemnification in circumstances where there is a formal and final adjudication or finding that the IAP has not violated certain laws or regulations or has not engaged in certain unsafe or unsound practices or breaches of fiduciary duty. In these instances, indemnification would be permitted for only that portion of the legal or professional expenses attributable to the charges for which there has been a finding in favor of the IAP.

III. Description of Key Provisions

A detailed description of the proposal rule's key provisions follows.

Section 750.1 Definitions

Proposed § 750.1 contains definitions applicable to this part. The key definitions are discussed in detail below.

Bona Fide Deferred Compensation Plan or Arrangement

This definition, which appears as proposed § 750.1(d), is intended to permit FICUs to offer reasonable deferred compensation plans that are typical in executive compensation packages for credit union executives. Since credit unions, as tax-exempt organizations, are not able to offer equity-based incentive compensation, deferred compensation plans are an important tool for credit unions to attract executive talent in a competitive market. The proposed definition would permit FICUs to continue to provide legitimate deferred compensation plans, including supplemental retirement benefits and nonqualified deferred compensation plans, consistent with normal business practices.

Golden Parachute Payment

The proposed rule generally prohibits a FICU from making or agreeing to make any golden parachute payment. Proposed § 750.1(f) defines a "golden parachute payment" as any payment (or agreement to make any payment) to an IAP that is contingent on the termination of that party's employment and received when the FICU making the payment is insolvent, undercapitalized, in conservatorship, rated CAMEL 4 or 5, subject to a proceeding to terminate or suspend its share insurance, or in an otherwise troubled condition, as defined in § 701.14(b)(3) and (4).[5]

The proposed golden parachute definition would provide exceptions for certain qualified pension or retirement plans under section 401 of the Internal Revenue Code (IRC); employee benefit plans that are permissible under § 701.19; bona fide deferred compensation plans; certain death and disability payments; certain "nondiscriminatory" severance plans; payments required by state law; and payments that the Board has determined permissible under § 750.4. These types of payments would not be considered golden parachute payments for purposes of this rule.

Nondiscriminatory

Section 750.1(i) of the proposal defines "nondiscriminatory" as it relates to severance pay plans or arrangements, stating only "nondiscriminatory" severance pay plans or arrangements qualify as an exception to the prohibition on golden parachute payments. To meet the proposed definition of nondiscriminatory, a severance pay plan must apply to all employees of an FICU who meet reasonable and customary eligibility requirements applicable to all employees. NCUA recognizes that severance plans providing somewhat more generous benefits to higher ranking IAPs are typical in the industry. Thus, the proposed definition permits severance plans with a modest variance in benefits based on objective criteria. Disparities in benefits are only acceptable if based on objective criteria like salary, total compensation, length of service, job grade or classification. Additionally, the proposed definition requires any group of employees that is designated for a different level of benefits based on objective criteria must consist of not less than 33% of all employees.

Prohibited Indemnification Payment

Under proposed § 750.1(k), a "prohibited indemnification payment" is any payment or agreement to make any payment by an FICU to an IAP to pay or reimburse such person for any civil money penalty, judgment, or other liability or legal expense resulting from any administrative or civil action by NCUA or the appropriate state regulatory authority and the IAP is assessed a civil money penalty, removed from office or made subject to a cease and desist order. The proposed definition would not include any reasonable payment to purchase commercial insurance policies or fidelity bonds. The policy or bond cannot pay for any penalty or judgment against an IAP; however, the policy or bond may cover the potential future cost of defending an administrative

[4] Federal credit unions may provide for indemnification of officers and directors as set forth at 12 CFR 701.33(c). While proposed § 750.5 is intended to apply to all FICUS, it does not grant or enhance any authority state chartered credit unions may have under state law to provide indemnification. To the extent this proposed part 750 is perceived to conflict with § 701.33 or any state law or regulation for state-chartered credit unions, a FICU must comply with part 750.

[5] Corporate credit unions that have been granted assistance as described in sections 208 or 216 of the FCU Act would also be considered to be in a "troubled condition" under the proposal.

proceeding or civil action or pay restitution to the FICU or its liquidating agent.

The proposed definition would also provide an exception for payments representing a partial indemnification for legal or professional expenses specifically attributable to charges for which there has been a formal and final adjudication or finding that the IAP has not violated certain laws or regulations or has not engaged in certain unsafe or unsound practices or breaches of fiduciary duty.

Section 750.4 Permissible Golden Parachute Payments

In certain, limited circumstances, NCUA believes payments that otherwise satisfy the definition of golden parachute payments should be permitted. Accordingly, the proposal includes three major exceptions to the general prohibition on golden parachute payments.

First, the proposal includes an exception to allow an FICU in a troubled condition to agree to pay a golden parachute payment in order to hire new management to help bring a troubled FICU back to sound financial health. This exception is intended to ensure an FICU can attract qualified senior management with appropriate expertise to help improve a troubled FICU's financial condition. An FICU must notify and obtain the written permission of the Board before employing this exception to make a golden parachute payment.

Second, the proposed rule includes an exception to allow FICUs to offer reasonable severance plan payments in the context of a merger involving a troubled credit union.

The merger must be unassisted, that is, without assistance from, and at no cost to, NCUA. Reasonable severance arrangements related to an unassisted merger must not exceed twelve months' salary. Additionally, an FICU must obtain the written consent of the Board before making the severance payment.

Third, the proposal includes a general exception to permit golden parachute payments where the Board determines such a payment is permissible.

In applying to NCUA for any of the three exceptions above, the FICU must demonstrate that the IAP does not bear any responsibility for the troubled condition of the FICU. Specifically, an FICU must demonstrate that it does not possess, and is not aware of, any information providing a reasonable basis to believe that: the IAP has committed any fraudulent act or omission, breach of trust or fiduciary duty, or insider abuse; the IAP is substantially responsible for the insolvency of, the appointment of a conservator or liquidating agent for, or the troubled condition of the FICU; or the IAP has violated or conspired to violate any applicable federal or state law or regulation or certain specified criminal provisions of the United States Code.

Under the proposal, the Board may consider the following factors in determining whether to permit a golden parachute payment:

- Whether, and to what degree, the IAP was in a position of managerial or fiduciary responsibility;
- The length of time the IAP was affiliated with the FICU, and the degree to which the proposed payment represents a reasonable payment for services rendered over the period of employment; and
- Any other factors or circumstances which would indicate that the proposed payment would be contrary to the intent of section 206(t) of the FCU Act.

Section 750.5 Permissible Indemnification Payments

The proposed rule generally prohibits indemnification payments for the benefit of an IAP for any liability or legal expense in connection with an administrative or civil enforcement action that results in a final order or settlement pursuant to which the IAP is assessed a civil money penalty, removed from office, prohibited from participating in the conduct of the affairs of an insured credit union, or required to cease and desist from or take any affirmative action described in section 206 of the FCU Act. Recognizing, however, that there are circumstances where indemnification would be appropriate, § 750.5 of the proposal allows for reasonable indemnification payments to an IAP under certain conditions. Specifically, an FICU may make or agree to make an indemnification payment to an IAP for reasonable legal or other professional expenses incurred in defending an administrative or civil action brought by NCUA or the appropriate state regulator where the FICU's board of directors makes a good faith determination, after due investigation, that:

- The IAP acted in good faith and in a manner he or she believed to be in the best interests of the FICU;
- The payment will not materially adversely affect the FICU's safety and soundness;
- The payments do not ultimately become prohibited indemnification payments as defined in § 750.1(k), that is, the administrative action does not result in a civil money penalty, removal order, or cease and desist order against the IAP; and
- The IAP agrees in writing to reimburse the FICU, to the extent not covered by payments from insurance, for that portion of the advanced indemnification payments, if any, which subsequently becomes a prohibited indemnification payment.

Section 750.7 Applicability in the Event of Liquidation or Conservatorship

This section clarifies how the prohibitions and limitations in this part would apply in the event of a liquidation or conservatorship. Under the proposal, the Board's consent or approval of a golden parachute payment under this part will not in any way bind or obligate any liquidating agent or conservator for a failed FICU to pay any claim or obligation under any golden parachute, severance, indemnification or other agreement.

IV. Regulatory Procedures

Regulatory Flexibility Act

The Regulatory Flexibility Act requires NCUA to prepare an analysis to describe any significant economic impact a rule may have on a substantial number of small entities (primarily those under ten million dollars in assets). This proposed rule does not impose any regulatory burden but prohibits improper golden parachute and indemnification payments to IAPs by FICUs in certain circumstances. Accordingly, it will not have a significant economic impact on a substantial number of small credit unions, and therefore, no regulatory flexibility analysis is required.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (PRA) applies to rulemakings in which an agency by rule creates a new paperwork burden on regulated entities or modifies an existing burden. 44 U.S.C. 3507(d). For purposes of the PRA, a paperwork burden may take the form of a either a reporting or a recordkeeping requirement, both referred to as information collections. Proposed part 750 would impose new information collection requirements. Proposed § 750.6 would require requests for an FICU to make nondiscriminatory severance plan payments under § 750.1(f)(2)(v) and golden parachute payments permitted by § 750.4 to be submitted in writing to NCUA.

In FY 2009, there were 351 problem FICUs with CAMEL 4 or 5 ratings. Of those, 156 FICUs had less than $10 million in total assets and 117 FICUs had less than $100 million in total

assets. These smaller FICUs are unlikely to seek NCUA approval to make golden parachute payments because these payments are more typically seen in the executive compensation of larger, more complex FICUs. Of the remaining 78 larger problem FICUs, NCUA anticipates no more than 20 percent would seek NCUA approval to make a golden parachute payment. Accordingly, NCUA estimates that 15 FICUs will need to solicit NCUA approval in advance of making a severance or golden parachute payment within the scope of the proposed rule and that preparing the request for approval may take four hours: 15 FICUs × 4 hours = 60 hours.

As required by the PRA, NCUA is submitting a copy of this proposed regulation to the Office of Management and Budget (OMB) for its review and approval. Persons interested in submitting comments with respect to the information collection aspect of the proposed rule should submit them to the OMB at the following address: Office of Information and Regulatory Affairs, OMB, New Executive Office Building, Washington, DC 20503; Attention: NCUA Desk Officer, with a copy to Mary Rupp, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428.

The Treasury and General Government Appropriations Act, 1999—Assessment of Federal Regulations and Policies on Families

NCUA has determined that this rule will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, 1999, Public Law 105–277, 112 Stat. 2681 (1998).

Small Business Regulatory Enforcement Fairness Act

The Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121) (SBREFA) provides generally for congressional review of agency rules. A reporting requirement is triggered in instances where NCUA issues a final rule as defined by Section 551 of the APA. 5 U.S.C. 551. NCUA does not believe this proposed rule is a "major rule" within the meaning of the relevant sections of SBREFA. NCUA has submitted the rule to the Office of Management and Budget for its determination in that regard.

List of Subjects

12 CFR Part 741

Bank deposit insurance, Credit unions, Reporting and recordkeeping requirements.

12 CFR Part 750

Credit Unions, Golden parachute payments, Indemnity payments.

By the National Credit Union Administration Board, this 29th day of July, 2010.

Mary F. Rupp,

Secretary of the Board.

For the reasons discussed above, NCUA proposes to amend 12 CFR chapter VII as follows:

PART 741—REQUIREMENTS FOR INSURANCE

1. The authority citation for part 741 continues to read as follows:

Authority: 12 U.S.C. 1757, 1766(a), 1781–1790, and 1790d; 31 U.S.C. 3717.

2. Add § 741.223 to read as follows:

§ 741.223 Golden parachute and indemnification payments.

Any credit union insured pursuant to Title II of the Act must adhere to the requirements stated in part 750 of this chapter.

3. New part 750 is added to read as follows:

PART 750—GOLDEN PARACHUTE AND INDEMINIFICATION PAYMENTS

Sec.
750.0 Scope.
750.1 Definitions.
750.2 Golden parachute payments prohibited.
750.3 Prohibited indemnification payments.
750.4 Permissible golden parachute payments.
750.5 Permissible indemnification payments.
750.6 Filing instructions.
750.7 Applicability in the event of liquidation or conservatorship.

Authority: 12 U.S.C. 1786(t).

§ 750.0 Scope.

(a) This part limits and prohibits, in certain circumstances, the ability of federally insured credit unions, including federally and state chartered natural person credit unions and federally and state chartered corporate credit unions, to enter into contracts to pay and to make golden parachute and indemnification payments to institution-affiliated parties (IAPs).

(b) The limitations on golden parachute payments apply to troubled federally insured credit unions that seek to enter into contracts to pay or to make golden parachute payments to their IAPs. A "golden parachute payment" is generally considered to be any payment to an IAP which is contingent on the termination of that person's employment and is received when the federally insured credit union making the payment is troubled. The definition of golden parachute payment does not include payments pursuant to qualified retirement plans, nonqualified bona fide deferred compensation plans, nondiscriminatory severance pay plans, other types of common benefits plans, state statutes and death benefits. Certain limited exceptions to the golden parachute payment prohibition are provided for in cases involving unassisted mergers and the hiring of new management to help improve a troubled federally insured credit union's financial condition. A procedure is also set forth to permit a federally insured credit union to request permission to make what would otherwise be a prohibited golden parachute payment.

(c) The limitations on indemnification payments apply to all federally insured credit unions, including state chartered credit unions, regardless of their financial health. Generally, this part prohibits federally insured credit unions from indemnifying an IAP for that portion of the costs sustained with regard to an administrative or civil enforcement action commenced by NCUA that results in a final order or settlement pursuant to which the IAP is assessed a civil money penalty, removed from office, prohibited from participating in the affairs of a federally insured credit union or required to cease and desist from or take an affirmative action described in section 206 of the Federal Credit Union Act, 12 U.S.C. 1786. There are exceptions to this general prohibition. First, a federally insured credit union may purchase commercial insurance to cover these expenses, except judgments and penalties. Second, the credit union may advance legal and other professional expenses to an IAP directly (except for judgments and penalties) if its board of directors makes certain specific findings and the IAP agrees in writing to reimburse the credit union if it is ultimately determined that the IAP violated a law, regulation or other fiduciary duty.

§ 750.1 Definitions.

(a) *Act* means the Federal Credit Union Act.

(b) *Benefit plan* means any employee benefit plan, contract, agreement or other arrangement subject to the requirements in § 701.19 of this chapter, but the term does not include a plan within the exceptions described in paragraphs (f)(2) (iii) and (v) of this section.

(c) *Board* means the National Credit Union Administration Board.

(d) *Bona fide deferred compensation plan or arrangement* means any plan,

contract, agreement or other arrangement where:

(1) An IAP voluntarily elects to defer all or a portion of the reasonable compensation, wages or fees paid for services rendered that otherwise would have been paid to the IAP at the time the services were rendered, including a plan providing for crediting a reasonable investment return on the elective deferrals, and the federally insured credit union either:

(i) Recognizes compensation expense and accrues a liability for the benefit payments according to generally accepted accounting principles (GAAP); or

(ii) Segregates or otherwise sets aside assets in a trust that may only be used to pay plan and other benefits, except that the assets of the trust may be available to satisfy claims of the federally insured credit union's creditors in the case of insolvency; or

(2) A federally insured credit union establishes a nonqualified deferred compensation or supplemental retirement plan, other than an elective deferral plan described in paragraph (f)(1) of this section:

(i) Primarily for the purpose of providing benefits for certain IAPs in excess of the limitations on contributions and benefits imposed by sections 415, 401(a)(17), 402(g) or any other applicable provision of the Internal Revenue Code of 1986 (26 U.S.C. 415, 401(a)(17), 402(g)); or

(ii) Primarily for the purpose of providing supplemental retirement benefits or other deferred compensation for a select group of directors, management or highly compensated employees, excluding severance payments described in paragraph (f)(2)(v) of this section and permissible golden parachute payments described in § 750.4; and

(3) In the case of any nonqualified deferred compensation or supplemental retirement plans as described in paragraphs (d)(1) and (2) of this section, the following requirements apply:

(i) The plan was in effect at least one year before any of the events described in paragraph (f)(1)(ii) of this section;

(ii) Any payment made pursuant to the plan is made in accordance with the terms of the plan as in effect no later than one year before any of the events described in paragraph (f)(1)(ii) of this section and in accordance with any amendments to the plan during that one year period that do not increase the benefits payable under the plan;

(iii) The IAP has a vested right, as defined under the applicable plan document, at the time of termination of employment to payments under the plan;

(iv) Benefits under the plan are accrued each period only for current or prior service rendered to the employer, except that an allowance may be made for service with a predecessor employer;

(v) Any payment made pursuant to the plan is not based on any discretionary acceleration of vesting or accrual of benefits that occurs at any time later than one year before any of the events described in paragraph (f)(1)(ii) of this section;

(vi) The federally insured credit union has previously recognized compensation expense and accrued a liability for the benefit payments according to GAAP or segregated or otherwise set aside assets in a trust that may only be used to pay plan benefits, except that the assets of the trust may be available to satisfy claims of the credit union's creditors in the case of insolvency; and

(vii) Payments pursuant to the plans must not exceed the accrued liability computed in accordance with GAAP.

(e) *Federally insured credit union* means a federal credit union, state chartered credit union, or corporate credit union the member accounts of which are insured under the Act.

(f) *Golden parachute payment.* (1) The term *golden parachute* payment means any payment or any agreement to make any payment in the nature of compensation by any federally insured credit union for the benefit of any current or former IAP pursuant to an obligation of the credit union that:

(i) Is contingent on, or by its terms is payable on or after, the termination of the party's primary employment or affiliation with the credit union; and

(ii) Is received on or after, or is made in contemplation of, any of the following events:

(A) The insolvency of the federally insured credit union that is making the payment; or

(B) The appointment of any conservator or liquidating agent for the federally insured credit union; or

(C) A determination by the Board or, in the case of a state chartered credit union, the appropriate state supervisory authority that the federally insured credit union is in a troubled condition, as defined in § 701.14(b)(3) and (4) of this chapter; or

(D) The federally insured credit union has been assigned:

(1) In the case of a federal credit union, 4 or 5 CAMEL composite rating by NCUA; or

(2) In the case of a federally insured state chartered credit union, an equivalent 4 or 5 CAMEL composite rating by the state supervisor; or

(3) In the case of a federally insured state chartered credit union in a state that does not use the CAMEL system, a 4 or 5 CAMEL composite rating by NCUA based on core workpapers received from the state supervisor; or

(4) In the case of a corporate credit union, the corporate credit union is undercapitalized as defined in § 704.4.

(E) The federally insured credit union is subject to a proceeding to terminate or suspend its share insurance; and

(iii) Is payable to an IAP whose employment by or affiliation with a federally insured credit union is terminated at a time when the federally insured credit union by which the IAP is employed or with which the IAP is affiliated satisfies any of the conditions enumerated in paragraphs (f)(1)(ii) (A) through (E) of this section, or in contemplation of any of these conditions.

(2) *Exceptions.* The term *golden parachute payment* does not include:

(i) Any payment made pursuant to a pension or retirement plan that is qualified or is intended within a reasonable period of time to be qualified under section 401 of the Internal Revenue Code of 1986, 26 U.S.C. 401; or

(ii) Any payment made pursuant to a benefit plan as that term is defined in paragraph (b) of this section; or

(iii) Any payment made pursuant to a *bona fide deferred compensation plan or arrangement* as defined in paragraph (d) of this section; or

(iv) Any payment made by reason of death or by reason of termination caused by the disability of an IAP; or

(v) Any payment made pursuant to a nondiscriminatory severance pay plan or arrangement that provides for payment of severance benefits to all eligible employees upon involuntary termination other than for cause, voluntary resignation, or early retirement; provided, however, that no employee will receive any payment that exceeds the base compensation paid to the employee during the twelve months, or a longer period or greater benefit as the Board will consent to, immediately preceding termination of employment, resignation or early retirement, and the severance pay plan or arrangement must not or cannot have been adopted or modified to increase the amount or scope of severance benefits at a time when the federally insured credit union was in a condition specified in paragraph (f)(1)(ii) of this section or in contemplation of that condition without the prior written consent of the Board; or

(vi) Any severance or similar payment required to be made pursuant to a state statute applicable to all employers within the appropriate jurisdiction, with the exception of employers that may be exempt due to their small number of employees or other similar criteria; or

(vii) Any other payment the Board determines to be permissible in accordance with § 750.4.

(g) *Institution-affiliated party (IAP)* means any individual meeting the criteria in section 206(r) of the Act, 12 U.S.C. 1786(r).

(h) *Liability or legal expense* means:

(1) Any legal or other professional fees and expenses incurred in connection with any claim, proceeding, or action;

(2) The amount of, and any cost incurred in connection with, any settlement of any claim, proceeding, or action; and

(3) The amount of, and any cost incurred in connection with, any judgment or penalty imposed with respect to any claim, proceeding, or action.

(i) *Nondiscriminatory* means that the plan, contract or arrangement applies to all employees of a federally insured credit union who meet reasonable and customary eligibility requirements applicable to all employees, such as minimum length of service requirements. A nondiscriminatory plan, contract or arrangement may provide different benefits based only on objective criteria, such as salary, total compensation, length of service, job grade or classification, applied on a proportionate basis (with a variance in severance benefits relating to any criterion of plus or minus ten percent) to groups of employees consisting of not less than 33% of all employees.

(j) *Payment* means:

(1) Any direct or indirect transfer of any funds or any asset;

(2) Any forgiveness of any debt or other obligation;

(3) The conferring of any benefit; and

(4) Any segregation of any funds or assets, the establishment or funding of any trust or the purchase of or arrangement for any letter of credit or other instrument, for the purpose of making, or pursuant to any agreement to make, any payment on or after the date on which the funds or assets are segregated, or at the time of or after such trust is established or letter of credit or other instrument is made available, without regard to whether the obligation to make such payment is contingent on:

(i) The determination, after such date, of the liability for the payment of such amount; or

(ii) The liquidation, after such date, of the amount of such payment.

(k) *Prohibited indemnification payment.* (1) *Prohibited indemnification payment* means any payment or any agreement or arrangement to make any payment by any federally insured credit union for the benefit of any person who is or was an IAP of the federally insured credit union, to pay or reimburse such person for any civil money penalty, judgment, or other liability or legal expense resulting from any administrative or civil action instituted by NCUA or any appropriate state regulatory authority, in the case of a credit union or corporate credit union chartered by a state, that results in a final order or settlement pursuant to which such person:

(i) Is assessed a civil money penalty;

(ii) Is removed from office or prohibited from participating in the conduct of the affairs of the federally insured credit union; or

(iii) Is required to cease and desist from or take any affirmative action described in section 206 of the Act (12 U.S.C.1786) with respect to the credit union.

(2) *Exceptions. Prohibited indemnification payment* does not include any reasonable payment that:

(i) Is used to purchase a commercial insurance policy or fidelity bond, provided that the insurance policy or bond must not be used to pay or reimburse an IAP for the cost of any judgment or civil money penalty assessed against the IAP in an administrative proceeding or civil action commenced by NCUA or the appropriate state supervisory authority, in the case of a credit union or corporate credit union chartered by a state, but may pay any legal or professional expenses incurred in connection with a proceeding or action or the amount of any restitution, to the federally insured credit union or its conservator or liquidating agent; or

(ii) Represents partial indemnification for legal or professional expenses specifically attributable to particular charges for which there has been a formal and final adjudication or finding in connection with a settlement that the IAP has not violated certain laws or regulations or has not engaged in certain unsafe or unsound practices or breaches of fiduciary duty, unless the administrative action or civil proceeding has resulted in a final prohibition order against the IAP.

(l) *Troubled condition* means any federally insured credit union that meets the criteria as described in § 701.14(b)(3) and (4) of this chapter, or has been granted assistance described in sections 208 or 216 of the Act.

§ 750.2 Golden parachute payments prohibited.

A federally insured credit union must not make or agree to make any golden parachute payment, except as permitted by this part.

§ 750.3 Prohibited indemnification payments.

A federally insured credit union must not make or agree to make any prohibited indemnification payment, except as permitted by this part.

§ 750.4 Permissible golden parachute payments.

(a) A federally insured credit union may agree to make or may make a golden parachute payment if:

(1) The Board, with written concurrence of the appropriate state supervisory authority in the case of a state chartered credit union or corporate credit union, determines the payment or agreement is permissible; or

(2) An agreement is made in order to hire a person to become an IAP at a time when the federally insured credit union satisfies or in an effort to prevent it from imminently satisfying any of the criteria in § 750.1(f)(1)(ii), and the Board, with written concurrence of the appropriate state supervisory authority in the case of a state chartered credit union or corporate credit union, consents in writing to the amount and terms of the golden parachute payment. The Board's consent will not improve the IAP's position in the event of the insolvency of the credit union since the Board's consent cannot bind a liquidating agent or affect the provability of claims in liquidation. In the event the credit union is placed into conservatorship or liquidation, the conservator or the liquidating agent, will not be obligated to pay the promised golden parachute and the IAP will not be accorded preferential treatment on the basis of any prior approval; or

(3) A payment is made pursuant to an agreement that provides for a reasonable severance payment, not to exceed twelve months' salary, to an IAP in the event of a merger of the federally insured credit union; provided, however, that a federally insured credit union must obtain the consent of the Board before making a payment and this paragraph (a)(3) does not apply to any merger of a federally insured credit union resulting from an assisted transaction described in section 208 of the Act, 12 U.S.C. 1788, or the federally insured credit union being placed into conservatorship or liquidation; and

(4) A federally insured credit union or IAP making a request pursuant to paragraphs (a)(1) through (3) of this section must demonstrate it does not possess and is not aware of any information, evidence, documents or other materials indicating there is a reasonable basis to believe, at the time the payment is proposed to be made, that:

(i) The IAP has committed any fraudulent act or omission, breach of trust or fiduciary duty, or insider abuse with regard to the federally insured credit union that has had or is likely to have a material adverse effect on the federally insured credit union;

(ii) The IAP is substantially responsible for the insolvency of, the appointment of a conservator liquidating agent for, or the troubled condition, as defined by § 750.1(l), of the federally insured credit union;

(iii) The IAP has materially violated any applicable federal or state law or regulation that has had or is likely to have a material effect on the federally insured credit union; and

(iv) The IAP has violated or conspired to violate sections 215, 656, 657, 1005, 1006, 1007, 1014, 1032, or 1344 of title 18 of the United States Code, or sections 1341 or 1343 of that title affecting a federally insured financial institution, as defined in title 18 of the United States Code.

(b) In making a determination under paragraphs (a)(1) through (3) of this section, the Board may consider:

(1) Whether, and to what degree, the IAP was in a position of managerial or fiduciary responsibility;

(2) The length of time the IAP was affiliated with the federally insured credit union and the degree to which the proposed payment represents a reasonable payment for services rendered over the period of employment; and

(3) Any other factors or circumstances indicating the proposed payment would be contrary to the intent of section 206(t) of the Act or this part.

§ 750.5 Permissible indemnification payments.

(a) A federally insured credit union may make or agree to make reasonable indemnification payments to an IAP with respect to an administrative proceeding or civil action initiated by NCUA or a state regulatory authority if:

(1) The federally insured credit union's board of directors, in good faith, determines in writing after due investigation and consideration that the institution-affiliated party acted in good faith and in a manner he or she believed to be in the best interests of the institution;

(2) The federally insured credit union's board of directors, in good faith, determines in writing after due investigation and consideration that the payment of the expenses will not materially adversely affect the credit union's safety and soundness;

(3) The indemnification payments do not constitute prohibited indemnification payments as defined in § 750.1(k); and

(4) The IAP agrees in writing to reimburse the federally insured credit union, to the extent not covered by payments from insurance or bonds purchased pursuant to § 750.1(k)(2)(i), for that portion of the advanced indemnification payments which subsequently become prohibited indemnification payments, as defined in § 750.1(k).

(b) An IAP seeking indemnification payments must not participate in any way in the board of director's discussion and approval of such payments; however, the IAP may present his or her request to the board and respond to any inquiries from the board concerning his or her involvement in the circumstances giving rise to the administrative proceeding or civil action.

(c) In the event a majority of the members of the board of directors are named as respondents in an administrative proceeding or civil action and request indemnification, the remaining members of the board may authorize independent legal counsel to review the indemnification request and provide the remaining members of the board with a written opinion of counsel as to whether the conditions in paragraph (e)(1) of this section have been met. If independent legal counsel concludes that the conditions have been met, the remaining members of the board of directors may rely on the opinion in authorizing the requested indemnification.

(d) In the event all of the members of the board of directors are named as respondents in an administrative proceeding or civil action and request indemnification, the board will authorize independent legal counsel to review the indemnification request and provide the board with a written opinion of counsel as to whether the conditions in paragraph (e)(1) of this section have been met. If independent legal counsel concludes the conditions have been met, the board of directors may rely on the opinion in authorizing the requested indemnification.

§ 750.6 Filing instructions.

Requests to make excess nondiscriminatory severance plan payments pursuant to § 750.1(f)(2)(v) and golden parachute payments permitted by § 750.4 must be submitted in writing to the Board. The request must be in letter form and must contain all relevant factual information as well as the reasons why such approval should be granted.

§ 750.7 Applicability in the event of liquidation or conservatorship.

The provisions of this part, or any consent or approval granted under the provisions of this part by the Board, will not in any way bind any liquidating agent or conservator for a failed federally insured credit union and will not in any way obligate the liquidating agent or conservator to pay any claim or obligation pursuant to any golden parachute, severance, indemnification or other agreement. Claims for employee welfare benefits or other benefits that are contingent, even if otherwise vested, when a liquidating agent or conservator is appointed for any federally insured credit union, including any contingency for termination of employment, are not provable claims or actual, direct compensatory damage claims against such liquidating agent or conservator.

[FR Doc. 2010–19095 Filed 8–4–10; 8:45 am]

BILLING CODE 7535–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0705; Directorate Identifier 2009–NM–206–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Corporation Model DC–9–14, DC–9–15, and DC–9–15F Airplanes; and Model DC–9–20, DC–9–30, DC–9–40, and DC–9–50 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to supersede an existing airworthiness directive (AD) that applies to certain Model DC–9–14 and DC–9–15 airplanes; and Model DC–9–20, DC–9–30, DC–9–40, and DC–9–50 series airplanes. The existing AD currently requires repetitive high frequency eddy current inspections to detect cracking in the vertical radius

(also known as the "vertical leg") of the upper cap of the center wing rear spar, and repair if necessary. This proposed AD expands the area to be inspected by including inspections to detect cracking of the horizontal flange of the upper cap of the left and right center wing rear spar, and repair if necessary. This proposed AD also adds certain airplanes to the applicability. This proposed AD results from reports of cracking in the vertical radius of the upper cap of the center wing rear spar, and the horizontal flange on the inboard side of the rear spar upper cap, which resulted from stress corrosion. We are proposing this AD to detect and correct cracking in the vertical leg or the horizontal flange of the upper cap of the left or right center wing rear spar, which could cause a possible fuel leak, damage to the wing skin, and structural failure of the upper cap, and result in reduced structural integrity of the airplane.

DATES: We must receive comments on this proposed AD by September 20, 2010.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, 3855 Lakewood Boulevard, MC D800–0019, Long Beach, California 90846–0001; telephone 206–544–5000, extension 2; fax 206–766–5683; e-mail *dse.boecom@boeing.com*; Internet *https://www.myboeingfleet.com*. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Wahib Mina, Aerospace Engineer, Airframe Branch, ANM–120L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5324; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA–2010–0705; Directorate Identifier 2009–NM–206–AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

On November 1, 2004, we issued AD 2004–23–11, Amendment 39–13866 (69 FR 65522, November 15, 2004), for certain Model DC–9–14 and DC–9–15 airplanes; and Model DC–9–20, DC–9–30, DC–9–40, and DC–9–50 series airplanes. That AD requires repetitive high frequency eddy current inspections to detect cracks in the vertical radius (also known as the "vertical leg") of the upper cap of the center wing rear spar, and repair if necessary. That AD resulted from reports of cracks in the upper cap of the center wing rear spar that resulted from stress corrosion. We issued that AD to detect and correct cracking of the left or right upper cap of the center wing rear spar, which could cause a possible fuel leak and structural failure of the upper cap, and result in reduced structural integrity of the airplane.

Actions Since Existing AD Was Issued

Since we issued AD 2004–23–11, one operator reported finding two cracks in the horizontal flange on the inboard side of the rear spar upper cap, and Boeing's investigation determined that the cracks resulted from stress corrosion.

Relevant Service Information

We have reviewed Boeing Service Bulletin DC9–57–223, Revision 1, dated August 13, 2009, which adds Model DC–9–15F airplanes to the applicability. The service bulletin describes procedures for doing repetitive high frequency eddy current inspections of the vertical leg and horizontal flange of the upper caps of the left and right center wing rear spar, inboard and outboard sides, of the bulkhead at wing station Xcw = 58.500 for cracking. The service bulletin specifies to contact Boeing for repair instructions if any cracking is found during the inspections. We referred to the original issue of the service bulletin for accomplishing the inspections required by AD 2004–23–11.

FAA's Determination and Requirements of the Proposed AD

We have evaluated all pertinent information and identified an unsafe condition that is likely to develop on other airplanes of the same type design. For this reason, we are proposing this AD, which would supersede AD 2004–23–11 and would continue to require repetitive high frequency eddy current inspections to detect cracks in the vertical radius (also known as the "vertical leg") of the upper cap of the center wing rear spar, and repair if necessary. This proposed AD would also require repetitive inspections for cracking in the horizontal flange of the upper cap of the left or right center wing rear spar, and repair if necessary.

Differences Between the Proposed AD and Service Information

Where Boeing Service Bulletin DC9–57–223, Revision 1, dated August 13, 2009, specifies to contact Boeing for repair instructions, this proposed AD requires operators to repair any cracking in accordance with a method approved in accordance with paragraph (k) of the AD.

Change to Existing AD

This proposed AD would retain certain requirements of AD 2004–23–11. Since AD 2004–23–11 was issued, the AD format has been revised, and certain paragraphs have been rearranged. As a result, the corresponding paragraph identifiers have changed in this

proposed AD, as listed in the following table:

REVISED PARAGRAPH IDENTIFIERS

Requirement in AD 2004–23–11	Corresponding requirement in this proposed AD
Paragraph (f)	paragraph (g).

REVISED PARAGRAPH IDENTIFIERS—Continued

Requirement in AD 2004–23–11	Corresponding requirement in this proposed AD
Paragraph (g)	paragraph (h).

Costs of Compliance

There are approximately 510 airplanes of the affected design in the worldwide fleet. We estimate that 322 airplanes of U.S. registry would be affected by this proposed AD. The following table provides the estimated costs for U.S. operators to comply with this proposed AD.

ESTIMATED COSTS

Action	Work hours	Average labor rate per hour	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Inspection	3	$85	$0	$255 per inspection cycle.	322	$82,110 per inspection cycle.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket. *See* the **ADDRESSES** section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by removing Amendment 39–13866 (69 FR 65522, November 15, 2004) and adding the following new AD:

McDonnell Douglas Corporation: Docket No. FAA–2010–0705; Directorate Identifier 2009–NM–206–AD.

Comments Due Date

(a) The FAA must receive comments on this AD action by September 20, 2010.

Affected ADs

(b) This AD supersedes AD 2004–23–11, Amendment 39–13866.

Applicability

(c) This AD applies to McDonnell Douglas Corporation Model DC–9–14, DC–9–15, DC–9–15F, DC–9–21, DC–9–31, DC–9–32, DC–9–32 (VC–9C), DC–9–32F, DC–9–33F, DC–9–34, DC–9–34F, DC–9–32F (C–9A, C–9B), DC–9–41, and DC–9–51 airplanes; certificated in any category; as identified in Boeing Service Bulletin DC9–57–223, Revision 1, dated August 13, 2009.

Subject

(d) Air Transport Association (ATA) of America Code 57: Wings.

Unsafe Condition

(e) This AD results from reports of cracking in the vertical radius (also known as the "vertical leg") of the upper cap of the center wing rear spar, and the horizontal flange on the inboard side of the rear spar upper cap, which resulted from stress corrosion. The Federal Aviation Administration is issuing this AD to detect and correct cracking in the vertical leg or the horizontal flange of the upper cap of the left or right center wing rear spar, which could cause a possible fuel leak, damage to the wing skin, and structural failure of the upper cap, and result in reduced structural integrity of the airplane.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Restatement of Requirements of AD 2004–23–11, With Revised Service Information

Inspection

(g) For all airplanes except Model DC–9–15F airplanes, at the later of the times specified in paragraphs (g)(1) and (g)(2) of this AD: Do a high frequency eddy current inspection to detect cracks in the vertical radius of the upper cap of the center wing rear spar, in accordance with the Accomplishment Instructions of Boeing Service Bulletin DC9–57–223, dated July 21, 2003; or Revision 1, dated August 13, 2009. After the effective date of this AD, only Revision 1 may be used.

(1) Before the accumulation of 25,000 total flight cycles.

(2) Within 15,000 flight cycles or 5 years after December 20, 2004 (the effective date of AD 2004–23–11), whichever occurs first.

Corrective Action

(h)(1) If no crack is found during any inspection required by paragraph (g) of this AD, then repeat the inspection thereafter at

intervals not to exceed 15,000 flight cycles or 5 years, whichever occurs first, until the initial inspection required by paragraph (i) of this AD is done.

(2) If any crack is found during the inspection required by paragraph (g) of this AD, before further flight, repair per a method approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. For a repair method to be approved by the Manager, Los Angeles ACO, as required by this paragraph, the Manager's approval letter must specifically refer to this AD.

New Requirements of This AD

Inspection

(i) At the later of the times specified in paragraphs (i)(1) and (i)(2) of this AD: Do a high frequency eddy current inspection to detect cracking in the vertical leg (also known as the "vertical radius") and horizontal flange of the left and right rear spar upper cap, inboard and outboard sides, at the bulkhead at wing station Xcw = 58.500, in accordance with the Accomplishment Instructions of Boeing Service Bulletin DC9–57–223, Revision 1, dated August 13, 2009. If no cracking is found, repeat the inspection thereafter at intervals not to exceed 15,000 flight cycles or 5 years, whichever occurs first. Accomplishment of the initial inspection required by paragraph (i) of this AD terminates the requirements of paragraphs (g) and (h)(1) of this AD.

(1) Before the accumulation of 25,000 total flight cycles.

(2) Within 15,000 flight cycles or 5 years after accomplishing the most recent high frequency eddy current inspection required by paragraph (g) of this AD, whichever occurs first.

Corrective Action

(j) If any cracking is found during any inspection required by paragraph (i) of this AD, before further flight, repair the cracking using a method approved in accordance with the procedures specified in paragraph (k) of this AD.

Alternative Methods of Compliance (AMOCs)

(k)(1) The Manager, Los Angeles ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Wahib Mina, Aerospace Engineer, Airframe Branch, ANM–120L, Los Angeles ACO, FAA, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5324; fax (562) 627–5210.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically refer to this AD.

(3) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD if it is approved by the Boeing Commercial Airplanes Organization Designation Authorization (ODA) that has been authorized by the Manager, Los Angeles ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(4) AMOCs approved previously in accordance with AD 2004–23–11, Amendment 39–13866, are approved as AMOCs for the corresponding provisions of paragraph (h)(2) of this AD.

Issued in Renton, Washington, on July 27, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–19292 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0706; Directorate Identifier 2010–NM–064–AD]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Model 747–400, 747–400D, and 747–400F Series Airplanes Equipped With General Electric CF6–80C2 or Pratt & Whitney PW4000 Series Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain Model 747–400, 747–400D, and 747–400F series airplanes. This proposed AD would require modifying certain thrust reverser control system wiring to the flap control unit (FCU). This proposed AD results from a report of automatic retraction of the leading edge flaps due to indications transmitted to the FCU from the thrust reverser control system during takeoff. We are proposing this AD to prevent automatic retraction of the leading edge flaps during takeoff, which could result in reduced climb performance and consequent collision with terrain and obstacles or forced landing of the airplane.

DATES: We must receive comments on this proposed AD by September 20, 2010.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Attention: Data & Services Management, P.O. Box 3707, MC 2H–65, Seattle, Washington 98124–2207; telephone 206–544–5000, extension 1; fax 206–766–5680; e-mail *me.boecom@boeing.com*; Internet *https://www.myboeingfleet.com*. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov*; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800–647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Douglas Bryant, Aerospace Engineer, Propulsion Branch, ANM–140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 917–6505; fax (425) 917–6590.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA–2010–0706; Directorate Identifier 2010–NM–064–AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD because of those comments.

We will post all comments we receive, without change, to *http://www.regulations.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

We received a report of automatic retraction of the leading edge (LE) flaps during takeoff on a Boeing Model 747–400 airplane equipped with Rolls-Royce Model RB211 series engines due to indications transmitted to the flap control unit (FCU) from the thrust reverser control system. The report indicated that the airplane had a REV amber indication on the number 3 engine thrust reverser, followed 13 seconds later by a REV amber indication on the number 2 engine. At the time of the second REV amber indication, the airplane was beyond V_1 (takeoff decision speed). In order to prevent impingement of efflux air from the thrust reversers, the FCU is designed to automatically retract the Group A LE flaps when a REV amber signal is transmitted from either both inboard or both outboard thrust reversers, and the airplane is on the ground. The FCU performed as designed and retracted the Group A LE flaps. At rotation the flightcrew reported buffeting and momentary stick shaker activation. After liftoff, a signal from the air/ground logic system caused the FCU to send a command to the Group A LE flaps to redeploy after a five-second time delay. Re-deployment of the flaps takes approximately ten to fifteen additional seconds. During re-deployment, the flightcrew again reported buffeting and momentary stick shaker activation. The airplane jettisoned fuel and landed safely; all four of the thrust reversers deployed and stowed normally after landing.

The automatic LE flap retraction logic for Model 747–400, –400D, and –400F series airplanes powered by General Electric (GE) Model CF6–80C2 series engines and Pratt & Whitney (PW) Model PW4000 series engines automatically retracts the Group A LE flaps during reverse thrust operation. This is to prevent thrust reverser efflux air from impinging onto the Group A LE flaps, to improve the Group A LE flap panel's structural life. This function is armed when the airplane is on the ground. The Group A LE flaps retract when the FCU gets a signal from the LE flap relay in the reverser circuitry on the two inboard or the two outboard engines. The LE flap relay is energized by the microswitch of the reverse thrust lever, or the unstow microswitch in the center drive unit (GE Model CF6–80C2 series engines), or the unstow proximity sensor on the thrust reverser cowl (PW Model PW4000 series engines). The initial signal to the FCU comes from the microswitch in the aisle stand when thrust reverser deployment is commanded. For the CF6–80C2 series engines, the signal to the FCU is kept after stow is commanded by the center drive unit unstowed microswitches, and is removed once the thrust reverser is stowed. For the PW4000 series engines, the signal to the FCU is kept after stow is commanded by the proximity sensors, and is removed once the thrust reverser is stowed.

These conditions, if not corrected, could result in reduced climb performance and consequent collision with terrain and obstacles or forced landing of the airplane.

Related AD

The design for the thrust reverser signal to the FCU for the Rolls-Royce Model RB211 series engines is the same as the GE Model CF6–80C2 series engines and PW Model PW4000 series engines. Related AD 2009–13–03, Amendment 39–15942 (74 FR 31169, June 30, 2009), applies to Boeing Model 747–400 and –400F series airplanes powered by Rolls-Royce RB211 series engines, and addresses the same unsafe condition identified in this proposed AD. AD 2009–13–03 was issued as an Immediately Adopted Rule (IAR). The design of the thrust reverser uses a position sensor to indicate that the thrust reverser sleeve is unstowed (not fully stowed). This signal is used for the "REV amber signal" and also is used as an input to the flap control unit. Aerodynamic forces can cause the thrust reverser sleeve to flex which can be enough movement to cause the sensor to indicate that the sleeve is not fully stowed even though the sleeve has not moved from the stowed position.

The reason for the IAR on the Rolls-Royce RB211 series engine installation was that the sensor is sensitive to small sleeve movements. There was also service experience of small sleeve movements that triggered a "REV amber signal," similar to the incident airplane, but were only single engine occurrences. The sensors in the CF6–80C2 and PW4000 series engine installations are less sensitive to small sleeve movements. This is supported by service experience. In this case the risk is reduced and this allows for a less aggressive compliance time. This also allows us to proceed with issuing an NPRM to provide the public the opportunity to comment on the merits of the proposed requirements before the final rule is issued.

Relevant Service Information

We have reviewed Boeing Special Attention Service Bulletin 747–78–2183, dated January 12, 2010. This service bulletin describes procedures for modifying certain thrust reverser control system wiring to the FCU in the P414 and P415 power distribution panels for airplanes equipped with GE Model CF6–80C2 series engines. The modification includes re-routing and re-terminating one wire for each engine.

We have also reviewed Boeing Alert Service Bulletin 747–78A2184, dated January 12, 2010. This service bulletin describes procedures for modifying certain thrust reverser control system wiring to the FCU in the P252 and P253 thrust reverser relay panels for airplanes equipped with PW Model PW4000 series engines. The modification includes re-routing and re-terminating one wire for each engine.

FAA's Determination and Requirements of This Proposed AD

We are proposing this AD because we evaluated all relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of the same type design. This proposed AD would require accomplishing the actions specified in the service information described previously.

Costs of Compliance

We estimate that this proposed AD would affect 98 airplanes of U.S. registry. We also estimate that it would take about 1 work-hour per product to comply with this proposed AD. The average labor rate is $85 per work-hour. Required parts would cost about $0 per product. Based on these figures, we estimate the cost of this proposed AD to the U.S. operators to be $8,330, or $85 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures

the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866,

2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979), and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

You can find our regulatory evaluation and the estimated costs of compliance in the AD Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:

The Boeing Company: Docket No. FAA–2010–0706; Directorate Identifier 2010–NM–064–AD.

Comments Due Date

(a) We must receive comments by September 20, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to The Boeing Company Model 747–400, 747–400D, and 747–400F series airplanes; certificated in any category; equipped with General Electric CF6–80C2 series engines or Pratt & Whitney PW4000 series engines, as applicable.

Subject

(d) Air Transport Association (ATA) of America Code 78: Engine exhaust.

Unsafe Condition

(e) This AD results from a report of automatic retraction of the leading edge flaps during takeoff due to indications transmitted to the flap control unit (FCU) from the thrust reverser control system. The Federal Aviation Administration is issuing this AD to prevent automatic retraction of the leading edge flaps during takeoff, which could result in reduced climb performance and consequent collision with terrain and obstacles or forced landing of the airplane.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Modification

(g) For Model 747–400 and –400F airplanes equipped with Pratt & Whitney Model PW4000 series engines: Within 36 months after the effective date of this AD, modify the thrust reverser control system wiring to the FCU in the P252 and P253 thrust reverser relay panels, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747–78A2184, dated January 12, 2010.

(h) For Model 747–400, –400D, and –400F airplanes equipped with General Electric Model CF6–80C2 series engines: Within 36 months after the effective date of this AD, modify the thrust reverser control system wiring to the FCU in the P414 and P415 power distribution panels, in accordance with Boeing Special Attention Service Bulletin 747–78–2183, dated January 12, 2010.

Alternative Methods of Compliance (AMOCs)

(i)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Douglas Bryant, Aerospace Engineer, Propulsion Branch, ANM–140S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue SW., Renton, Washington 98057–3356; telephone (425) 917–6505; fax (425) 917–6590. Or, e-mail information to *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov*.

(2) To request a different method of compliance or a different compliance time for this AD, follow the procedures in 14 CFR 39.19. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

Issued in Renton, Washington on July 26, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–19287 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0760; Directorate Identifier 2010–NM–086–AD]

RIN 2120–AA64

Airworthiness Directives; Dassault-Aviation Model FALCON 7X Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

> A design review has shown that the Lightning Sensor System (LSS) antenna which is optionally installed on certain Falcon 7X aeroplanes might, in the event of belly or gear-up landing, puncture the rear fuel tank, which could result in fuel leakage and post-landing fire.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

DATES: We must receive comments on this proposed AD by September 20, 2010.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Dassault

Falcon Jet, P.O. Box 2000, South Hackensack, New Jersey 07606; telephone 201–440–6700; Internet *http://www.dassaultfalcon.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA–2010–0760; Directorate Identifier 2010–NM–086–AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We have lengthened the 30-day comment period for proposed ADs that address MCAI originated by aviation authorities of other countries to provide adequate time for interested parties to submit comments. The comment period for these proposed ADs is now typically 45 days, which is consistent with the comment period for domestic transport ADs.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2010–0032, dated March 3, 2010 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

> A design review has shown that the Lightning Sensor System (LSS) antenna which is optionally installed on certain Falcon 7X aeroplanes might, in the event of belly or gear-up landing, puncture the rear fuel tank, which could result in fuel leakage and post-landing fire.
>
> This AD requires the reinforcement of the rear fuel tank by bonding a titanium shield plate on the tank structure above the LSS antenna connector.

You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Dassault has issued Mandatory Service Bulletin 7X–104, dated October 30, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a Note within the proposed AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 5 products of U.S. registry. We also estimate that it would take about 10 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Required parts would cost about $384 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be $6,170, or $1,234 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;

2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:

Dassault-Aviation: Docket No. FAA–2010–0760; Directorate Identifier 2010–NM–086–AD.

Comments Due Date

(a) We must receive comments by September 20, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Dassault-Aviation Model FALCON 7X airplanes, certificated in any category, all serial numbers, on which Dassault modification M–OPT 5 has been incorporated, except those on which Dassault modification M–OPT 511 has also been incorporated.

Subject

(d) Air Transport Association (ATA) of America Code 53: Fuselage.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

A design review has shown that the Lightning Sensor System (LSS) antenna which is optionally installed on certain Falcon 7X aeroplanes might, in the event of belly or gear-up landing, puncture the rear fuel tank, which could result in fuel leakage and post-landing fire.

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Actions

(g) Within 25 months after the effective date of this AD, install a shield plate on the rear fuel tank structure, in accordance with the Accomplishment Instructions of Dassault Mandatory Service Bulletin 7X–104, dated October 30, 2009.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(h) The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM–116, Transport Airplane Directorate, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM–116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1137; fax (425) 227–1149. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) Reporting Requirements: For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information

(i) Refer to MCAI European Aviation Safety Agency (EASA) Airworthiness Directive 2010–0032, dated March 3, 2010; and Dassault Mandatory Service Bulletin 7X–104, dated October 30, 2009; for related information.

Issued in Renton, Washington, on July 26, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–19295 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2010–0703; Directorate Identifier 2010–NM–040–AD]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc. Model CL–600–2B19 (Regional Jet Series 100 & 440) Airplanes, CL–600–2C10 (Regional Jet Series 700, 701, & 702) Airplanes, CL–600–2D15 (Regional Jet Series 705) Airplanes, and CL–600–2D24 (Regional Jet Series 900) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

There have been failures of the harness assembly (power feeder wires) connecting the Air-Driven Generator (ADG) to the aeroplane electrical system, in the area close to the ADG cannon plug. Several electrical wires were found cut as a combined result of corrosion and bending stress from the harness mounting to the ADG.

The ADG electrical wires are insulated with a silver-plating for corrosion protection. It has been determined that the silver-plating of wire strands in the area of tight bend is highly susceptible to breakdown. The plating layer may crack as a result of mechanical stress, and consequently lead to the onset of corrosion on all, or a majority, of the wire strands.

In the event of a damaged harness assembly, the ADG may not be able to provide emergency electrical power to the aeroplane. * * *

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

DATES: We must receive comments on this proposed AD by September 20, 2010.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor,

Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

• *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Bombardier, Inc., 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–5000; fax 514–855–7401; e-mail *thd.crj@aero.bombardier.com;* Internet *http://www.bombardier.com.* You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington. For information on the availability of this material at the FAA, call 425–227–1221.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://www.regulations.gov;* or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647–5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Assata Dessaline, Aerospace Engineer, Avionics and Flight Test Branch, ANE–172, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228–7301; fax (516) 794–5531.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the **ADDRESSES** section. Include "Docket No. FAA–2010–0703; Directorate Identifier 2010–NM–040–AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We have lengthened the 30-day comment period for proposed ADs that address MCAI originated by aviation authorities of other countries to provide adequate time for interested parties to submit comments. The comment period for these proposed ADs is now typically 45 days, which is consistent with the comment period for domestic transport ADs.

We will post all comments we receive, without change, to *http://www.regulations.gov,* including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF–2009–47, dated December 14, 2009 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

> There have been failures of the harness assembly (power feeder wires) connecting the Air-Driven Generator (ADG) to the aeroplane electrical system, in the area close to the ADG cannon plug. Several electrical wires were found cut as a combined result of corrosion and bending stress from the harness mounting to the ADG.
>
> The ADG electrical wires are insulated with a silver-plating for corrosion protection. It has been determined that the silver-plating of wire strands in the area of tight bend is highly susceptible to breakdown. The plating layer may crack as a result of mechanical stress, and consequently lead to the onset of corrosion on all, or a majority, of the wire strands.
>
> In the event of a damaged harness assembly, the ADG may not be able to provide emergency electrical power to the aeroplane. This directive is issued to correct the identified unsafe condition by requiring [the modification of the ADG, which includes] the replacement of the harness assembly with tin-plated electrical wires, [the replacement of the backshell,] and the re-orientation of the ADG cannon plug to reduce bending stress.

You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Bombardier, Inc. issued Service Bulletin 601R–24–128, Revision A, dated November 27, 2009; and Service Bulletin 670BA–24–027, dated September 17, 2009. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have proposed different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a NOTE within the proposed AD.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 920 products of U.S. registry. We also estimate that it would take about 8 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is $85 per work-hour. Required parts would cost about $1,881 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these costs. As we do not control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be $2,356,120, or $2,561 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs," describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in "Subtitle VII, Part A, Subpart III, Section 44701: General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures

the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;

2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:

Bombardier, Inc.: Docket No. FAA–2010–0703; Directorate Identifier 2010–NM–040–AD.

Comments Due Date

(a) We must receive comments by September 20, 2010.

Affected ADs

(b) None.

Applicability

(c) This AD applies to the airplanes identified in paragraphs (c)(1), (c)(2), and (c)(3) of this AD, certificated in any category.

(1) Bombardier, Inc. Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes, serial numbers 7305 through 7990 inclusive, and 8000 through 8111 inclusive.

(2) Bombardier, Inc. Model CL–600–2C10 (Regional Jet Series 700, 701, & 702) airplanes, serial numbers 10003 through 10302 inclusive.

(3) Bombardier, Inc. Model CL–600–2D15 (Regional Jet Series 705) and CL–600–2D24 (Regional Jet Series 900) airplanes, serial numbers 15001 through 15259 inclusive.

Subject

(d) Air Transport Association (ATA) of America Code 24: Electrical power.

Reason

(e) The mandatory continuing airworthiness information (MCAI) states:

There have been failures of the harness assembly (power feeder wires) connecting the Air-Driven Generator (ADG) to the aeroplane electrical system, in the area close to the ADG cannon plug. Several electrical wires were found cut as a combined result of corrosion and bending stress from the harness mounting to the ADG.

The ADG electrical wires are insulated with a silver-plating for corrosion protection. It has been determined that the silver-plating of wire strands in the area of tight bend is highly susceptible to breakdown. The plating layer may crack as a result of mechanical stress, and consequently lead to the onset of corrosion on all, or a majority, of the wire strands.

In the event of a damaged harness assembly, the ADG may not be able to provide emergency electrical power to the aeroplane. * * *

Compliance

(f) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Actions

(g) Within 6,000 flight hours or 72 months after the effective date of this AD, whichever occurs first, do the applicable actions specified in paragraph (g)(1) or (g)(2) of this AD.

(1) For Model CL–600–2B19 (Regional Jet Series 100 & 440) airplanes: Modify the air-driven generator (ADG) in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 601R–24–128, Revision A, dated November 27, 2009.

(2) For Model CL–600–2C10 (Regional Jet Series 700, 701, & 702),

CL–600–2D15 (Regional Jet Series 705), and CL–600–2D24 (Regional Jet Series 900) airplanes: Modify the ADG in accordance with the Accomplishment Instructions of Bombardier Service Bulletin 670BA–24–027, dated September 17, 2009.

(h) Actions accomplished before the effective date of this AD according to Bombardier Service Bulletin 601R–24–128, dated September 17, 2009, are considered acceptable for compliance with the corresponding action specified in this AD.

FAA AD Differences

Note 1: This AD differs from the MCAI and/or service information as follows: No differences.

Other FAA AD Provisions

(i) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York Aircraft Certification Office, ANE–170, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC on any airplane to which the AMOC applies, notify your principal maintenance inspector (PMI) or principal avionics inspector (PAI), as appropriate, or lacking a principal inspector, your local Flight Standards District Office. The AMOC approval letter must specifically reference this AD.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information

(j) Refer to MCAI Canadian Airworthiness Directive CF–2009–47, dated December 14, 2009; Bombardier Service Bulletin 601R–24–128, Revision A, dated November 27, 2009; and Bombardier Service Bulletin 670BA–24–027, dated September 17, 2009; for related information.

Issued in Renton, Washington, on July 27, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2010–19289 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2010–0688; Airspace Docket No. 09–AGL–23]

RIN 2120–AA66

Proposed Establishment of Low Altitude Area Navigation Routes (T–281, T–283, T–285, T–286, and T–288); Nebraska and South Dakota

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This action proposes to establish five low altitude Area Navigation (RNAV) routes, designated T–281, T–283, T–285, T–286, and T–288, over Nebraska and South Dakota; controlled by Denver Air Route Traffic Control Center (ARTCC) and Minneapolis ARTCC. T-routes are low altitude Air Traffic Service routes, based on RNAV, for use by aircraft that have instrument flight rules (IFR) approved Global Positioning System (GPS)/Global Navigation Satellite System (GNSS) equipment. This action would enhance safety and improve the efficient use of the navigable airspace within Denver and Minneapolis ARTCC airspace.

DATES: Comments must be received on or before September 20, 2010.

ADDRESSES: Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, M–30, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001; *telephone:* (202) 366–9826. You must identify FAA Docket No. FAA–2010–0688 and Airspace Docket No. 09–AGL–23 at the beginning of your comments. You may also submit comments through the Internet at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Colby Abbott, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; *telephone:* (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA–2010–0688 and Airspace Docket No. 09–AGL–23) and be submitted in triplicate to the Docket Management Facility (*see* **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at *http://www.regulations.gov.*

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA–2010–0688 and Airspace Docket No. 09–AGL–23." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at *http://www.regulations.gov.* Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov,* or the **Federal Register's** Web page at *http://www.faa.gov/air_traffic/publications/airspace_amendments/.*

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (*see* **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, Air Traffic Organization, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267–9677, for a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

The Manager, Denver ARTCC, has proposed the establishment of five RNAV routes, from Denver ARTCC airspace into Minneapolis ARTCC airspace. Currently, there are no established airways to allow aircraft to navigate between the sites identified in the proposed routes. The pilot's only options are to either fly Visual Flight Rules (VFR), VFR-On-Top, or file a flight plan with an altitude high enough for air traffic control to maintain radar surveillance and communication frequency coverage; unless they fly many miles out of their way to use established airways. The Minimum Instrument Flight Rules (IFR) Altitude (MIA) in these areas is between 4,000 feet mean sea level (MSL) and 7,000 feet MSL. The radio coverage is very good at the low altitudes between these points, but the radar surveillance coverage is not reliable below 11,000 feet MSL. In the winter months, these routes would be especially important because the pilots encounter icing at the higher altitudes and need to descend, sometimes below radar surveillance coverage.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to establish five low altitude RNAV routes within Denver and Minneapolis ARTCC airspace. The routes, designated as T–281, T–283, T–285, T–286, and T–288, would be depicted on the appropriate IFR En Route Low Altitude charts and would only be intended for use by GPS/GNSS equipped aircraft. This action is proposed to enhance safety and to facilitate the efficient use of navigable airspace for en route IFR operations within Denver and Minneapolis ARTCC airspace.

Low altitude RNAV routes are published in paragraph 6011 of FAA Order 7400.9T signed August 27, 2009, and effective September 15, 2009, which is incorporated by reference in 14 CFR 71.1. The low altitude RNAV routes listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of

Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes low altitude Area Navigation routes (T-routes) over Nebraska and South Dakota in Denver and Minneapolis ARTCC airspace.

Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," prior to any FAA final regulatory action.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9T, Airspace Designations and Reporting Points, signed August 27, 2009 and effective September 15, 2009, is amended as follows:

Paragraph 6011—Area Navigation Routes.

* * * * *

T–281 YOZLE, NE to Pierre, SD [New]

YOZLE, NE	Fix	(Lat. 41°01′33″ N., long. 99°39′06″ W.)
BOKKI, NE	Fix	(Lat. 41°39′55″ N., long. 99°52′17″ W.)
Ainsworth, NE (ANW)	VOR/DME	(Lat. 42°34′09″ N., long. 99°59′23″ W.)
LKOTA, SD	WP (New)	(Lat. 43°15′28″ N., long. 100°03′14″ W.)
Pierre, SD (PIR)	VORTAC	(Lat. 44°23′40″ N., long. 100°09′46″ W.)

* * * * * * *

T–283 Scottsbluff, NE to Pierre, SD [New]

Scottsbluff, NE (BFF)	VORTAC	(Lat. 41°53′39″ N., long. 103°28′55″ W.)
Gordon, NE (GRN)	NDB	(Lat. 42°48′04″ N., long. 102°10′46″ W.)
WNDED, SD	WP (New)	(Lat. 43°19′14″ N., long. 101°32′19″ W.)
Pierre, SD (PIR)	VORTAC	(Lat. 44°23′40″ N., long. 100°09′46″ W.)

* * * * * * *

T–285 North Platte, NE to Huron, SD [New]

North Platte, NE (LBF)	VORTAC	(Lat. 41°02′55″ N., long. 100°44′50″ W.)
Thedford, NE (TDD)	VOR/DME	(Lat. 41°58′54″ N., long. 100°43′09″ W.)
MARSS, NE	Fix	(Lat. 42°27′49″ N., long. 100°36′15″ W.)
Valentine, NE (VTN)	NDB	(Lat. 42°51′42″ N., long. 100°32′59″ W.)
LKOTA, SD	WP (New)	(Lat. 43°15′28″ N., long. 100°03′14″ W.)
Winner, SD (ISD)	VOR	(Lat. 43°29′16″ N., long. 99°45′41″ W.)
Huron, SD (HON)	VORTAC	(Lat. 44°26′24″ N., long. 98°18′40″ W.)

* * * * * * *

T–286 Rapid City, SD to Grand Island, NE [New]

Rapid City, SD (RAP)	VORTAC	(Lat. 43°58′34″ N., long. 103°00′44″ W.)
Gordon, NE (GRN)	NDB	(Lat. 42°48′04″ N., long. 102°10′46″ W.)
EFFEX, NE	WP (New)	(Lat. 42°19′59″ N., long. 101°20′11″ W.)
Thedford, NE (TDD)	VOR/DME	(Lat. 41°58′54″ N., long. 100°43′09″ W.)
BOKKI, NE	Fix	(Lat. 41°39′55″ N., long. 99°52′17″ W.)
Grand Island, NE (GRI)	VORTAC	(Lat. 40°59′03″ N., long. 98°18′53″ W.)

* * * * * * *

T–288 Rapid City, SD to Wolback, NE [New]

Rapid City, SD (RAP)	VORTAC	(Lat. 43°58′34″ N., long. 103°00′44″ W.)
WNDED, SD	WP (New)	(Lat. 43°19′14″ N., long. 101°32′19″ W.)
Valentine, NE (VTN)	NDB	(Lat. 42°51′42″ N., long. 100°32′59″ W.)
Ainsworth, NE (ANW)	VOR/DME	(Lat. 42°34′09″ N., long. 99°59′23″ W.)
FESNT, NE	WP (New)	(Lat. 42°03′57″ N., long. 99°17′18″ W.)
Wolback, NE (OBH)	VORTAC	(Lat. 41°22′33″ N., long. 98°21′13″ W.)

Issued in Washington, DC, on July 27, 2010.

Edith V. Parish,

Manager, Airspace and Rules Group.

[FR Doc. 2010–19270 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms, and Explosives

27 CFR Part 478

[Docket No. ATF 30P; AG Order No. 3182–2010]

RIN 1140–AA34

Elimination of Firearms Transaction Record, ATF Form 4473 (Low Volume) (2008R–21P)

AGENCY: Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Department of Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department of Justice is proposing to amend the regulations of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) by eliminating the Firearms Transaction Record, ATF Form 4473 (Low Volume (LV)), Parts I and II. These forms may be used by federally licensed firearms dealers as an alternate record for the receipt and disposition of firearms. Because licensees rarely use Forms 4473 (LV), ATF has determined that continued use of these forms is unwarranted and they should be eliminated. The standard Form 4473, Firearms Transaction Record, is being retained. If the proposed rule is adopted, licensees will be required to use the standard Form 4473 for all dispositions and maintain a record of the acquisition and disposition of firearms in accordance with the regulations.

DATES: Written comments must be postmarked and electronic comments must be submitted on or before November 3, 2010. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after midnight Eastern Time on the last day of the comment period.

ADDRESSES: Send comments to any of the following addresses—

- Scott P. Armstrong-Cezar, Industry Operations Specialist, Room 6N–602, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms, and Explosives, U.S. Department of Justice, 99 New York Avenue, NE., Washington, DC 20226; *Attn: ATF 30P.* Written comments must appear in a minimum 12-point size of type (.17 inches), include your mailing address, be signed, and may be of any length.
- 202–648–9741 (facsimile).
- *http://www.regulations.gov.* Federal eRulemaking portal; follow the instructions for submitting comments.

You may also view an electronic version of this proposed rule at the *http://www.regulations.gov* site.

See the Public Participation section at the end of the **SUPPLEMENTARY INFORMATION** section for instructions and requirements for submitting comments, and for information on how to request a public hearing.

FOR FURTHER INFORMATION CONTACT: Scott P. Armstrong-Cezar, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms, and Explosives, U.S. Department of Justice, 99 New York Avenue, NE., Washington, DC 20226; *telephone:* (202) 648–7119.

SUPPLEMENTARY INFORMATION:

I. Background

The Attorney General is responsible for enforcing the provisions of the Gun Control Act of 1968 ("the Act"), 18 U.S.C. chapter 44. Among other things, the Act authorizes the Attorney General to establish license and record-keeping requirements. Enforcement responsibility under the Act has been delegated to the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), subject to the direction of the Attorney General and the Deputy Attorney General. 28 CFR 0.130(a). Pursuant to an earlier delegation from the Secretary of the Treasury before ATF became a part of the Department of Justice in 2003, ATF has promulgated regulations that implement the provisions of the Act in 27 CFR part 478.

Section 478.125(e) requires that each federally licensed firearms dealer enter into a record each receipt and disposition of firearms. The record must be maintained in bound form under the format prescribed in the regulations. Regarding the purchase or other acquisition of a firearm by a licensed dealer, the record must show the date of receipt, the name and address or the name and license number of the person from whom received, the name of the manufacturer and importer (if any), the model, serial number, type, and the caliber or gauge of the firearm. Licensed dealers must also record certain information regarding the sale or other disposition of a firearm, *e.g.,* the date of the sale or other disposition of the firearm, the name and address of the person to whom the firearm is transferred, or the name and license number of the person to whom the firearm is transferred if such person is a licensee.

Section 478.124a, which became effective August 1, 1988, provides for alternate records for the receipt and disposition of firearms by licensed dealers. This section generally provides that a licensed dealer acquiring firearms and contemplating the disposition of not more than 50 firearms within a succeeding 12-month period to licensees or nonlicensees may maintain a record of the acquisition and disposition of such firearms on a firearms transaction record, Form 4473 (LV) Part I, Firearms Transaction Record Part I—Low Volume—Over-The-Counter, or Form 4473 (LV) Part II, Firearms Transaction Record Part II Low Volume—Intrastate Non-Over-The-Counter, in lieu of the records prescribed by § 478.125(e). A licensed dealer who maintains alternate records pursuant to § 478.124a, but whose firearms dispositions exceed 50 firearms within a 12-month period, must make and maintain the acquisition and disposition records required by § 478.125(e) with respect to each firearm exceeding 50.

The standard Form 4473, Firearms Transaction Record, is the form commonly used by firearms licensees to effect distributions of firearms to nonlicensed individuals. This form is supported by the licensee's acquisition and disposition summary record. The Form 4473 (LV) combines the acquisition and disposition record into the form for use by low volume licensees (i.e., dealers distributing not more than 50 firearms per year).

II. Proposed Rule

ATF has determined that firearms licensees rarely use the Firearms Transaction Record, Form 4473 (LV), Parts I or II. According to ATF's Distribution Center, of the approximately 70,000 orders it receives annually for various forms, there are rarely, if ever, requests for Form 4473 (LV). The form has not been printed since 2005 and, in the most recent six-month reporting period (August 2008 to February 2009), ATF has received no requests for the form. Because of Form 4473 (LV)'s infrequent use, ATF believes the form should be eliminated.

In addition, since § 478.124a became effective, there have been several legislative amendments to the Gun Control Act, which have resulted in numerous revisions to the Form 4473 (LV). ATF has determined that updating and revising this form, along with the

associated printing costs, is not an efficient use of its resources.

Accordingly, this proposed rule amends the regulations by removing the Firearms Transaction Record, Form 4473 (LV), Parts I and II, as an alternate record for the receipt and disposition of firearms by federally licensed firearms dealers. The standard Form 4473, which is currently used by licensees who have annual firearms dispositions of more than 50, is being retained.

If the proposed rule is adopted, licensees will be required to use the standard ATF Form 4473 for all dispositions and maintain a record of the acquisition and disposition of firearms in accordance with the provisions of § 478.125.

How This Document Complies With the Federal Administrative Requirements for Rulemaking

A. Executive Order 12866

This proposed rule has been drafted and reviewed in accordance with Executive Order 12866, "Regulatory Planning and Review," section 1(b), The Principles of Regulation. The Department of Justice has determined that this proposed rule is a "significant regulatory action" under Executive Order 12866, section 3(f), Regulatory Planning and Review, and accordingly this proposed rule has been reviewed by the Office of Management and Budget. However, this proposed rule will not have an annual effect on the economy of $100 million or more, nor will it adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.

Because ATF Form 4473 (LV), Parts I and II, are rarely used by Federal firearms licensees, the proposed rule will have a negligible effect on the economy.

B. Executive Order 13132

The proposed rule will not have substantial direct effects on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, the Attorney General has determined that the proposed rule will not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

C. Executive Order 12988

The proposed rule meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform.

D. Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.,* requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. *See* 5 U.S.C. 605(b). Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. The Attorney General, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 605(b), has reviewed this proposed rule and, by approving it, certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities, including small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

Because ATF Form 4473 (LV), Parts I and II, are rarely used by Federal firearms licensees, the proposed rule will have a negligible effect on small businesses.

E. Small Business Regulatory Enforcement Fairness Act of 1996

This proposed rule is not a major rule as defined by section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 804. This proposed rule will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

F. Unfunded Mandates Reform Act of 1995

This proposed rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

G. Paperwork Reduction Act

This proposed rule does not impose any new reporting or recordkeeping requirements under the Paperwork Reduction Act.

Public Participation

A. Comments Sought

ATF is requesting comments on the proposed rule from all interested persons. ATF is also specifically requesting comments on the clarity of this proposed rule and how it may be made easier to understand.

All comments must reference this document docket number (ATF 30P), be legible, and include your name and mailing address. ATF will treat all comments as originals and will not acknowledge receipt of comments.

Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

B. Confidentiality

Comments, whether submitted electronically or in paper, will be made available for public viewing at ATF, and on the Internet as part of the eRulemaking initiative, and are subject to the Freedom of Information Act. Commenters who do not want their name or other personal identifying information posted on the Internet should submit their comment by mail or facsimile, along with a separate cover sheet that contains their personal identifying information. Both the cover sheet and comment must reference this docket number. Information contained in the cover sheet will not be posted on the Internet. Any personal identifying information that appears within the comment will be posted on the Internet and will not be redacted by ATF.

Any material that the commenter considers to be inappropriate for disclosure to the public should not be included in the comment. Any person submitting a comment shall specifically designate that portion (if any) of his comments that contains material that is confidential under law (*e.g.,* trade secrets, processes, etc.). Any portion of a comment that is confidential under law shall be set forth on pages separate from the balance of the comment and shall be prominently marked "confidential" at the top of each page. Confidential information will be included in the rulemaking record but will not be disclosed to the public. Any comments containing material that is not confidential under law may be disclosed to the public. In any event, the

name of the person submitting a comment is not exempt from disclosure.

C. Submitting Comments

Comments may be submitted in any of three ways:

• *Mail:* Send written comments to the address listed in the **ADDRESSES** section of this document. Written comments must appear in a minimum 12 point size of type (.17 inches), include your mailing address, be signed, and may be of any length.

• *Facsimile:* You may submit comments by facsimile transmission to (202) 648–9741. Faxed comments must:

(1) Be legible and appear in a minimum 12 point size of type (.17 inches);

(2) Be on 8½″ x 11″ paper;

(3) Contain a legible, written signature; and

(4) Be no more than five pages long. ATF will not accept faxed comments that exceed five pages.

• *Federal eRulemaking Portal:* To submit comments to ATF via the Federal eRulemaking portal, visit *http://www.regulations.gov* and follow the instructions for submitting comments.

D. Request for Hearing

Any interested person who desires an opportunity to comment orally at a public hearing should submit his or her request, in writing, to the Director of ATF within the 90-day comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing is necessary.

Disclosure

Copies of this proposed rule and the comments received will be available for public inspection by appointment during normal business hours at: ATF Reading Room, Room 1E–063, 99 New York Avenue, NE., Washington, DC 20226; *telephone:* (202) 648–7080.

Drafting Information

The author of this document is Scott P. Armstrong-Cezar; Enforcement Programs and Services; Bureau of Alcohol, Tobacco, Firearms, and Explosives.

List of Subjects in 27 CFR Part 478

Administrative practice and procedure, Arms and ammunition, Authority delegations, Customs duties and inspection, Domestic violence, Exports, Imports, Law enforcement personnel, Military personnel, Nonimmigrant aliens, Penalties, Reporting and recordkeeping requirements, Research, Seizures and forfeitures, and Transportation.

Authority and Issuance

Accordingly, for the reasons discussed in the preamble, 27 CFR part 478 is proposed to be amended as follows:

PART 478—COMMERCE IN FIREARMS AND AMMUNITION

1. The authority citation for 27 CFR part 478 continues to read as follows:

Authority: 5 U.S.C. 552(a); 18 U.S.C. 847, 921–931; 44 U.S.C. 3504(h).

2. Section 478.124a is removed.

3. Section 478.125 is amended by revising the first sentence in paragraph (e) to read as follows:

§ 478.125 Record of receipt and disposition.

* * * * *

(e) *Firearms receipt and disposition by dealers.* Each licensed dealer shall enter into a record each receipt and disposition of firearms. * * *

* * * * *

Dated: July 22, 2010.

Eric H. Holder, Jr.,

Attorney General.

[FR Doc. 2010–19273 Filed 8–4–10; 8:45 am]

BILLING CODE 4410–FY–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 271 and 272

[EPA–R06–RCRA–2009–0570; FRL–9172–7]

Louisiana: Final Authorization of State-Initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: During a review of Louisiana's regulations, EPA identified a variety of State-initiated changes to Louisiana's hazardous waste program under the Resource Conservation and Recovery Act, as amended (RCRA), for which the State had not previously sought authorization. EPA proposes to authorize the State for the program changes. In addition, the EPA proposes to codify in the regulations entitled "Approved State Hazardous Waste Management Programs", Louisiana's authorized hazardous waste program. The EPA will incorporate by reference into the Code of Federal Regulations (CFR) those provisions of the State regulations that are authorized and that EPA will enforce under RCRA.

DATES: Send written comments by September 7, 2010.

ADDRESSES: Send written comments to Alima Patterson, Region 6, Regional Authorization Coordinator, or Julia Banks, Codification Coordinator (6PD–O), Multimedia Planning and Permitting Division at the address shown below. You can examine copies of the materials that form the basis for this authorization and incorporation by reference during normal business hours at the following location: EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, phone number (214) 665–6533 or (214) 665–8178. You may also submit comments electronically or through hand delivery/courier; please follow the detailed instructions in the **ADDRESSES** section of the direct final rule which is located in the Rules section of this **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Alima Patterson or Julia Banks at (214) 665–8533 or (214) 665–8178.

SUPPLEMENTARY INFORMATION: In the "Rules and Regulations" section of this **Federal Register**, the EPA is authorizing the changes to the Louisiana program, and codifying and incorporating by reference the State's hazardous waste program as a direct final rule. The EPA did not make a proposal prior to the immediate final rule because we believe these actions are not controversial and do not expect comments that oppose them. We have explained the reasons for this authorization and incorporation by reference in the preamble to the direct final rule. Unless we get written comments which oppose this authorization and incorporation by reference during the comment period, the direct final rule will become effective on the date it establishes, and we will not take further action on this proposal. If we get comments that oppose these actions, we will withdraw the direct final rule and it will not take effect. We will then respond to public comments in a later final rule based on this proposal. You may not have another opportunity for comment. If you want to comment on this action, you must do so at this time. For additional information, please see the direct final rule published in the "Rules and Regulations" section of this **Federal Register**.

Authority: This action is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

Dated: April 30, 2010.

Lawrence E. Starfield,

Acting Regional Administrator, Region 6.

[FR Doc. 2010–18933 Filed 8–4–10; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register

Vol. 75, No. 150

Thursday, August 5, 2010

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Determination of Total Amounts of Fiscal Year 2011 Tariff-Rate Quotas for Raw Cane Sugar and Certain Sugars, Syrups and Molasses

AGENCY: Office of the Secretary, USDA.

ACTION: Notice.

SUMMARY: The Office of the Secretary of the Department of Agriculture is providing notice of the establishment of the fiscal year (FY) 2011 in-quota aggregate quantity of the raw, as well as, refined and specialty sugar Tariff-Rate Quotas (TRQ) as required under the U.S. World Trade Organization (WTO) commitments. The FY 2011 raw cane sugar TRQ is established at 1,117,195 metric tons raw value (MTRV) that may be entered under subheading 1701.11.10 of the U.S. Harmonized Tariff Schedule (HTS) during FY 2011 (October 1, 2010–September 30, 2011). In addition, the in-quota aggregate quantity of the refined and specialty sugar TRQ is established at 99,111 MTRV for certain sugars, syrups, and molasses (collectively referred to as refined sugar) that may be entered under subheadings 1701.12.10, 1701.91.10, 1701.99.10, 1702.90.10, and 2106.90.44 of the HTS during FY 2011.

DATES: *Effective Date:* October 1, 2010.

FOR FURTHER INFORMATION CONTACT: Angel Gonzalez, Import Policies and Export Reporting Division, Foreign Agricultural Service, Department of Agriculture, 1400 Independence Avenue, SW., AgStop 1021, Washington, DC 20250–1021; by telephone (202) 720–2916; by fax (202) 720–0876; or by e-mail *angel.f.gonzalez@fas.usda.gov.*

SUPPLEMENTARY INFORMATION: The provisions of paragraph (a)(i) of the Additional U.S. Note 5, Chapter 17 in the HTS authorize the Secretary of Agriculture to establish the in-quota TRQ amounts (expressed in terms of raw value) for imports of raw cane sugar and certain sugars, syrups, and molasses that may be entered under the subheadings of the HTS subject to the lower tier of duties of the TRQs for entry during the fiscal year beginning October 1, 2010. The Office of the U.S. Trade Representative (USTR) is responsible for the allocation of these quantities among supplying countries and areas.

Section 359(k) of the Agricultural Adjustment Act of 1938, as amended requires that at the beginning of the quota year the Secretary of Agriculture establish the TRQs for raw cane sugar and refined sugars at the minimum levels necessary to comply with obligations under international trade agreements, with the exception of specialty sugar.

Notice is hereby given that I have determined, in accordance with paragraph (a)(i) of the Additional U.S. Note 5, Chapter 17 in the HTS and section 359(k) of the 1938 Act, that an aggregate quantity of up to 1,117,195 MTRV of raw cane sugar described in subheading 1701.11.10 of the HTS may be entered or withdrawn from warehouse for consumption during FY 2011 (October 1, 2010–September 30, 2011). This is the minimum amount to which the United States is committed under the WTO Uruguay Round Agreements. I have further determined that an aggregate quantity of 99,111 MTRV of sugars, syrups, and molasses described in subheadings 1701.12.10, 1701.91.10, 1701.99.10, 1702.90.10, and 2106.90.44 may be entered or withdrawn from warehouse for consumption during FY 2011. Of this quantity of 99,111 MTRV, the quantity of 78,767 MTRV is reserved for the importation of specialty sugars as defined by the USTR. The total of 99,111 MTRV includes the 22,000 MTRV minimum level necessary to comply with U.S. WTO Uruguay Round commitments, of which 1,656 MTRV is reserved for specialty sugar. Because the specialty sugar TRQ is first-come, first-served, tranches are needed to allow for orderly marketing throughout the year. The FY 2011 specialty sugar TRQ will be opened in five tranches. The first tranche, totaling 1,656 MTRV, will open October 20, 2010. All specialty sugars are eligible for entry under this tranche. The second tranche will open on November 10, 2010, and be equal to 27,500 MTRV. The remaining tranches will each be equal to 16,537 MTRV, with the third opening on January 12, 2011; the fourth, on May 18, 2011; and the fifth, on August 24, 2011. The second, third, fourth, and fifth tranches will be reserved for organic sugar and other specialty sugars not currently produced commercially in the United States or reasonably available from domestic sources.

Conversion factor: 1 metric ton = 1.10231125 short tons.

Kathleen A. Merrigan,

Deputy Secretary of Agriculture.

[FR Doc. 2010–19166 Filed 8–4–10; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF AGRICULTURE

Forest Service

Del Norte Resource Advisory Committee (RAC)

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Del Norte Resource Advisory Committee (RAC) will meet in Crescent City, California. The committee meeting is authorized under the Secure Rural Schools and Community Self-Determination (SRS) Act (Pub. L. 110–343) and in compliance with the Federal Advisory Committee Act.

DATES: The meeting will be held August 31, 2010, from 6 p.m. to 8:30 p.m.

ADDRESSES: The meeting will be held at the Del Norte County Unified School District, Board Room, 301 West Washington Boulevard, Crescent City, California 95531.

FOR FURTHER INFORMATION CONTACT: Julie Ranieri, Committee Coordinator, Six Rivers National Forest, at (707) 441–3673; e-mail *jranieri@fs.fed.us.*

SUPPLEMENTARY INFORMATION: The meeting is open to the public. Agenda items to be covered include: (1) Review of Title II project proposals submitted, (2) schedule meetings for public presentations of project proposals, and (3) discuss how members will vote. Public input opportunity will be provided and individuals will have the opportunity to address the Committee at that time.

Dated: July 27, 2010.

Tyrone Kelley,

Forest Supervisor.

[FR Doc. 2010–19203 Filed 8–4–10; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Forest Service

Northern New Mexico Resource Advisory Committee Meeting

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Northern New Mexico Resource Advisory Committee will meet in Albuquerque, New Mexico. The committee is meeting as authorized under the Secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 110–343) and in compliance with the Federal Advisory Committee Act (5 U.S.C. Appendix 2 §§ 1–15, October 6, 1972, as amended 1976, 1980 and 1982). The purpose is to review and approve RFP and Title II Project Submission Form, discuss monitoring of Projects, discuss and determine means of distribution of RFP, review timelines and set next meeting date, RAC costs to date.

DATES: The meeting will be held on August 17, 2010, beginning at 10 a.m. and ending at 4 p.m.

ADDRESSES: The meeting will be held at the Forest Service Southwestern Regional Office at 333 Broadway SE in the basement conference room, Albuquerque, New Mexico. Written comments should be sent to Ignacio Peralta, Carson National Forest, 208 Cruz Alta Road, Taos, NM 87571. Comments may also be sent via e-mail to *iperalta@fs.fed.us* or via facsimile to 575–758–6213.

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Carson National Forest, 208 Cruz Alta Road, Taos, NM. Visitors are encouraged to call ahead to 575–758–6344 to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT: RAC Coordinator USDA, Carson National Forest: Ignacio Peralta, 575–758–6344, 208 Cruz Alta Rd., Taos, NM 87571. E-mail: *iperalta@fs.fed.us.* RAC Coordinator, USDA, Santa Fe National Forest: Ruben Montes, 505–438–5356, 11 Forest Lane, Santa Fe, NM 87508. E-mail: *rmontes@fs.fed.us.*

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern Standard Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The meeting is open to the public. The following business will be conducted: (1) Review and approve RFP and Title II Project Submission Form. (2) Discuss monitoring of Projects. (3) Discuss and determine means of distribution of RFP. (4) Review timelines and set next meeting date. (5) RAC costs to date. (6) Public Comment. Persons who wish to bring related matters to the attention of the Committee may file written statements with the Committee staff before or after the meeting.

Dated: July 30, 2010.

Kendall Clark,

Forest Supervisor, Carson National Forest.

[FR Doc. 2010–19205 Filed 8–4–10; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Forest Service

Missoula County Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Lolo National Forest's Missoula County Resource Advisory Committee (RAC) will meet on Wednesday, September 15, 2010 from 4:15 p.m. to 6 p.m., in Missoula, Montana. The purpose of the meeting is to distribute submitted proposals to RAC members, allow the opportunity for project proponents to present their proposals, and receive public comment on the meeting subjects and proceedings.

DATES: Wednesday, September 15, 2010 from 4:15 p.m. to 6 p.m.

ADDRESSES: Missoula County Courthouse, Room 374; 200 W. Broadway, Missoula, MT 59802.

FOR FURTHER INFORMATION CONTACT: Boyd Hartwig; Address: Lolo National Forest, Building 24A Fort Missoula, Missoula, Montana 59804; *Phone:* 406–329–1024, *e-mail: bchartwig@fs.fed.us.*

SUPPLEMENTARY INFORMATION: Agenda items to be covered include: (1) Distribution and brief discussion of project proposals; (2) provide opportunity for proponents to give up to a 10 minute presentation for each project; (3) give RAC members the opportunity to ask questions of the proponents; (4) set next meeting purpose, location and date; (5) receive public comment; (6) review old business. The meeting is open to the public. Opportunity for public input will be provided and individuals will have the opportunity to address the Committee at that time.

Dated: July 30, 2010.

Paul Matter,

Missoula District Ranger.

[FR Doc. 2010–19204 Filed 8–4–10; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Notice of Proposed Change to Section IV of the Virginia State Technical Guide

AGENCY: Natural Resources Conservation Service (NRCS), U.S. Department of Agriculture.

ACTION: Notice of availability of proposed changes in the Virginia NRCS State Technical Guide for review and comment.

SUMMARY: It has been determined by the NRCS State Conservationist for Virginia that changes must be made in the NRCS State Technical Guide specifically in the following practice standards: #327, Conservation Cover and #315, Herbaceous Weed Control. These practices will be used to plan and install conservation practices.

DATES: Comments will be received for a 30-day period commencing with this date of publication.

FOR FURTHER INFORMATION CONTACT: John A. Bricker, State Conservationist, Natural Resources Conservation Service (NRCS), 1606 Santa Rosa Road, Suite 209, Richmond, Virginia 23229–5014; Telephone number (804) 287–1691; Fax number (804) 287–1737. Copies of the practice standards will be made available upon written request to the address shown above or on the Virginia NRCS Web site: *http://www.va.nrcs.usda.gov/technical/draftstandards.html.*

SUPPLEMENTARY INFORMATION: Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 states that revisions made after enactment of the law to NRCS State technical guides used to carry out highly erodible land and wetland provisions of the law shall be made available for public review and comment. For the next 30 days, the NRCS in Virginia will receive comments relative to the proposed changes. Following that period, a determination will be made by the NRCS in Virginia regarding disposition of those comments

and a final determination of change will be made to the subject standards.

Dated: July 28, 2010.

John A. Bricker,

State Conservationist, Natural Resources Conservation Service, Richmond, Virginia.

[FR Doc. 2010–19201 Filed 8–4–10; 8:45 am]

BILLING CODE 3410–16–P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of meeting.

DATE AND TIME: Friday, August 13, 2010; 9:30 a.m. EDT.

PLACE: 624 9th St., NW., Room 540, Washington, DC 20425.

Meeting Agenda

This meeting is open to the public.

I. Approval of Agenda.

II. Program Planning.

- NBPP Enforcement Project—Some of the discussion of this agenda item may be held in closed session.
- Consideration of Discovery Plan and Project Outline for Report on Sex Discrimination in Liberal Arts College Admissions—Some of the discussion of this agenda item may be held in closed session.
- Consideration of FY 2011 Enforcement Report Topic.
- Consideration of Timelines for Completion of the Health Care Disparities Briefing Report.
- Update on the National Conference.

III. State Advisory Committee Issues.

- Consideration of Additional Nominee to the New Jersey SAC.

IV. Approval of Minutes of July 30 Meeting.

V. Announcements.

VI. Staff Director's Report.

VII. Adjourn.

CONTACT PERSON FOR FURTHER INFORMATION: Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376–8591. TDD: (202) 376–8116.

Persons with a disability requiring special services, such as an interpreter for the hearing impaired, should contact Pamela Dunston at least seven days prior to the meeting at 202–376–8105. TDD: (202) 376–8116.

Dated: August 3, 2010.

David Blackwood,

General Counsel.

[FR Doc. 2010–19442 Filed 8–3–10; 4:15 pm]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: Western Alaska Community Development Quota Program.

OMB Control Number: 0648–0269.

Form Number(s): NA.

Type of Request: Regular submission (extension of a currently approved collection).

Number of Respondents: 93.

Average Hours per Response: Community development plan, 520 hours; annual budget report, 20 hours; annual budget reconciliation reports and technical amendments, 8 hours; substantial amendments, 40 hours; community development quota (CDQ) or prohibited species quota (PSQ) transfer requests, 15 minutes; alternate fishing plans, 4 hours; prior notices to observers, 2 minutes.

Burden Hours: 2,193.

Needs and Uses: The CDQ Program is an economic development program associated with federally-managed fisheries in the Bering Sea and Aleutian Islands Management Area (BSAI), as part of a fishery management plan developed by the North Pacific Fishery Management Council, under the authorization of the Magnuson-Stevens Fishery Conservation and Management Act. The purposes of the CDQ Program are to provide western Alaska communities the opportunity to participate and invest in BSAI fisheries, to support economic development in western Alaska, to alleviate poverty and provide economic and social benefits for residents of western Alaska, and to achieve sustainable and diversified local economies in western Alaska.

CDQ and PSQ allocations are made to CDQ groups. However, in many cases the CDQ groups contract with existing fishing vessels and processors to harvest CDQ on their behalf. The CDQ group is responsible to monitor the catch of CDQ and PSQ by all vessels fishing under its Community Development Plan and to take the necessary action to prevent overages. The National Marine Fisheries Service monitors the reported catch to assure that quotas are not being exceeded.

Affected Public: Not-for-profit institutions.

Frequency: Annually and on occasion.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: David Rostker, (202) 395–3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482–0266, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at *dHynek@doc.gov*).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, FAX number (202) 395–7285, or *David_Rostker@omb.eop.gov.*

Dated: August 2, 2010.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2010–19249 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

International Trade Administration

(A–489–807)

Certain Steel Concrete Reinforcing Bars from Turkey: Notice of Amended Final Results Pursuant to Court Decision

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On April 12, 2010, the United States Court of Appeals for the Federal Circuit (CAFC) upheld the final redetermination made by the Department of Commerce (the Department) in the 2005–2006 administrative review of certain steel concrete reinforcing bars (rebar) from Turkey. See Nucor Corporation, Gerdau Ameristeel, Inc., and Commercial Metals Company vs. United States, Case No. 07–00457, United States Court of Appeal for the Federal Circuit, (April 12, 2010) (CAFC Decision). In this redetermination, the Department recalculated the cost of production for rebar produced and sold by Ekinciler Demir ve Celik Sanayi A.S. and Ekinciler Dis Ticaret A.S. (collectively, "Ekinciler"), a Turkish producer/exporter of subject merchandise, to exclude depreciation which the Department had imputed to an asset reported in Ekinciler books and records. Because all litigation in this matter has now concluded, the Department is

issuing its amended final results in accordance with the CAFC's decision.

EFFECTIVE DATE: August 5, 2010.

FOR FURTHER INFORMATION CONTACT: Elizabeth Eastwood, AD/CVD Operations, Office 2, Import Administration International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC, 20230; telephone (202) 482–3874.

SUPPLEMENTARY INFORMATION:

Background

On November 6, 2007, the Department published its final results in the antidumping duty administrative review of rebar from Turkey covering the period of review from April 1, 2005, through March 31, 2006. *See Certain Steel Concrete Reinforcing Bars From Turkey; Final Results of Antidumping Duty Administrative Review and New Shipper Review and Determination To Revoke in Part*, 72 FR 62630 (Nov. 6, 2007) (*Final Results*). In November 2007, Ekinciler contested the Department's decision to impute an amount for depreciation related to an asset listed as "melt shop modernization" in Ekinciler's books and records, as had been done in prior segments of the proceeding. Ekinciler claimed that to avoid financial difficulties it had recorded expenses pertaining to foreign exchange gains and losses incurred in 2001 not as expenses in its books and records, but as an asset. Ekinciler alleged that these expenses, in fact, had nothing to do with the modernization of its melt shop facility and, therefore, the Department could not depreciate this amount.

On April 14, 2009, the Court of International Trade (CIT) determined that the Department's *Final Results* were not supported by substantial evidence on the record and remanded the issue of the imputed depreciation calculated for Ekinciler to the Department. *See Nucor Corporation, Gerdau Ameristeel Corporation, and Commercial Metals Company v. United States*, Court No. 07–00457 (Apr. 14, 2009) (*Nucor*).

On May 14, 2009, the Department issued its final results of redetermination pursuant to *Nucor*. The remand redetermination explained that, in accordance with the CIT's instructions, the Department recalculated the cost of production for Ekinciler, excluding the depreciation imputed on Ekinciler's reported melt shop modernization asset.

On May 22, 2009, the CIT found that the Department complied with the remand order and sustained the Department's remand redetermination. *See Nucor Corporation, Gerdau Ameristeel, Inc., and Commercial Metals Company v. United States*, Slip Op. 09–50 (May 22, 2009). On June 5, 2009, consistent with the decision of the CAFC in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department notified the public that the CIT's decision was "not in harmony" with the Department's November 2007 *Final Results*. *See Certain Steel Concrete Reinforcing Bars from Turkey: Notice of Court Decision Not in Harmony with Final Results of Administrative Review*, 74 FR 27016 (June 5, 2009).

The domestic rebar industry appealed the CIT's decision. On April 12, 2010, the CAFC sustained the final redetermination made by the Department pursuant to the CIT's remand. *See CAFC Decision*. No party appealed the CAFC's decision. Because there is now a final and conclusive decision in the Court proceeding, we are issuing amended final results to reflect the results of the remand determination.

Amended Final Results of Review

We are amending the final results of the 2005–2006 administrative review on the antidumping duty order on rebar from Turkey to reflect a revised weighted–average margin of 0.11 percent for Ekinciler for the period April 1, 2005, through March 31, 2006.

Assessment

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.

Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is de minimis (*i.e.*, less than 0.50 percent). The Department will issue appraisement instructions directly to CBP.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: July 29, 2010.

Paul Piquado,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 2010–19288 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No.: 100630282–0307–02]

RIN 0648–ZC18

Availability of Grants Funds for Fiscal Year 2011

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice.

SUMMARY: NOAA publishes this notice to re-open the full proposal solicitation period for the Fiscal Year 2011 Bay Watershed Education and Training (B–WET) Hawaii Program. The original solicitation, which was announced in the **Federal Register** on July 16, 2010, gave an incorrect proposal due date of August 2, 2010. This notice corrects that error by re-opening the solicitation period for this program until September 15, 2010.

DATES: Full proposals must be submitted no later than 5:59 p.m., Hawaii Time, September 15, 2010.

ADDRESSES: Full proposal application packages should be submitted through Grants.gov. The standard NOAA funding application package is available at *http://www.grants.gov.*

If an applicant does not have Internet access, hard copies with original signatures may be sent to: NOAA Pacific Services Center, 737 Bishop Street, Suite 1550, Honolulu, Hawaii 96813, ATTN: Stephanie Bennett. Applicants submitting hard copy applications must submit one hard copy of the entire application package, a CD copy of the package, including all forms with original signatures. Any proposal packages received after the September 15 2010, submission deadline will not be accepted.

FOR FURTHER INFORMATION CONTACT: For administrative or technical issues, contact Stephanie Bennett at 808–522–7481 (phone) or by e-mail at *Stephanie.Bennett@noaa.gov.*

SUPPLEMENTARY INFORMATION: NOAA publishes this notice to re-open the full proposal solicitation period for the Fiscal Year 2011 Bay Watershed Education and Training (B–WET) Hawaii Program announced in the **Federal Register** on July 16, 2010 (75 FR 41660). The new deadline for full proposals is September 15, 2010. The program re-opens the solicitation period due to a typo made in the deadline date published in the original announcement. Full proposals received

between 6 p.m. Hawaii Time, August 2, 2010 and August 5, 2010 will be considered timely and will be given full consideration. All other requirements published in the July 16, 2010 **Federal Register** notice for this program remain the same.

Limitation of Liability

In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if this program is cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds. Applicants are hereby given notice that funding for the Fiscal Year 2011 program is contingent upon the availability of Fiscal Year 2011 appropriations.

Universal Identifier

Applicants should be aware they are required to provide a Dun and Bradstreet Data Universal Numbering System (DUNS) number during the application process. See the October 30, 2002, **Federal Register**, (67 FR 66177) for additional information. Organizations can receive a DUNS number at no cost by calling the dedicated toll-free DUNS Number request line at 1–866–705–5711 or via the Internet at *http://www.dunandbradstreet.com.*

National Environmental Policy Act (NEPA)

NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA Federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA Web site: *http://www.nepa.noaa.gov/,* including our NOAA Administrative Order 216–6 for NEPA, *http://www.nepa.noaa.gov/NAO216_6_TOC.pdf,* and the Council on Environmental Quality implementation regulations, *http://ceq.eh.doe.gov/nepa/regs/ceq/toc_ceq.htm.* Consequently, as part of an applicant's package, and under their description of their program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (*e.g.,* the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting of an environmental assessment, if NOAA determines an assessment is required. Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

The Department of Commerce Pre-award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917), as amended by the **Federal Register** notice published on: October 30, 2002 (67 FR 66109); December 30, 2004 (69 FR 78389); and February 11, 2008 (73 FR 7696) are applicable to this solicitation.

Paperwork Reduction Act

This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424A, 424B, SF–LLL, and CD–346 has been approved by the Office of Management and Budget (OMB) under the respective control numbers 0348–0043, 0348–0044, 0348–0040, 0348–0046, and 0605–0001. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number.

Executive Order 12866

This notice has been determined to be not significant for purposes of Executive Order 12866.

Executive Order 13132 (Federalism)

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

Administrative Procedure Act/ Regulatory Flexibility Act

Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, loans, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: July 30, 2010.

Christopher C. Cartwright,

Associate Assistant Administrator for Management and CFO/CAO, Ocean Services and Coastal Zone Management.

[FR Doc. 2010–19200 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–JE–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Federal Consistency Appeal by Pan American Grain Co.

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice of Stay—Closure of Administrative Appeal Decision Record.

SUMMARY: This announcement provides notice that the Secretary of Commerce has stayed, for a period of sixty (60) days, closure of the decision record in an administrative appeal filed by Pan American Grain Co. (Pan American).

DATES: The decision record for the Pan American Federal Consistency Appeal now closes on October 4, 2010.

ADDRESSES: NOAA, Office of General Counsel for Ocean Services, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Gladys P. Miles, Attorney-Advisor, NOAA, Office of General Counsel, 301–713–7384, or at *gcos.inquiries@noaa.gov.*

SUPPLEMENTARY INFORMATION:

On January 27, 2010, Pan American Grain Co. filed notice of an appeal with the Secretary of Commerce (Secretary), pursuant to the Coastal Zone Management Act of 1972 (CZMA), 16 U.S.C. 1451 *et seq.,* and implementing regulations found at 15 CFR part 930, subpart H. The appeal is taken from an objection by the Puerto Rico Planning Board to Pan American's consistency certification for a U.S. Army Corps of Engineer permit for proposed improvements to its port facilities located in San Juan Bay, Puerto Rico. Notice of this appeal was published in

the **Federal Register** on February 26, 2010. *See* 75 FR 8919.

Under the CZMA, the Secretary must close the decision record in an appeal 160 days after the notice of appeal is published in the **Federal Register**. 16 U.S.C. 1465. The CZMA, however, authorizes the Secretary to stay closing of the decision record for up to 60 days when the Secretary determines it is necessary to receive, on an expedited basis, any supplemental information specifically requested by the Secretary to complete consistency review. 16 U.S.C. 1465(b)(3).

After reviewing the decision record developed to date, the Secretary has determined that supplemental and clarifying information needs to be requested in order to complete consistency review. In order to allow receipt of this information, the Secretary hereby stays closure of the decision record until October 4, 2010.

Additional information on this appeal is available at the NOAA, Office of General Counsel for Ocean Services, 1305 East-West Highway, Room 6111, Silver Spring, MD 20910 and on the following Web site: *http://www.ogc.doc.gov/czma.htm.*

[Federal Domestic Assistance Catalog No. 11.419 Coastal Zone Management Program Assistance.]

Dated: August 2, 2010.

Joel La Bissonniere,

Assistant General Counsel for Ocean Services, NOAA.

[FR Doc. 2010–19297 Filed 8–4–10; 8:45 am]

BILLING CODE P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–821–809]

Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From the Russian Federation; Final Results of the Expedited Sunset Review of Antidumping Duty Suspended Investigation

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of expedited sunset review of the antidumping duty suspended investigation on certain hot-rolled flat-rolled carbon-quality steel products from the Russian Federation; final results.

SUMMARY: On April 1, 2010, the Department of Commerce ("the Department") initiated a sunset review of the antidumping duty suspended antidumping duty investigation of certain hot-rolled flat-rolled carbon-quality steel products ("hot-rolled steel") from the Russian Federation ("Russia").[1] On the basis of the notice of intent to participate, an adequate substantive response submitted on behalf of the domestic interested parties, and no participation from respondent interested parties, the Department conducted an expedited sunset review of the suspended antidumping duty investigation pursuant to section 751(c)(3)(B) of the Act and section 351.218(e)(1)(ii)(C) of the Department's regulations. As a result of this sunset review, the Department determined that termination of the antidumping duty suspended investigation would likely lead to continuation or recurrence of dumping at the levels listed below in the section entitled "Final Results of Review."

DATES: *Effective Date:* August 5, 2010.

FOR FURTHER INFORMATION CONTACT: Anne D'Alauro or Sally C. Gannon, Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington DC 20230; telephone: 202–482–4830 or 202–482–0162, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2010, the Department initiated a sunset review of the suspended antidumping duty investigation on hot-rolled steel from Russia in accordance with section 751(c) of the Tariff Act of 1930, as amended ("the Act"). *See Notice of Initiation,* 75 FR 16437 (2010). Section 351.218(d)(1)(i) of the Department's regulations provides domestic interested parties opportunity to file a Notice of Intent to Participate in a Sunset Review within 15 days of initiation of review. The Department received notices of intent to participate within the applicable deadline specified in section 351.218(d)(1)(i) of the Department's regulations on behalf of Nucor Corporation, United States Steel Corporation, Gallatin Steel, SSAB North America Division, ArcelorMittal USA, Inc., and Steel Dynamics, Inc. (collectively "domestic interested parties"). The domestic interested parties claimed interested-party status as producers of subject merchandise in the United States as defined by section 771(9)(C) of the Act. In addition, domestic interested parties assert that they are not related to a foreign producer/exporter and are not importers, or related to importers, of the subject merchandise.

The Department's regulations at section 351.218(d)(3)(i) state that all interested parties participating in a sunset review must submit a complete substantive response to a Notice of Initiation within 30 days of initiation of the sunset review. On May 3, 2010, the Department received a complete substantive response from the domestic interested parties within the 30-day deadline specified in the Department's regulations under section 351.218(d)(3)(i). After examining the substantive response from the domestic interested parties, on May 21, 2010, the Department determined that the response was adequate, consistent with the requirements of 19 CFR 351.218(e). *See* Memorandum from Anne D'Alauro, Senior Policy Analyst, Office of Policy, Import Administration, to Sally C. Gannon, Director for Bilateral Agreements, Office of Policy, Import Administration, regarding "Sunset Review of the Agreement Suspending the Antidumping Investigation of Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products from the Russian Federation: Adequacy Determination" (May 14, 2010). *See also* Letter from Barbara E. Tillman, Director, Office 6, AD/CVD Operations, Import Administration, to Ms. Catherine DeFilippo, Director, Office of Investigations, International Trade Commission (May 21, 2010). Although the Department received a letter of appearance on behalf of the Russian Ministry of Economic Development, the Department did not receive any notices of intent to participate or substantive responses from respondent interested parties to this proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and section 351.218(e)(1)(ii)(C)(2) of the Department's regulations, the Department conducted an expedited (120-day), sunset review of this antidumping duty suspended investigation.

Scope of the Suspended Investigation

See Appendix 1.

Analysis of Comments Received

All issues raised in this sunset review are addressed in the "Issues and Decision Memorandum" ("Decision Memo") from Paul Piquado, Deputy Assistant Secretary for Policy and Negotiations, Import Administration, to Ronald Lorentzen, Deputy Assistant Secretary for Import Administration, dated July 30, 2010, which is hereby adopted by this notice. The issues

[1] *See Initiation of Five-Year ("Sunset") Review,* 75 FR 16437 (April 1, 2010) (*Notice of Initiation*).

discussed in the Decision Memo include both the likely effects of termination of the suspension agreement and underlying investigation and the magnitude of the margin likely to prevail if the suspended investigation were terminated. Parties can find a complete discussion of all issues raised in this sunset review and the corresponding recommendations in this public memo, which is on file in room 1117 of the main Commerce Building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at *http://ia.ita.doc.gov/frn,* under the heading "August 2010". The paper copy and electronic version of the Decision Memo are identical in content.

Final Results of Review

The Department determines that termination of the suspended antidumping duty investigation on hot-rolled steel from Russia would be likely to lead to continuation or recurrence of dumping at the following weighted-average margins:

Manufacturers/producers/exporters	Weighted-average margin (percent)
JSC Severstal	73.59
Russia-Wide Rate	184.56

This notice also serves as the only reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department's regulations. Timely notification of the return or destruction of APO materials or conversion to judicial protective order is requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing the results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: July 30, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

Appendix I

For the purposes of this Suspension Agreement, "hot-rolled steel" means certain hot-rolled flat-rolled carbon-quality steel products of a rectangular shape, of a width of 0.5 inch or greater, neither clad, plated, nor coated with metal and whether or not painted, varnished, or coated with plastics or other non-metallic substances, in coils (whether or not in successively superimposed layers) regardless of thickness, and in straight lengths, of a thickness less than 4.75 mm and of a width measuring at least 10 times the thickness.

Universal mill plate (*i.e.,* flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 mm but not exceeding 1250 mm and of a thickness of not less than 4 mm, not in coils and without patterns in relief) of a thickness not less than 4.0 mm is not included within the scope of this agreement.

Specifically included in this scope are vacuum degassed, fully stabilized (commonly referred to as interstitial-free ("IF")) steels, high strength low alloy ("HSLA") steels, and the substrate for motor lamination steels. IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium and/or niobium added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum. The substrate for motor lamination steels contains micro-alloying levels of elements such as silicon and aluminum.

Steel products to be included in the scope of this agreement, regardless of HTSUS definitions, are products in which: (1) Iron predominates, by weight, over each of the other contained elements; (2) the carbon content is 2 percent or less, by weight; and (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated: 1.80 percent of manganese, or 1.50 percent of silicon, or 1.00 percent of copper, or 0.50 percent of aluminum, or 1.25 percent of chromium, or 0.30 percent of cobalt, or 0.40 percent of lead, or 1.25 percent of nickel, or 0.30 percent of tungsten, or 0.012 percent of boron, or 0.10 percent of molybdenum, or 0.10 percent of niobium, or 0.41 percent of titanium, or 0.15 percent of vanadium, or 0.15 percent of zirconium.

All products that meet the physical and chemical description provided above are within the scope of this agreement unless otherwise excluded. The following products, by way of example, are outside and/or specifically excluded from the scope of this agreement:

—Alloy hot-rolled steel products in which at least one of the chemical elements exceeds those listed above (including *e.g.,* ASTM specifications A543, A387, A514, A517, and A506).
—SAE/AISI grades of series 2300 and higher.
—Ball bearing steels, as defined in the HTSUS.
—Tool steels, as defined in the HTSUS.
—Silico-manganese (as defined in the HTSUS) or silicon electrical steel with a silicon level exceeding 1.50 percent.
—ASTM specifications A710 and A736.
—USS Abrasion-resistant steels (USS AR 400, USS AR 500).
—Hot-rolled steel coil which meets the following chemical, physical and mechanical specifications:

C	Mn	P	S	Si	Cr	Cu	Ni
0.10–0.14%	0.90% Max	0.025% Max	0.005% Max	0.30–0.50%	0.50–0.70%	0.20–0.40%	0.20% Max

Width = 44.80 inches maximum; Thickness = 0.063–0.198 inches; Yield Strength = 50,000 ksi minimum; Tensile Strength = 70,000–88,000 psi.

—Hot-rolled steel coil which meets the following chemical, physical and mechanical specifications:

C	Mn	P	S	Si	Cr	Cu	Ni
0.10–0.16%	0.70–0.90%	0.025% Max	0.006% Max	0.30–0.50%	0.50–0.70%	0.25% Max	0.20% Max
Mo							
0.21% Max.							

Width = 44.80 inches maximum; Thickness = 0.350 inches maximum; Yield Strength = 80,000 ksi minimum; Tensile Strength = 105,000 psi Aim.

—Hot-rolled steel coil which meets the following chemical, physical and mechanical specifications:

C	Mn	P	S	Si	Cr	Cu	Ni
0.10–0.14%	1.30–1.80%	0.025% Max	0.005% Max	0.30–0.50%	0.50–0.70%	0.20–0.40%	0.20% Max
V(wt.)	Cb						
0.10 Max	0.08% Max.						

Width = 44.80 inches maximum; Thickness = 0.350 inches maximum; Yield Strength = 80,000 ksi minimum; Tensile Strength = 105,000 psi Aim.

—Hot-rolled steel coil which meets the following chemical, physical and mechanical specifications:

C	Mn	P	S	Si	Cr	Cu	Ni
0.15% Max	1.40% Max	0.025% Max	0.010% Max	0.50% Max	1.00% Max	0.50% Max	0.20% Max
Nb	Ca	Al					
0.005% Min	Treated	0.01–0.07%.					

Width = 39.37 inches; Thickness = 0.181 inches maximum; Yield Strength = 70,000 psi minimum for thicknesses ≤ 0.148 inches and 65,000 psi minimum for thicknesses >0.148 inches; Tensile Strength = 80,000 psi minimum.

—Hot-rolled dual phase steel, phase-hardened, primarily with a ferritic-martensitic microstructure, contains 0.9 percent up to and including 1.5 percent silicon by weight, further characterized by either (i) tensile strength between 540 N/mm² and 640 N/mm² and an elongation percentage ≥26 percent for thicknesses of 2 mm and above, or (ii) a tensile strength between 590 N/mm² and 690 N/mm² and an elongation percentage ≥25 percent for thicknesses of 2 mm and above.

—Hot-rolled bearing quality steel, SAE grade 1050, in coils, with an inclusion rating of 1.0 maximum per ASTM E 45, Method A, with excellent surface quality and chemistry restrictions as follows: 0.012 percent maximum phosphorus, 0.015 percent maximum sulfur, and 0.20 percent maximum residuals including 0.15 percent maximum chromium.

• Grade ASTM A570–50 hot-rolled steel sheet in coils or cut lengths, width of 74 inches (nominal, within ASTM tolerances), thickness of 11 gauge (0.119 inches nominal), mill edge and skin passed, with a minimum copper content of 0.20 percent.

The covered merchandise is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings: 7208.10.15.00, 7208.10.30.00, 7208.10.60.00, 7208.25.30.00, 7208.25.60.00, 7208.26.00.30, 7208.26.00.60, 7208.27.00.30, 7208.27.00.60, 7208.36.00.30, 7208.36.00.60, 7208.37.00.30, 7208.37.00.60, 7208.38.00.15, 7208.38.00.30, 7208.38.00.90, 7208.39.00.15, 7208.39.00.30, 7208.39.00.90, 7208.40.60.30, 7208.40.60.60, 7208.53.00.00, 7208.54.00.00, 7208.90.00.00, 7210.70.30.00, 7210.90.90.00, 7211.14.00.30, 7211.14.00.90, 7211.19.15.00, 7211.19.20.00, 7211.19.30.00, 7211.19.45.00, 7211.19.60.00, 7211.19.75.30, 7211.19.75.60, 7211.19.75.90, 7212.40.10.00, 7212.40.50.00, 7212.50.00.00. Certain hot-rolled flat-rolled carbon-quality steel covered include: Vacuum degassed, fully stabilized; high strength low alloy; and the substrate for motor lamination steel may also enter under the following tariff numbers: 7225.11.00.00, 7225.19.00.00, 7225.30.30.50, 7225.30.70.00, 7225.40.70.00, 7225.99.00.90, 7226.11.10.00, 7226.11.90.30, 7226.11.90.60, 7226.19.10.00, 7226.19.90.00, 7226.91.50.00, 7226.91.70.00, 7226.91.80.00, and 7226.99.00.00. Although the HTSUS subheadings are provided for convenience and Customs purposes, the written description of the covered merchandise is dispositive.

[FR Doc. 2010–19285 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648–XX99

Fisheries of the Gulf of Mexico; Southeast Data, Assessment, and Review (SEDAR) update; greater amberjack

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of SEDAR Assessment Webinar I for Gulf of Mexico greater amberjack.

SUMMARY: The SEDAR update of the assessment of the Gulf of Mexico stock of greater amberjack will consist of a series of webinars. This assessment will update the stock assessment conducted under SEDAR 9. See **SUPPLEMENTARY INFORMATION**.

DATES: The first Assessment webinar will occur on August 25, 2010, from 1 p.m.—4 p.m. The established times may be adjusted as necessary to accommodate the timely completion of discussion relevant to the assessment process. Such adjustments may result in the meeting being extended from, or completed prior to the time established by this notice. See **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The Webinars may be attended by the public. Those interested in participating should contact Julie A. Neer at SEDAR (See **FOR FURTHER INFORMATION CONTACT**) to request an invitation providing webinar access information.

A listening station will be available at the Gulf of Mexico Fishery Management Council office located at 2203 N Lois Avenue, Suite 1100, Tampa, FL 33607. Those interested in participating via the listening station should contact Julie A. Neer at SEDAR (See **FOR FURTHER INFORMATION CONTACT**) at least 1 day prior to the webinar.

FOR FURTHER INFORMATION CONTACT: Julie A. Neer, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571–4366; e-mail: *julie.neer@safmc.net*

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. A full benchmark assessment conducted under SEDAR includes three workshops: (1) Data Workshop, (2) Stock Assessment Workshop Process and (3) Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Stock Assessment Workshop is a stock

assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Review Workshop Report documenting Panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils and NOAA Fisheries Southeast Regional Office and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; international experts; and staff of Councils, Commissions, and state and federal agencies.

SEDAR conducts updates of benchmark stock assessments previously conducted through the SEDAR program. Update assessments add additional data points to datasets incorporated in the original SEDAR benchmark assessment and run the benchmark assessment model to update population estimates.

The greater amberjack update assessment will update the SEDAR 9 benchmark of Gulf of Mexico greater amberjack. The update process consists of a series of webinars.

Greater Amberjack Update Schedule:

August 25, 2010; 1 p.m.—4 p.m.; SEDAR Update Assessment Webinar I

Using updated datasets adopted during the Data Webinar, participants will employ assessment models used in SEDAR 9 to evaluate stock status, estimate population benchmarks and management criteria, and project future conditions. Participants will recommend the most appropriate methods and configurations for determining stock status and estimating population parameters.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 3 business days prior to the webinar.

Dated: August 2, 2010.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010–19304 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648–XX60

Fisheries of the South Atlantic; Southeast Data, Assessment, and Review (SEDAR); South Atlantic red snapper

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of SEDAR 24 Assessment Stage 2 Webinars 1 & 2.

SUMMARY: The SEDAR assessment of the South Atlantic stock of red snapper will consist of a series of workshops and webinars: a Data Workshop, a series of Assessment webinars, and a Review Workshop. This is the twenty-fourth SEDAR. This is notice of the Assessment Webinar Stage 2 webinars for SEDAR 24. See **SUPPLEMENTARY INFORMATION**.

DATES: Assessment Stage 2 Webinar 1 will take place September 9, 2010. Assessment Stage 2 Webinar 2 will take place September 21, 2010. See **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The Assessment Webinars will be held live online via an internet based conferencing service. The Webinars may be attended by the public. Those interested in participating should contact Kari Fenske at SEDAR. See **FOR FURTHER INFORMATION CONTACT** to request an invitation providing webinar access information.

FOR FURTHER INFORMATION CONTACT: Kari Fenske, SEDAR Coordinator, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; telephone: (843) 571–4366; e-mail: *kari.fenske@safmc.net*.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils, in conjunction with NOAA Fisheries and the Atlantic and Gulf States Marine Fisheries Commissions have implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks in the Southeast Region. SEDAR includes a Data Workshop, a Stock Assessment Process and a Review Workshop. The product of the Data Workshop is a data report which compiles and evaluates potential datasets and recommends which datasets are appropriate for assessment analyses. The product of the Stock Assessment Process is a stock assessment report which describes the fisheries, evaluates the status of the stock, estimates biological benchmarks, projects future population conditions, and recommends research and monitoring needs. The assessment is independently peer reviewed at the Review Workshop. The product of the Review Workshop is a Peer Review Evaluation Report documenting Panel opinions regarding the strengths and weaknesses of the stock assessment and input data. Participants for SEDAR Workshops and Assessment Process are appointed by the Gulf of Mexico, South Atlantic, and Caribbean Fishery Management Councils; the Atlantic and Gulf States Marine Fisheries Commissions; and NOAA Fisheries Southeast Regional Office and Southeast Fisheries Science Center. Participants include data collectors and database managers; stock assessment scientists, biologists, and researchers; constituency representatives including fishermen, environmentalists, and NGO's; International experts; and staff of Councils, Commissions, and state and federal agencies.

SEDAR 24 Assessment Stage 2 Webinar 1 Schedule:

September 9, 2010: 1 p.m.—4 p.m.

Assessment panelists will review the public comments that were received during the public comment period. The panelists will discuss and begin to draft responses to comments.

SEDAR 24 Assessment Stage 2 Webinar 2 Schedule:

September 21, 2010: 1 p.m.—4 p.m.

Assessment panelists will review and finalize the responses to public comments.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal

action during these meetings. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 10 business days prior to each workshop.

Dated: August 2, 2010.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010–19303 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648–XX91

Gulf of Mexico Fishery Management Council; Public Meetings; Correction

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meetings.

SUMMARY: The Gulf of Mexico Fishery Management Council will convene public meetings.

DATES: The meetings will be held August 16–20, 2010.

ADDRESSES: The meetings will be held at the Crowne Plaza, 200 E. Gregory St., Pensacola, FL 32502.

Council address: Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

FOR FURTHER INFORMATION CONTACT: Dr. Stephen Bortone, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 348–1630.

SUPPLEMENTARY INFORMATION: This is an addendum to a notice previously published in the **Federal Register**. The original notice published on July 29, 2010, 75 FR 44769. This notice adds two items to the agenda.

Under the Council's agenda on Thursday, August 19, 2010, from 2 p.m. - 6:30 p.m., the Council will receive public testimony on exempted fishing permits (EFPs), if any; Final Framework Action for Greater Amberjack; and 2010 Supplemental Recreational Red Snapper seasons. Afterwards there will be an open public comment period regarding any fishery issue of concern. People wishing to speak before the Council should complete a public comment card prior to the comment period.

Under the Committee's agenda on Tuesday, August 17, 2010, from 1:30 p.m. - 5 p.m., the Reef Fish Management Committee will take final action on a framework action for greater amberjack; discuss the Red Grouper regulatory amendment - codified text of regulations and Gag Interim Rule; receive a status report on Amendment 32 Gag/Red Grouper; discuss a Fish Tag System for recreational Grouper; discuss Black Grouper allocation between the Gulf and South Atlantic; discuss the pros and cons of regionalized management; review a discussion paper on potential Red Snapper changes; review the Red Snapper IFQ; review the IFQ finance program; discuss recommendations for the 2010 Supplemental Recreational Red Snapper seasons; and review an Options Paper for Red Snapper TAC in 2011 and 2012.

All other previously-published information remains the same.

Dated: August 2, 2010.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010–19275 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648–XX78

Public informational Scoping Meetings on the Management of Bottomfish Fishery Resources within the Exclusive Economic Zone of the Mariana Islands; Correction

AGENCY: Western Pacific Fishery Management Council (WPFMC), National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public informational scoping meetings; correction.

SUMMARY: The Western Pacific Fisheries Management Council (Council) will convene public informational scoping meetings in Guam and CNMI to solicit comments on the management of the bottomfish fishery within the EEZ of the Mariana Islands. The scope meeting will, among other things, describe the existing federal management regime for bottomfish species, examine the current performance of the fishery and consider the need for potential regulatory changes.

DATES: Public informational scoping meetings will be held in Saipan, Rota, and Tinian, CNMI on August 11, 2010 and in Guam on August 13, 2010. See **SUPPLEMENTARY INFORMATION** for specific dates, times, and locations.

ADDRESSES: Written comments on this issue may be sent to Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council, 1164 Bishop St., Suite 1400, Honolulu, HI 96813.

Comments may be sent to the Council via facsimile (fax) at (808) 522–8226.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Executive Director, WPFMC; telephone: (808) 522–8220.

SUPPLEMENTARY INFORMATION:

Correction

At 75 FR 43491, Monday, July 26, 2010, the meeting location in Saipan, Commonwealth of the Northern Mariana Islands (CNMI) is changed from CNMI Multipurpose Building to Northern Marianas College Classroom D–1. Also, locations have been added in Rota and Tinian, CNMI and the times have been changed for all meetings.

Dates, Times, and Locations for Public Informational Scoping Meetings

1. Saipan, CNMI -- Wednesday, August 11, 2010, from 6 p.m. - 9 p.m. at the Northern Marianas College (NMC) Classroom D–1.

2. Rota, CNMI -- Wednesday, August 11, 2010, from 6 p.m. - 9 p.m. at the NMC Enhancement Room.

3. Tinian, CNMI -- Wednesday, August 11, 2010, from 6 p.m. - 9 p.m. at the NMC Enhancement Room.

4. Hagatna, Guam -- Friday, August 13, 2010, from 7 p.m. -9 p.m. at the Guam Fishermen's Cooperative.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522–8220 (voice) or (808) 522–8226 (fax), at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 2, 2010.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010–19274 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648–XY00

New England Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Scientific and Statistical Committee, on August 24–26, 2010, to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Tuesday, August 24 at 10 a.m. and Wednesday and Thursday, August 25–26, 2010 at 8:30 a.m.

ADDRESSES: The meeting will be held at the Langham Hotel, 250 Franklin Street, Boston, MA 02110; telephone: (617) 451–1900; fax: (617) 482–7949.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION:

Tuesday, August 24, 2010

The Scientific and Statistical Committee (SSC) will discuss business concerning upcoming meetings, committee membership and tasks for the next meeting; develop an updated Acceptable Biological Catch (ABC) recommendation for the monkfish resource, based on the 2010 Stock Assessment Review Committee findings.

Wednesday, August 25, 2010

The SSC will develop an ABC recommendation for sea scallops for fishing years 2011–12 based on the previously approved ABC control rule; evaluate applications(s) of the Swept Area Seabed Impact (SASI) model for use in developing management alternatives for Phase 2 of the Council's Omnibus Habitat Amendment 2, including the appropriateness of Local Indicators of Spatial Association or LISA, spatial analysis methods for defining clusters of high Z, and the appropriateness of the Z Net Stock model for comparing practicability among management alternatives; develop recommendations for ABCs for several groundfish stocks including pollock, Gulf of Maine winter flounder, both northern and southern windowpane flounder, ocean pout and Georges Bank yellowtail flounder.

Thursday, August 26, 2010

The SSC will complete the development of ABCs for the groundfish stocks identified above.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard, Executive Director, at (978) 465–0492, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 2, 2010.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010–19305 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, Department of Commerce.

ACTION: Notice and opportunity for public comment.

Pursuant to Section 251 of the Trade Act of 1974 (19 U.S.C. 2341 *et seq.*), the Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. EDA has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each firm contributed importantly to the total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT 7/17/2010 THROUGH 7/29/2010

Firm	Address	Date accepted for filing	Products
Timberline Tool, LLC	PO Box 1328, Whitefish MT 59937.	7/20/2010	Timberline produces squeeze-off tools used for polyethylene (PE) plastic pipe to stop the flow without damage to the pipe.
Master Automatic Machine Company, Inc.	40485 Schoolcraft Rd., Plymouth MI 48170.	7/26/2010	Firm manufactures transmission components, including bearing housings, specialty fasteners and other precision turned products.
Patriot Metal Products, Inc	1005 N. Vine Street, Berwick PA 18603.	7/26/2010	Patriot Metal provides custom coating and plating services to firms in the automotive, agricultural, appliance and entertainment industries.
Superior Tube Company, Inc	3900 Germantown Pike, Collegeville PA 19426.	7/26/2010	Superior produces small diameter precision metal tubing. We also provide full-service metallurgical testing.

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT 7/17/2010 THROUGH 7/29/2010

Firm	Address	Date accepted for filing	Products
Imperia Corp	343 Manley Street, West MA 02379.	7/27/2010	Imperial Corp. manufactures custom, cabinetry out of melamine and plywood.
W.H. Bagshaw Company, Inc	1 Pine Street Ext., Nashua NH 03060.	7/27/2010	WH Bagshaw manufacturers pins, pin assemblies and wire products for a wide range of industrial applications.
Cinram Manufacturing, LLC	1400 E. Lackawanna Street, Olyphant PA 18448.	7/28/2010	Cinram is one of the largest optical disc replicators in the world.
Fixture Hardware Manufacturing Corporation.	4116 First Avenue, Brooklyn NY 11232.	7/28/2010	Firm manufactures a full line of steel display hardware.
McTeigue & McClelland, Inc	597 Main Street, Great MA 01230.	7/28/2010	MC2 designs and manufactures, hand made, precious jewelry using gold, platinum, diamonds and precious stones.
MSW, Inc	7159 Country Road 200, Joplin MO 64801.	7/28/2010	MSW, Inc., designs and manufactures booths, counters, and table tops made of plastics, woods, and laminate materials.
Philip Machine Company, Inc	184 Woonasquatucket Ave, North RI 02911.	7/28/2010	Philip Machine Company, Inc. manufactures metal findings using steel, brass, and stainless steel.
Fulford Manufacturing Company, Inc.	65 Tripps Lane, East RI 02915	7/29/2010	Fulford Manufacturing Company, Inc. manufactures hardware, plumbing fixtures and fittings, metal stampings, and costume jewelry using materials that include stainless steel, brass and aluminum.
Gulf Crown Seafood Company, Inc.	306 Jon Floyd Rd, Delcambre LA 70528.	7/29/2010	Processes shrimp for human consumption.
Hatch & Kirk, Inc	5111 Leary Ave NW, Seattle WA 98107.	7/29/2010	Hatch & Kirk, Inc., is a supplier of heavy duty diesel engine parts.
Parlec, Inc	101 Perinton Parkway, Delcambre LA 70528.	7/29/2010	Parlec, Inc., manufactures machine tool accessories.

Any party having a substantial interest in these proceedings may request a public hearing on the matter.

A written request for a hearing must be submitted to the Trade Adjustment Assistance for Firms Division, Room D100, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice.

Please follow the procedures set forth in Section 315.9 of EDA's final rule (71 FR 56704) for procedures for requesting a public hearing. The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance.

Dated: July 30, 2010.

Miriam J. Kearse,

Eligibility Certifier.

[FR Doc. 2010–19209 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–24–P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO–P–2010–0056]

Pilot Program for Waiver of Patent Owner's Statement in Ex Parte Reexamination Proceedings

AGENCY: United States Patent and Trademark Office, Commerce.

ACTION: Notice.

SUMMARY: The United States Patent and Trademark Office (USPTO) recognizes the need to reduce the pendency of reexamination proceedings and improve the efficiency of the reexamination process. The USPTO is considering a number of short and long-range initiatives that can be implemented in three phases. In phase I, the USPTO will implement streamlined procedures, as well as optional programs in which patent owners and third party requesters may elect to participate in order to gain the benefit of shorter pendency. In phases II and III, the USPTO will consider the data gathered from phase I and the feedback from the patent owners and other stakeholders, and implement process changes that are likely to improve efficiency. Such changes may include internal procedural changes, rule making that includes opportunities for the public to comment, and/or administrative proposals for statutory changes to enhance the efficiency of the USPTO in conducting reexamination proceedings. As part of phase I to reduce pendency and improve efficiency in *ex parte* reexamination proceedings, the USPTO is implementing, in this notice, a pilot program in which patent owners may waive the right to file a patent owner's statement upon a request made by the USPTO. This will enable USPTO in suitable cases to issue the first Office action on the merits together with or soon after the reexamination order, and thereby reduce the pendency of the proceeding by about three to five months.

DATES: *Effective Date:* The changes set forth in this notice will take effect on August 5, 2010.

FOR FURTHER INFORMATION CONTACT: Robert A. Clarke, Kenneth M. Schor or Joni Y. Chang, Office of Patent Legal Administration, Office of the Associate Commissioner for Patent Examination Policy, by telephone at 571–272–7735, 571–272–7710 or 571–272–7720, or by mail addressed to: Mail Stop Comments Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313–1450.

Inquiries regarding the current reexamination practice may be directed to the Office of Patent Legal Administration, by telephone at (571) 272–7703, or by electronic mail at *PatentPractice@uspto.gov.*

SUPPLEMENTARY INFORMATION:

I. Background: The USPTO recognizes the need to reduce the pendency of reexamination proceedings and improve the efficiency of the reexamination process. As of March 31, 2010, the average time to reach notice of intent to issue reexamination certificate (NIRC) for *ex parte* reexamination proceedings was about twenty-five months. Many of our stakeholders have expressed the desire to have a proceeding in which patent owners can resolve patent

validity issues in a shorter time frame. The USPTO is considering a number of short and long-range initiatives that can be implemented in three phases to reduce pendency and improve efficiency in reexamination proceedings. In phase I, the USPTO will implement streamlined procedures and optional programs in which patent owners and third party requesters may elect to participate in order to gain the benefit of shorter pendency. For example, the USPTO recently implemented the streamlined procedure for appeal brief review in *ex parte* reexamination proceedings. *See Streamlined Procedure for Appeal Brief Review in Ex Parte Reexamination Proceedings,* 75 FR 29321 (May 25, 2010). In the instant notice, the USPTO is implementing a pilot program in which patent owners may waive the right to file a patent owner's statement in response to a request from the USPTO. The USPTO will also publish notices to implement additional optional procedures and seek public comments on other procedural changes in the near future. In phases II and III, the USPTO will consider the data gathered from phase I and the feedback from the patent owners and other stakeholders, and implement process changes through internal procedural changes, rule making that includes opportunities for the public to comment, and/or administrative proposals for statutory changes to enhance reexamination proceedings. The USPTO welcomes feedback on improving its processes. Suggestions may be directed to the Office of Patent Legal Administration at (571) 272–7701 for the general examination process, or (571) 272–7703 for the reexamination or reissue process.

II. Overview of the Pilot Program: As part of phase I to reduce pendency and improve efficiency in *ex parte* reexamination proceedings, the USPTO will implement a pilot program in which the USPTO will contact the patent owner and request the optional waiver of the right to file a patent owner's statement after the proceeding has been granted a filing date and before the examiner begins his or her review. This will enable the USPTO in suitable cases to issue the first Office action on the merits (including an NIRC) together with or soon after the order for reexamination, and thereby reduce the pendency of the proceeding by about three to five months.

Under the current procedure, a patent owner may file a statement under 35 U.S.C. 304 within two months from the issuance of an *ex parte* reexamination order in a reexamination proceeding, and a third party requester may file a reply (under 35 U.S.C. 304) to the patent owner's statement within two months from the date of service of the patent owner's statement. Last year, approximately ten percent of patent owners filed a patent owner's statement under 35 U.S.C. 304 after the USPTO had ordered an *ex parte* reexamination of a patent. When *ex parte* reexamination is ordered, the examiner generally starts to prepare the first Office action on the merits after the receipt of the patent owner's statement and the third party requester's reply, or after the expiration of the time period for filing the statement and reply. As of March 31, 2010, the average time to order an *ex parte* reexamination from the filing of an *ex parte* reexamination request was about two months and the average time to issue a first Office action on the merits from the filing of an *ex parte* reexamination request was between seven to eight months.

If the patent owner waives the right to file a patent owner's statement in response to a request from the USPTO, the examiner will be able to act on the first Office action on the merits immediately after determining that reexamination will be ordered, and in a suitable case issue the reexamination order and the first Office action on the merits (including an NIRC) at the same time. This will eliminate the delay of waiting for a patent owner's statement and the third-party requester's reply and will permit the examiner to utilize his or her time more efficiently by drafting the order and the first Office action on the merits (including an NIRC) together. Moreover, by performing the threshold analysis of determining and preparing an action on the merits concurrently when a request raises a substantial new question of patentability (SNQ), the overall efficiency of the USPTO in performing the reexamination process should be increased. The Central Reexamination Unit (CRU) has experience in performing the threshold SNQ analysis and concurrently preparing an Office action on the merits, and the reexamination order and Office action are typically mailed together in *inter partes* reexamination proceedings. *See* 37 CFR 1.935.

III. Waiver Procedure under the Pilot Program: Under the pilot program for waiving the patent owner's statement announced in this notice, the CRU will contact, via telephone, the patent owner to request the optional waiver of the patent owner's statement after the proceeding has been granted a filing date and before the examiner begins his or her review. The telephone communication will be limited to the CRU requesting the waiver of the patent owner's statement and agreement (or non-agreement) to the waiver by the patent owner. Discussion of the merits of the proceedings, *e.g.,* the patentability of claims in patents, will not be permitted. The CRU will make the agreement or non-agreement of record in the reexamination file in an interview summary and a copy will be mailed to the patent owner and any third party requester. The patent owner is not required to complete a written statement of the telephone communication under 37 CFR 1.560(b) or otherwise, and such a statement should not be filed as it will slow the process. If the patent owner agrees to the waiver of the right to file a patent owner's statement, the examiner will typically issue the reexamination order and the first Office action on the merits on the same day as the order, or within a few days thereafter.

The Office intends to make available to the public statistics on the number of patent owners that agree to waive the statement and the impact on pendency due to waiving the statement right. This data is expected to form a portion of the data used in the decision making processes in phases II and III.

Dated: July 16, 2010.

David J. Kappos,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2010–19337 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–16–P

DEPARTMENT OF COMMERCE

International Trade Administration

(A–570–855)

Certain Non–Frozen Apple Juice Concentrate from the People's Republic of China: Notice of Preliminary Results of the New Shipper Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce ("Department") is conducting a new shipper review ("NSR") of the antidumping duty order, covering the period of review ("POR") of June 1, 2009, through January 20, 2010. If these preliminary results are adopted in our final results of review, we will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on entries of subject merchandise during the POR for which the importer–specific assessment rates are above *de minimis*.

EFFECTIVE DATE: August 5, 2010.

FOR FURTHER INFORMATION CONTACT: Alexis Polovina, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone: (202) 482–3927.

SUPPLEMENTARY INFORMATION:

General Background

On June 5, 2000, the Department published in the **Federal Register** the antidumping duty order on certain non–frozen apple juice concentrate from the People's Republic of China ("PRC"). *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Non–Frozen Apple Juice Concentrate From the People's Republic of China*, 65 FR 35606 (June 5, 2000) ("*Order*"). On December 15, 2009, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended ("Act"), and 19 CFR 351.214(c), the Department received a NSR request from Lingbao Xinyuan Fruit Industry Co., Ltd. ("LXFI"). LXFI certified that it is a producer and exporter of the subject merchandise upon which the request was based. On February 4, 2010, the Department initiated the requested antidumping duty NSR. *See Certain Non–Frozen Apple Juice Concentrate from the People's Republic of China: Initiation of Antidumping Duty New Shipper Review*, 75 FR 5763 (February 4, 2010).

On February 16, 2010, the Department issued original questionnaires to LXFI. Between March 9, 2010, and July 9, 2010, LXFI submitted responses to the original sections A, C, and D questionnaires and supplemental sections A, C, and D questionnaires.

Surrogate Country and Surrogate Values

On March 2, 2010, the Department sent interested parties a letter requesting comments on surrogate country selection and information pertaining to valuing factors of production ("FOP"). On April 22, 2010, LXFI submitted comments on the surrogate country. On June 23, 2010, LXFI submitted surrogate value data. No other party submitted surrogate country or surrogate value data.

Scope of the Order

The product covered by this order is certain non–frozen apple juice concentrate. Apple juice concentrate is defined as all non–frozen concentrated apple juice with a brix scale of 40 or greater, whether or not containing added sugar or other sweetening matter, and whether or not fortified with vitamins or minerals. Excluded from the scope of this order are: frozen concentrated apple juice; non–frozen concentrated apple juice that has been fermented; and non–frozen concentrated apple juice to which spirits have been added.

The merchandise subject to this order is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings 2106.90.52.00, and 2009.70.00.20 before January 1, 2002, and 2009.79.00.20 after January 1, 2002. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Non–Market Economy Country Status

In every case conducted by the Department involving the PRC, the PRC has been treated as a non–market economy ("NME") country. *See*, *e.g.*, *Pure Magnesium from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 73 FR 76336 (December 16, 2008); and *Frontseating Service Valves From the People's Republic of China: Final Determination of Sales at Less Than Fair Value and Final Negative Determination of Critical Circumstances*, 74 FR 10886 (March 13, 2009). In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by the administering authority. None of the parties to this proceeding have contested such treatment. Accordingly, we calculated NV in accordance with section 773(c) of the Act, which applies to NME countries.

Separate Rate Determinations

A designation as a NME remains in effect until it is revoked by the Department. *See* section 771(18)(C) of the Act. Accordingly, there is a rebuttable presumption that all companies within the PRC are subject to government control and, thus, should be assessed a single antidumping duty rate. It is the Department's standard policy to assign all exporters of the merchandise subject to review in NME countries a single rate unless an exporter can affirmatively demonstrate an absence of government control, both in law (*de jure*) and in fact (*de facto*), with respect to exports. To establish whether a company is sufficiently independent to be entitled to a separate, company–specific rate, the Department analyzes each exporting entity in an NME country under the test established in the *Final Determination of Sales at Less than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991) ("*Sparklers*"), as amplified by the *Notice of Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585 (May 2, 1994) ("*Silicon Carbide*").

A. Absence of *De Jure* Control

The Department considers the following *de jure* criteria in determining whether an individual company may be granted a separate rate: (1) an absence of restrictive stipulations associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) other formal measures by the government decentralizing control of companies. *See Sparklers*, 56 FR at 20589.

In this review, LXFI submitted a complete response to the separate rates section of the Department's NME questionnaire. The evidence submitted by LXFI includes government laws and regulations on corporate ownership, business licenses, and narrative information regarding the company's operations and selection of management. The evidence provided by LXFI supports a finding of a *de jure* absence of government control over its export activities. Thus, we believe that the evidence on the record supports a preliminary finding of an absence of *de jure* government control based on: (1) an absence of restrictive stipulations associated with the exporter's business license; (2) the legal authority on the record decentralizing control over the respondent; and (3) other formal measures by the government decentralizing control of companies.

B. Absence of *De Facto* Control

The absence of *de facto* government control over exports is based on whether the respondent: (1) sets its own export prices independent of the government and other exporters; (2) retains the proceeds from its export sales and makes independent decisions regarding the disposition of profits or financing of losses; (3) has the authority to negotiate and sign contracts and other agreements; and (4) has autonomy from the government regarding the selection of management. *See Silicon Carbide*, 59 FR at 22587; *Sparklers*, 56 FR at 20589; *see also Notice of Final Determination of Sales at Less Than Fair Value: Furfuryl Alcohol from the People's Republic of China*, 60 FR 22544, 22545 (May 8, 1995).

In this review, LXFI submitted evidence indicating an absence of de

facto government control over their export activities. Specifically, this evidence indicates that: (1) the company sets its own export prices independent of the government and without the approval of a government authority; (2) the company retains the proceeds from its sales and makes independent decisions regarding the disposition of profits or financing of losses; (3) the company has a general manager, branch manager or division manager with the authority to negotiate and bind the company in an agreement; (4) the general manager is selected by the board of directors or company employees, and the general manager appoints the deputy managers and the manager of each department. Therefore, the Department preliminarily finds that LXFI has established that it qualifies for a separate rate under the criteria established by *Silicon Carbide* and *Sparklers*.

New Shipper Review Bona Fide Analysis

Consistent with the Department's practice, we investigated the *bona fide* nature of the sale made by LXFI for this NSR. In evaluating whether a single sale in a NSR is commercially reasonable, and therefore *bona fide*, the Department considers, *inter alia*, such factors as: (1) timing of the sale; (2) price and quantity; (3) the expenses arising from the transaction; (4) whether the goods were sold at a profit; and (5) whether the transaction was made on an arms–length basis. *See Tianjin Tiancheng Pharmaceutical Co. v. the United States*, 366 F. Supp. 2d R46, 1250 (CIT 2005). Accordingly, the Department considers a number of factors in its *bona fide* analysis, "all of which may be specific to the commercial realities surrounding an alleged sale of subject merchandise." *See Hebei New Donghua Amino Acid Co. v. the United States*, 374 F. Supp. 2d 1333, 1342 (CIT 2005). In examining LXFI's sale in relation to these factors, the Department observed no evidence that would indicate that this sale was not *bona fide*. Therefore, we preliminarily find that the new shipper sale by LXFI was made on a *bona fide* basis. *See* Memorandum to the File through Alex Villanueva, Program Manager, Office 9 from Alexis Polovina, Case Analyst, Office 9: Antidumping Duty New Shipper Review of Certain Non–Frozen Apple Juice Concentrate from the People's Republic of China: Bona Fide Nature of the Sale Under Review for Lingbao Xinyuan Fruit Industry Co., Ltd. ("LXFI"), dated July 30, 2010.

Based on our investigation into the *bona fide* nature of the sale, the questionnaire responses submitted by LXFI and the company's eligibility for a separate rate (*see* Separate Rates Determination section above), we preliminarily determine that LXFI has met the requirements to qualify as a new shipper during this POR. Therefore, for the purposes of these preliminary results of review, we are treating LXFI's sale of subject merchandise to the United States as an appropriate transaction for this NSR.

Surrogate Country

When the Department is investigating imports from an NME country, section 773(c)(1) of the Act directs it to base normal value ("NV"), in most circumstances, on the NME producer's FOPs, valued in a surrogate market economy country or countries considered to be appropriate by the Department. In accordance with section 773(c)(4) of the Act, in valuing the FOPs, the Department shall utilize, to the extent possible, the prices or costs of FOPs in one or more market economy countries that are: (1) at a level of economic development comparable to that of the NME country; and (2) significant producers of comparable merchandise.

The Department determined that India, Philippines, Indonesia, Thailand, Ukraine, and Peru are countries comparable to the PRC in terms of economic development.[1] Once it has identified economically comparable countries, the Department's practice is to select an appropriate surrogate country from the list based on the availability and reliability of data from the countries. *See* Department Policy Bulletin No. 04.1: Non–Market Economy Surrogate Country Selection Process (March 1, 2004).

Absent world apple juice concentrate production data, the Department considered whether any country listed in the Surrogate Country List was a net–exporter (*i.e.*, exports more apple juice concentrate than it imports) to identify producers of apple juice concentrate. We found that none of the countries listed in the Surrogate Country List were net–exporters of apple juice concentrate. Therefore, the Department considered other countries not listed in the Surrogate Country List and determined that Poland was a net–exporter of apple juice concentrate.

[1] *See* Memorandum from Kelly Parkhill, Acting Director, Office of Policy, to Alex Villanueva, Program Manager, China/NME Group, Office 9: Request for a List of Surrogate Countries for the New Shipper Review of the Antidumping Duty Order on Certain Non-Frozen Apple Juice Concentrate ("Apple Juice") from the People's Republic of China ("PRC"), dated February 16, 2010.

In this proceeding, we received comments regarding surrogate country selection only from LXFI, which supports the selection of Poland. The record also contains surrogate value information from Poland for most inputs, including juice apples, the main input for producing apple juice concentrate. In addition, we have surrogate financial ratios from a Polish juice company. Of the countries that are significant producers of identical merchandise, the record contains reliable surrogate value information from Poland. Therefore, for these preliminary results, we have selected Poland as the surrogate country.

In accordance with 19 CFR 351.301(c)(3)(ii), for the final results in an antidumping new shipper review, interested parties may submit publicly available information to value FOPs within 20 days after the date of publication of these preliminary results.

U.S. Price

For LXFI's sale to the United States, we used the export price ("EP") methodology, pursuant to section 772(a) of the Act, because the first sale to an unaffiliated purchaser was made prior to importation, and CEP was not otherwise warranted by the facts on the record. We calculated EP based on the price to unaffiliated purchasers in the United States.

In accordance with section 772(c) of the Act, as appropriate, we deducted from the starting price to unaffiliated purchasers foreign inland freight and containerization. We have reviewed each of these services and expenses reported by LXFI and find that they were provided by an NME vendor or paid for using PRC currency. Thus, we based the deduction of these movement charges on surrogate values. *See* Memorandum to the File through Alex Villanueva, Program Manager, Office 9 from Alexis Polovina, Case Analyst, Office 9: Antidumping Duty New Shipper Review of Certain Non–Frozen Apple Juice Concentrate from the People's Republic of China: Surrogate Values for the Preliminary Results, dated July 30, 2010 ("Surrogate Value Memo") for details regarding the surrogate values for movement expenses.

Normal Value

1. Methodology

Section 773(c)(1)(B) of the Act provides that the Department shall determine the NV using a FOP methodology if the merchandise is exported from an NME country and the information does not permit the

calculation of NV using home–market prices, third–country prices, or constructed value under section 773(a) of the Act. The Department bases NV on the FOPs because the presence of government controls on various aspects of NMEs renders price comparisons and the calculation of production costs invalid under the Department's normal methodologies.

2. Factor Valuations

In past cases, it has been the Department's practice to value various FOPs using import statistics of the primary selected surrogate country from World Trade Atlas ("WTA"), as published by Global Trade Information Services ("GTIS"). *See Certain Preserved Mushrooms from the People's Republic of China: Preliminary Results of Antidumping Duty New Shipper Review*, 74 FR 50946, 50950 (October 2, 2009). However, in October 2009, the Department learned that the data reported in the Global Trade Atlas ("GTA") software, published by GTIS, is reported to the nearest digit and thus there is not a loss of data by rounding, as there is with the data reported by the WTA software. Consequently, the Department will now obtain import statistics from GTA for valuing various FOPs.

Furthermore, in accordance with the *OTCA 1988* legislative history, the Department continues to apply its long–standing practice of disregarding surrogate values if it has a reason to believe or suspect the source data may be subsidized.[2] In this regard, the Department has previously found that it is appropriate to disregard such prices from India, Indonesia, South Korea and Thailand because we have determined that these countries maintain broadly available, non–industry specific export subsidies.[3] Based on the existence of these subsidy programs that were generally available to all exporters and producers in these countries at the time of the POR, the Department finds that it is reasonable to infer that all exporters from India, Indonesia, South Korea and Thailand may have benefitted from these subsidies.

In accordance with section 773(c) of the Act, we calculated NV based on FOPs reported by LXFI during the POR. To calculate NV, we multiplied the reported per–unit factor–consumption rates by publicly available Polish surrogate values. In selecting the surrogate values, we considered the quality, specificity, and contemporaneity of the data. As appropriate, we adjusted input prices by including freight costs to make them delivered prices. Specifically, we added to Polish import surrogate values a surrogate freight cost using the shorter of the reported distance from the domestic supplier to the factory of production or the distance from the nearest seaport to the factory of production where appropriate. This adjustment is in accordance with the Court of Appeals for the Federal Circuit's decision in *Sigma Corp. v. United States*, 117 F. 3d 1401, 1407–1408 (Fed. Cir. 1997). We selected Poland as the surrogate country for the reasons explained above in the "*Surrogate Country*" section. However, where we were unable to find Polish data to value particular FOPs, we valued these inputs using public information on the record from India. We valued inland freight, electricity, coal, water, and containerization using Indian surrogate values.

Polish surrogate values were valued in USD and no conversion was needed. Indian surrogate values denominated in Rupees were converted to USD using the applicable average exchange rate based on exchange rate data from the Department's website. For further details regarding the surrogate values used for these preliminary results, *see* the Surrogate Value Memo.

As a consequence of the CAFC's ruling in *Dorbest II*, the Department is no longer relying on the regression–based wage rate described in 19 CFR 351.408(c)(3). The Department is continuing to evaluate options for determining labor values in light of the recent CAFC decision. For these preliminary results, we have calculated an hourly wage rate to use in valuing LXFI's reported labor input by averaging earnings and/or wages in countries that are economically comparable to the PRC and that are significant producers of comparable merchandise. *See* the Surrogate Value Memo at 5–9 and attachment 7, for further information on the calculation of the wage rate.

The Department relied on data from the following countries to arrive at its wage rate in these preliminary results: Albania, Ecuador, Egypt, El Salvador, Fiji, Guatemala, Guyana, Honduras, India, Indonesia, Mongolia, Nicaragua, Paraguay, Peru, Philippines, Sri Lanka, Thailand, and Ukraine. The Department calculated a simple average of the wage rates from these 18 countries. This resulted in a wage rate derived from comparable economies that are also significant producers of the comparable merchandise, consistent with the CAFC's ruling in *Dorbest II* and the statutory requirements of section 773(c) of the Act.

Preliminary Results of the Review

As a result of our review, we preliminarily find that the following margins exist for the period June 1, 2009, through January 20, 2010:

CERTAIN NON–FROZEN APPLE JUICE FROM THE PRC

Manufacturer/Exporter	Weighted–Average Margin (Percent)
LXFI	0.00

Disclosure

The Department will disclose to parties of this proceeding the calculations performed in reaching the preliminary results within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

Comments

In accordance with 19 CFR 351.301(c)(3)(ii), for the final results of this administrative review, interested parties may submit publicly available information to value FOPs within 20 days after the date of publication of these preliminary results. Interested parties must provide the Department with supporting documentation for the publicly available information to value each FOP. Additionally, in accordance with 19 CFR 351.301(c)(1), for the final results of this NSR, interested parties may submit factual information to rebut, clarify, or correct factual information submitted by an interested party less than ten days before, on, or after, the applicable deadline for submission of such factual information. However, the Department notes that 19 CFR 351.301(c)(1) permits new information only insofar as it rebuts, clarifies, or

[2] Omnibus Trade and Competitiveness Act of 1988, Conf. Report to Accompany H.R. 3, H.R. Rep. No. 576, 100th Cong., 2nd Sess. (1988) ("*OTCA 1988*") at 590.

[3] *See e.g.*, *Expedited Sunset Review of the Countervailing Duty Order on Carbazole Violet Pigment 23 from India*, 75 FR 13257 (March 19, 2010) and accompanying Issues and Decision Memorandum at pages 4-5; *Expedited Sunset Review of the Countervailing Duty Order on Certain Cut-to-Length Carbon Quality Steel Plate from Indonesia*, 70 FR 45692 (August 8, 2005) and accompanying Issues and Decision Memorandum at page 4; *See Corrosion-Resistant Carbon Steel Flat Products from the Republic of Korea: Final Results of Countervailing Duty Administrative Review*, 74 FR 2512 (January 15, 2009) and accompanying Issues and Decision Memorandum at Comment 1, pages 17, 19-20; *See Certain Hot-Rolled Carbon Steel Flat Products from Thailand: Final Results of Countervailing Duty Determination*, 66 FR 50410 (October 3, 2001) and accompanying Issues and Decision Memorandum at Comment 1.

corrects information recently placed on the record.[4]

Interested parties may submit case briefs and/or written comments no later than 30 days after the date of publication of these preliminary results of this NSR. *See* 19 CFR 351.309(c)(ii). Rebuttal briefs and rebuttals to written comments, limited to issues raised in such briefs or comments, may be filed no later than 5 days after the deadline for submitting the case briefs. *See* 19 CFR 351.309(d). The Department requests that interested parties provide an executive summary of each argument contained within the case briefs and rebuttal briefs.

Any interested party may request a hearing within 30 days of publication of these preliminary results. *See* 19 CFR 351.310(c). Requests should contain the following information: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs. If we receive a request for a hearing, we plan to hold the hearing seven days after the deadline for submission of the rebuttal briefs at the U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

The Department intends to issue the final results of this NSR, which will include the results of its analysis raised in any such comments, within 90 days of publication of these preliminary results, pursuant to section 751(a)(2)(B)(iv) of the Act.

Assessment Rates

Upon completion of the final results, pursuant to 19 CFR 351.212(b), the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries on a weighted–average basis. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of review. If these preliminary results are adopted in our final results of review, the Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries. Pursuant to 19 CFR 351.212(b)(1), we will calculate importer–specific (or customer) per–unit duty assessment rates. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any importer–specific assessment rate calculated in the final results of this NSR is above *de minimis*.

Cash–Deposit Requirements

The following cash deposit requirements, when imposed, will be effective upon publication of the final results of this NSR for all shipments of subject merchandise from LXFI entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) for subject merchandise produced and exported by LXFI, the cash deposit rate will be the rate that is established in the final results of this NSR; (2) for subject merchandise exported by LXFI but not manufactured by LXFI, the cash deposit rate will continue to be the PRC–wide rate (*i.e.*, 51.74 percent); and (3) for subject merchandise manufactured by LXFI, but exported by any other party, the cash deposit rate will be the rate applicable to the exporter. If the cash deposit rate calculated in the final results is zero or *de minimis*, no cash deposit will be required for those entries of subject merchandise both produced and exported by LXFI. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing this determination in accordance with sections 751(a)(2)(B) and 777(i) of the Act, and 19 CFR 351.214(h) and 351.221(b)(4).

Dated: July 30, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 2010–19286 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–DS–S

[4] *See Glycine from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Rescission, in Part* 72 FR 58809 (October 17, 2007), and accompanying Issues and Decision Memorandum at Comment 2.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648–XX97

Caribbean Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The Caribbean Fishery Management Council's Advisory Panel (AP) will hold a meeting to discuss the topics contained in the agenda below.

DATES: The AP meeting will be held on August 25th, 2010, from 10 a.m. to 4 p.m.

ADDRESSES: The meeting will be held at the Holiday Inn Windward Passage Hotel, 3400 Veterans Drive, St. Thomas, U.S. Virgin Islands.

FOR FURTHER INFORMATION CONTACT: Caribbean Fishery Management Council, 268 Munoz Rivera Avenue, Suite 1108, San Juan, Puerto Rico 00918–1920; telephone: (787) 766–5926.

SUPPLEMENTARY INFORMATION: The Caribbean Fishery Management Council's Advisory Panel will hold a meeting to discuss the topics contained in the following agenda:

-Call to Order
-Adoption of Tentative Agenda
-Discussion of ACL's Proposed Management Alternatives
-Other Business

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically identified in this notice and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. For more information or request for sign language interpretation and/other auxiliary aids, please contact Mr. Miguel A. Rolon, Executive Director, Caribbean Fishery Management Council, 268 Munoz Rivera Avenue, Suite 1108, San Juan, Puerto Rico, 00918–1920; telephone:

(787) 766–5926, at least 5 days prior to the meeting date.

Dated: July 30, 2010.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2010–19242 Filed 8–4–10; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 10–32 and 10–35]

36(b)(1) Arms Sales Notifications

AGENCY: Defense Security Cooperation Agency, DoD.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of two section 36(b)(1) arms sales notifications to fulfill the requirements of section 155 of Public Law 104–164, dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. B. English, DSCA/DBO/CFM, (703) 601–3740.

SUPPLEMENTARY INFORMATION: The following are copies of letters to the Speaker of the House of Representatives, Transmittals 10–32 and 10–35 with associated attachments.

Dated: August 2, 2010.

Mitchell S. Bryman,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

Transmittal No. 10–32

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 10–32 with attached transmittal, policy justification, and Sensitivity of Technology.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

JUL 26 2010

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No.10-32, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Netherlands for defense articles and services estimated to cost $44 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

Richard A. Genaille, Jr.
Deputy Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 10-32

Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Netherlands

(ii) Total Estimated Value:

Major Defense Equipment*	$ 28 million
Other	$ 16 million
TOTAL	$ 44 million

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: 603 GBU-39/B Small Diameter Bombs1 (SDB1), containers, flight test integration, spare and repair parts, support equipment, personnel training and equipment, publications and technical data, U.S. Government and contractor engineering and logistics personnel services, and other related elements of logistics support.

(iv) Military Department: Air Force (QAJ)

(v) Prior Related Cases, if any: None

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See attached Annex

(viii) Date Report Delivered to Congress: JUL 26 2010

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

The Netherlands – GBU-39 Small Diameter Bombs

The Government of the Netherlands has requested a possible sale of 603 GBU-39/B Small Diameter Bombs1 (SDB1), containers, flight test integration, spare and repair parts, support equipment, personnel training and equipment, publications and technical data, U.S. Government and contractor engineering and logistics personnel services, and other related elements of logistics support. The estimated cost is $44 million.

This proposed sale contributes to the foreign policy and national security objectives of the U.S. by improving the military capabilities of The Netherlands and enhancing standardization and interoperability with U.S. forces. The sale of this equipment and support will improve The Netherlands' ability to destroy protected, high-value targets such as command and control nodes and weapons storage facilities. This will be the first sale of this weapon to The Netherlands.

This sale will not alter the basic military balance in the region.

The principal contractor will be The Boeing Corporation in St. Louis, Missouri. There are no known offset agreements proposed in connection with this potential sale.

This program will involve multiple trips to The Netherlands by U.S. Government and contractor representatives for one to two week intervals for approximately three years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 10-32

Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act
Annex
Item No. vii

Sensitivity of Technology:

1. The GBU-39/B SDB is a 250-pound guided bomb, designed to provide high precision and effective stand-off range when employed from tactical aircraft. The GBU-39 system enables aircraft to carry four weapons on each precision-guided weapon station using a four-place carriage, the BRU-61/A. The weapon is equipped with a Global Positioning System-aided inertial navigation system. The SDB carries approximately 50 lbs of high explosive, yet its design provides the same penetration capability as the 2000 lb BLU-109. It is designed to destroy a variety of targets, such as fuel depots and bunkers, and penetrate over 1.2 meters of steel reinforced concrete, while inflicting minimum collateral damage from approximately 40 nautical miles.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or to be used in the development of a system with similar or advanced capabilities.

Transmittal No. 10–35

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 10–35 with attached transmittal, policy justification, and Sensitivity of Technology.

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

JUL 29 2010

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

Dear Madam Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No.10-35, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Netherlands for defense articles and services estimated to cost $150 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

Sincerely,

Richard A. Genaille, Jr.
Deputy Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology

Transmittal No. 10-35

Notice of Proposed Issuance of letter of Offer
Pursuant to Section 36(b)(1)
Of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Netherlands

(ii) Total Estimated Value:

Major Defense Equipment*	$120 million
Other	$ 30 million
TOTAL	$150 million

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Forty (40) MK- 48 Mod 7 Advanced Technology (AT) Torpedo Conversion Kits, 40 containers, support and test equipment, spare and repair parts, weapon system support and integration, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering and technical, and logistics support services, and other related elements of logistics support.

(iv) Military Department: Navy (LHC)

(v) Prior Related Cases, if any: None

(vi) Sales Commissions, Fee etc., Paid, Offered, or Agreed to be Paid: None

(vii) Sensitivity of Technology Contained in the Defense Article Proposed to be Sold. See Attached Annex.

(viii) Date Report Delivered to Congress: JUL 29 2010

* as defined in Section 47(6) of the Arms Export Control Act

POLICY JUSTIFICATION

Netherlands – MK-48 Torpedo Conversion Kits

The Government of The Netherlands has requested a possible sale of forty (40) MK- 48 Mod 7 Advanced Technology (AT) Torpedo Conversion Kits, 40 containers, support and test equipment, spare and repair parts, weapon system support and integration, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering and technical, and logistics support services, and other related elements of logistics support. The estimated cost is $150 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve security of a NATO ally which has been, and continues to be, an important force for political stability and economic progress in Northern Europe.

The sale of this equipment and support will not alter the basic military balance in the region.

The Netherlands desire to upgrade its current stock of MK 48 Mod 4 torpedoes to the MK 48 Mod 7 AT model. The Netherlands intend to use the MK 48 Mod 7AT Torpedo on its Walrus Class submarines. The Netherlands has significant experience in maintaining and supporting advanced torpedoes, such as the MK 48 Mod 4/4M and MK 46 5A(S)W models, and the current infrastructure will require minimal updates. The Netherlands will have no difficulty absorbing the MK 48 Mod 7 AT into its inventory.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to The Netherlands. Contractor Engineering and Technical Services (CETS) may be required on an interim basis for installations.

The prime contractor will be Raytheon Company Integrated Defense Systems in Keyport, Washington. There are no known offset agreements proposed in connection with this sale.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 10-35

Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act

Annex
Item No. vii

(vii) Sensitivity of Technology:

1. The Mod 7 configuration is the United States Navy's most capable submarine launched torpedo. It has a new sonar receiver that has a broader bandwidth capability than previous versions, and also employs a new tactical processor that has increased memory and throughput. The Mod 7AT configuration has the same guidance and control system and the same software as the Mod 7. However it employs the Mod 4M afterbody which results in higher radiated noise.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

[FR Doc. 2010–19284 Filed 8–4–10; 8:45 am]
BILLING CODE 5001–06–C

DEPARTMENT OF DEFENSE

Federal Advisory Committee; Military Leadership Diversity Commission (MLDC)

AGENCY: Office of the Under Secretary of Defense for Personnel and Readiness, DoD.

ACTION: Meeting notice.

SUMMARY: Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102–3.150, the Department of Defense announces that the Military Leadership Diversity Commission (MLDC) will meet August 23–25, 2010, in Richmond, VA.

DATES: The meeting will be held on August 23 (from 1 p.m. to 6:30 p.m.), August 24 (from 8 a.m. to 6:15 p.m.), and August 25, 2010 (from 8 a.m. to 4:45 p.m.). The August 23 Administrative Working Meeting is closed to the public from 1 to 1:30 p.m.

ADDRESSES: The meeting will be held at the Omni Hotel, 100 South 12th Street, Richmond, VA 23219.

FOR FURTHER INFORMATION CONTACT: Master Chief Steven A. Hady, Designated Federal Officer, MLDC, at (703) 602–0838, 1851 South Bell Street, Suite 532, Arlington, VA. E-mail: *steven.hady@wso.whs.mil*.

SUPPLEMENTARY INFORMATION:

Purpose of the Meeting

The purpose of the meeting is for the commissioners of the MLDC to continue their efforts to address congressional concerns as outlined in the commission charter.

Agenda

August 23, 2010

1 p.m.–1:30 p.m.
Administrative Working Meeting (closed to the public).
2:15 p.m.–3:15 p.m.
Designated Federal Officer (DFO) opens meeting.
Commission Chairman opening remarks.
Deliberation on the definition of diversity.
3:15 p.m.–4:15 p.m.
Open discussion for National Guard and Reserve.
4:15 p.m.–6:30 p.m.
National Guard and Reserve Briefings.

August 24, 2010

8 a.m.–8:15 a.m.
DFO opens the meeting.
Commission Chairman opening remarks.
DFO recesses the meeting.
8:15 a.m.–8:45 a.m.
DFO opens the meeting.
Presentation of recommendations for retention.
DFO recesses the meeting.
9:15 a.m.–10:15 a.m.
DFO opens the meeting.
Deliberation of recommendations for retention.
DFO recesses the meeting.
10:15 a.m.–10:45 a.m.
DFO opens the meeting.
Presentation of recommendations for outreach and recruiting.
DFO recesses the meeting.
11:15 a.m.–12:15 p.m.
DFO opens the meeting.
Deliberation of recommendations for outreach and recruiting.
DFO recesses the meeting.
1:15 p.m.–1:45 p.m.
DFO opens the meeting.
Presentation of recommendations for promotion.
DFO recesses the meeting.
2:15 p.m.–3:45 p.m.
DFO opens the meeting.
Deliberation of recommendations for promotion.
DFO recesses the meeting.
3:45 p.m.–4:15 p.m.
DFO opens the meeting.
Presentation of recommendations for branching and assignments.
DFO recesses the meeting.
4:45 p.m.–5:45 p.m.
DFO opens the meeting.
Deliberation of recommendations for branching and assignments.
DFO recesses the meeting.
5:45 p.m.–6:15 p.m.
Public Comments.
Commission Chairman closing remarks.
DFO adjourns the meeting.

August 25, 2010

8 a.m.–8:15 a.m.
DFO opens the meeting.
Commission Chairman opening remarks.
DFO recesses the meeting.
8:15 a.m.–8:45 a.m.
DFO opens the meeting.
Presentation of recommendations for

metrics.
DFO recesses the meeting.
9:15 a.m.–10:15 a.m.
DFO opens the meeting.
Deliberation of recommendations for metrics.
DFO recesses the meeting.
10:15 a.m.–10:45 a.m.
DFO opens the meeting.
Presentation of recommendations for implementation and accountability.
DFO recesses the meeting.
11:15 a.m.–12:15 p.m.
DFO opens the meeting.
Deliberation of recommendations for implementation and accountability.
DFO recesses the meeting.
1:15 p.m.–1:45 p.m.
DFO opens the meeting.
Presentation of recommendations for diversity leadership and training.
DFO recesses the meeting.
2:15 p.m.–3:15 p.m.
DFO opens the meeting.
Deliberation of recommendations for diversity leadership and training.
DFO recesses the meeting.
3:15 p.m.–4:15 p.m.
DFO opens the meeting.
Deliberation of definition of diversity.
DFO recesses the meeting.
4:15 p.m.–4:45 p.m.
Public Comments.
Commission Chairman closing remarks.
DFO adjourns the meeting.

Public's Accessibility to the Meeting

Pursuant to 5 U.S.C. 552b and 41 CFR 102–3.140 through 102–3.165, and the availability of space, the meetings on August 23 thru 25, 2010 will be open to the public. However, pursuant to 41 CFR 3.160(b), the Administrative Working Meeting on August 23, 2010 from 1 p.m. to 1:30 p.m. shall be closed to the public.

Please note that the availability of seating is on a first-come basis.

Written Statements

Pursuant to 41 CFR 102–3.105(j) and 102–3.140, and section 10(a)(3) of the Federal Advisory Committee Act of 1972, the public or interested organizations may submit written statements to the MLDC about its mission and functions. Written statements may be submitted at any time or in response to the stated agenda of a planned meeting of the Commission.

All written statements shall be submitted to the Designated Federal Officer for the MLDC, and this individual will ensure that the written statements are provided to the membership for its consideration. Contact information for the Designated Federal Officer can be obtained from the GSA's FACA Database—*https://www.fido.gov/facadatabase/public.asp*.

Statements being submitted in response to the agenda mentioned in this notice must be received by the Designated Federal Officer (*see* **FOR FURTHER INFORMATION CONTACT**) at least five calendar days prior to the meeting that is the subject of this notice. Written statements received after this date may not be provided to or considered by the MLDC until its next meeting.

The Designated Federal Officer will review all timely submissions with the Military Leadership Diversity Commission Chairperson and ensure they are provided to all members of the Commission before the meeting that is the subject of this notice.

Dated: August 2, 2010.

Mitchell S. Bryman,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2010–19278 Filed 8–4–10; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Defense Logistics Agency

Notice of Amendment No. 003 to the Solicitation for Cooperative Agreement Applications (SCAA) Issued on May 5, 2009

AGENCY: Defense Logistics Agency, DOD.

ACTION: Amended solicitation for cost sharing cooperative agreement applications.

SUMMARY: The Defense Logistics Agency (DLA) executes the Department of Defense (DoD) Procurement Technical Assistance Program by awarding cost sharing cooperative agreements to assist states, local governments, private nonprofit organizations, tribal organizations and economic enterprises in establishing or maintaining procurement technical assistance centers (PTACs) pursuant to chapter 142 of title 10, United States Code. These centers help business firms market their goods and services to the DoD, other Federal agencies, and state and local governments. The Department of Defense Appropriations Act, 2010 (Pub. L. 111–118) provided funds for the continuance of the program in FY 2010, requiring DoD to make available not less than $3.6 million for applicants that meet the definition of 10 U.S.C. 2411(1)(D).

The Solicitation for Cooperative Agreement Applications (SCAA) issued May 5, 2009, is amended to allow acceptance of applications for new programs from eligible entities meeting the definition listed in Section II, paragraph 18.d. (Economic Enterprise) or paragraph 18.e. (Tribal Organization) of the SCAA in the event that funds become available for FY 2010 awards. Funding priority for FY 2010 will be given to exercising the options of the current cooperative agreements under the PTA program.

Currently, areas not covered are limited to fifty percent of the Bureau of Indian Affairs (BIA) Western Region and fifty percent of the BIA Great Plains Region. In the event that any option is not exercised, other service areas will become available. Note that service areas of existing programs whose options are exercised may not be duplicated. Although applications may be submitted for all service areas, applications will only be considered from eligible entities that propose programs to service areas currently not covered or areas that become available in the event that an option is not exercised. Applicants may be provided the opportunity to revise applications to cover service areas not included in initial applications submitted in response to this amendment. In any event, new program awards are contingent on FY 2010 funding becoming available.

The complete SCAA issued on May 5, 2009, and Amendment No. 003 issued July 27, 2010, are available at *http://www.dla.mil/db/scaa.asp.* Printed copies are not available for distribution. Applications must be submitted to DLA by 5 p.m., Eastern Time, on August 27, 2010. This opportunity was posted to *Grants.gov* on July 27, 2010. The Grants.gov Funding Opportunity Number for applications is: DLA–050509–002. Details on submitting an application are available in Section IV of the SCAA issued May 5, 2009.

FOR FURTHER INFORMATION CONTACT: DLA Office of Small Business Programs at (703) 767–1660.

Dated: August 2, 2010.

Mitchell S. Bryman,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2010–19277 Filed 8–4–10; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The Acting Director, Information Collection Clearance

Division, Regulatory Information Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before October 4, 2010.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, *e.g.* new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: August 2, 2010.

James Hyler,

Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.

Office of Postsecondary Education

Type of Review: New.

Title: Application for Grants under the Talent Search Program.

OMB #: 1840–NEW.

Frequency: On Occasion.

Affected Public: Not-for-profit institutions; State, Local, or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 1,200.

Burden Hours: 40,860.

Abstract: The Department of Education is requesting a new application for grants under the Talent Search (TS) Program. The Department is requesting a new application because of the implementation of the Higher Education Opportunity Act (HEOA) revisions to the Higher Education Act (HEA), the authorizing statute for the program. Beginning next year and pending a final rule, all new and continuing grantees will submit performance data consistent with the changes made by the HEOA.

Requests for copies of the proposed information collection request may be accessed from *http://edicsweb.ed.gov,* by selecting the "Browse Pending Collections" link and by clicking on link number 4373. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202–4537. Requests may also be electronically mailed to *ICDocketMgr@ed.gov* or faxed to 202–401–0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to *ICDocketMgr@ed.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. 2010–19301 Filed 8–4–10; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before October 4, 2010.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, *e.g.* new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: August 2, 2010.

James Hyler,

Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.

Office of Postsecondary Education

Type of Review: Extension.

Title: Annual Performance Report and Certification of Financial Need for the Jacob K. Javits Fellowship Program.

OMB #: 1840–0630.

Agency Form Number(s): N/A.

Frequency: Annually.

Affected Public: Not-for-profit institutions.

Reporting and Recordkeeping Hour Burden:

Responses: 100.

Burden Hours: 400.

Abstract: The Jacob K. Javits Fellowship Program is authorized by Title VII, Part A, Subpart 1 of the Higher Education Act of 1965, as amended (HEA), and provides up to four years of financial assistance to students to undertake graduate study at the doctoral and Master of Fine Arts level in selected fields of arts, humanities, and social sciences. Fellows are selected on the basis of (1) superior academic ability demonstrated by their achievements and exceptional promise; and (2) financial need. The amounts of new and continuing awards are based on a student's financial need as determined by the Title IV, Part F needs analysis system. Each individual fellow's need must be assessed and reported each year, along with a continuing fellow's academic progress as determined by the institution. This collection is completed annually by grantee institutions to report on the fellows' progress and levels of financial need for the next academic year. The Department of Education (ED) uses this data to calculate fellowship amounts and the total grant amount sent to each institution for each fiscal year.

Requests for copies of the proposed information collection request may be accessed from *http://edicsweb.ed.gov,* by selecting the "Browse Pending Collections" link and by clicking on link number 4358. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202–4537. Requests may also be electronically mailed to *ICDocketMgr@ed.gov* or faxed to 202–401–0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to *ICDocketMgr@ed.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. 2010–19325 Filed 8–4–10; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13).

DATES: Interested persons are invited to submit comments on or before September 7, 2010.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395–5806 or e-mailed to *oira_submission@omb.eop.gov* with a cc: to *ICDocketMgr@ed.gov*.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Dated: July 30, 2010.

Darrin A. King,

Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.

Institute of Education Sciences

Type of Review: New.

Title of Collection: Study of Teacher Residency Programs.

OMB#: 1850–NEW.

Agency Form Number(s): N/A.

Frequency of Responses: On Occasion.

Affected Public: Individuals and households; Not-for-profit institutions; State, Local or Tribal Governments.

Estimated Number of Annual Responses: 457.

Estimated Annual Burden Hours: 524.

Abstract: This package requests clearance to recruit teacher residency programs (TRPs), districts, and schools for a rigorous evaluation of TRPs. This evaluation will provide important implementation information on TRPs funded by the U.S. Department of Education, as well as information on the impact of teachers who participate in TRPs (including some funded by ED) on student achievement. Study findings will be presented in two reports, one scheduled for release in Fall 2013 and the other in Fall 2014.

Requests for copies of the information collection submission for OMB review may be accessed from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAMain* or from the Department's Web site at *http://edicsweb.ed.gov*, by selecting the "Browse Pending Collections" link and by clicking on link number 4311. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202–4537. Requests may also be electronically mailed to the Internet address *ICDocketMgr@ed.gov* or faxed to 202–401–0920. Please specify the complete title and OMB Control Number of the information collection when making your request.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. 2010–19317 Filed 8–4–10; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[Docket ID ED–OS–2010–0011]

RIN 1894–AA00

Secretary's Priorities for Discretionary Grant Programs

AGENCY: Department of Education.

ACTION: Notice of proposed priorities.

SUMMARY: The Secretary of Education proposes priorities that the Department of Education (Department) may use for any appropriate discretionary grant program in fiscal year (FY) 2011 and future years. We take this action to focus Federal financial assistance on expanding the number of programs and projects Department-wide that support activities in areas of greatest educational need. We are establishing these priorities on a Department-wide basis.

This action will permit all offices in the Department to use, as appropriate for particular discretionary grant programs, one or more of these priorities in any discretionary grant competition. We also propose definitions of key terms used in these proposed priorities.

DATES: We must receive your comments on or before September 7, 2010.

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments by fax or by e-mail. Please submit your comments only one time in order to ensure that we do not receive duplicate copies. In addition, please include the Docket ID and the term "Department Priorities" at the top of your comments.

- *Federal eRulemaking Portal:* Go to *http://www.regulations.gov* to submit your comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "How To Use This Site."
- *Postal Mail, Commercial Delivery, or Hand Delivery.* If you mail or deliver your comments about these proposed priorities, address them to: Office of Innovation and Improvement (Attention: Department Priorities Comments), U.S. Department of Education, 400 Maryland Avenue, SW., room 4W321, Washington, DC 20202.
- *Privacy Note:* The Department's policy for comments received from members of the public (including those comments submitted by mail, commercial delivery, or hand delivery) is to make these submissions available for public viewing in their entirety on the Federal eRulemaking Portal at *http://www.regulations.gov.* Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available on the Internet.

FOR FURTHER INFORMATION CONTACT: Margo Anderson. Telephone: (202) 205–3010 or by e-mail: *Margo.Anderson@ed.gov.*

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service, toll free, at 1–800–877–8339.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments regarding this notice. To ensure that your comments have maximum effect in developing the notice of final priorities, we urge you to identify clearly the specific proposed priority that each comment addresses.

We invite you to assist us in complying with the specific requirements of Executive Order 12866 and its overall requirement of reducing regulatory burden that might result from these proposed priorities. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the Department's programs.

During and after the comment period, you may inspect all public comments about this notice in room 4W335, 400 Maryland Avenue, SW., Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request, we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for these proposed priorities. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

Program Authority: 20 U.S.C. 1221e–3.

Proposed Priorities

The Secretary proposes thirteen priorities that the Department may use, as appropriate, for discretionary grant competitions in FY 2011 and future years. These priorities will allow the Department and, by extension, program participants to focus limited Federal resources on areas of greatest educational need. The Secretary recognizes that some of the priorities will not be appropriate for particular programs.

Background

The President has set a clear goal for our education system: by 2020, the United States will once again lead the world in the proportion of citizens holding college degrees or other postsecondary credentials. To support the national effort to meet this goal, the Secretary has outlined an ambitious, comprehensive education agenda that includes early learning programs that help ensure that children are ready to succeed in school, elementary and secondary schools that keep every child on track to graduate from high school with the knowledge and skills needed for success in college and careers, and a higher education system that gives every individual the opportunity to attend and graduate from postsecondary programs. To ensure that the Department's discretionary grant programs effectively spur innovation, promote the development and implementation of effective and sustainable practices, and support adoption and implementation of necessary reforms, the Secretary proposes priorities in three key areas: advancing key cradle-to-career educational reforms, addressing the needs of student subgroups, and building capacity for systemic continuous improvement.

Types of Priorities

When inviting applications for a competition using one or more priorities, we designate each priority as absolute, competitive preference, or invitational through a notice in the **Federal Register**. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: We give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Proposed Priorities

I. Advancing Key Cradle-to-Career Educational Reforms

Proposed Priority 1—Improving Early Learning Outcomes

Background. High-quality early learning programs for high-need children can help prevent the development of gaps in skills and achievement, reduce grade retention, and help ensure that high-need children are successful in school and life.[1]

Statement of Proposed Priority 1. Projects that are designed to improve school readiness and success for high-need children (as defined in this notice) from birth through third grade through a focus on one or more of the following priority areas:

[1] Heckman, JJ and D Masterov. 2004. The Productivity Argument for Investing in Young Children. Working Paper No. 5, Invest in Kids Working Group, Washington, DC.

(a) Physical well-being and motor development.

(b) Social-emotional development.

(c) Language and literacy development.

(d) Cognition and general knowledge, including early numeracy and early scientific development.

(e) Approaches toward learning.[2]

Proposed Priority 2—Implementing Internationally Benchmarked, College- and Career-Ready Elementary and Secondary Academic Standards

Background. Many States are moving toward the adoption of common, internationally benchmarked, college- and career-ready academic standards for elementary and secondary school students. States will benefit from assistance in transitioning to these new standards, including assistance in developing and implementing (a) high-quality instructional materials, (b) assessments aligned with the standards, (c) teacher and principal preparation and professional development programs, and (d) other strategies that translate the standards into classroom practice.

Statement of Proposed Priority 2. Projects that are designed to support the implementation of internationally benchmarked, college- and career-ready academic standards held in common by multiple States, including projects in one or more of the following priority areas:

(a) The development or implementation of assessments (*e.g.,* summative, formative, interim) aligned with those standards.

(b) The development or implementation of instructional materials aligned with those standards.

(c) The development or implementation of professional development or preparation programs aligned with those standards.

(d) Strategies that translate the standards into classroom practice.

Proposed Priority 3—Improving the Effectiveness and Distribution of Effective Teachers or Principals

Background. While educator quality is a critical contributor to student learning, there is dramatic variation in educator effectiveness within and across schools, including significant inequity in the distribution of effective educators between high- and low-poverty schools. Proposed priority 3 is intended to support projects designed to increase the number and percentage of effective and highly effective teachers or principals, or help increase the retention and equitable distribution of effective and highly effective teachers or principals.

Statement of Proposed Priority 3. Projects that are designed to address one or more of the following priority areas:

(a) Increasing the number or percentage of effective and highly effective teachers or principals (as defined in this notice) or reducing the number or percentage of teachers or principals who are ineffective, particularly in high-poverty schools (as defined in this notice).

(b) Increasing the retention and equitable distribution of effective and highly effective teachers or principals (as defined in this notice).

Proposed Priority 4—Turning Around Persistently Lowest-Achieving Schools

Background. An essential element in strengthening our education system is dramatic improvement of student performance in each State's persistently lowest-achieving schools. These schools often require intensive interventions to improve the school culture and climate, strengthen the school staff and instructional program, increase student attendance and enrollment in advanced courses, provide more time for learning, and ensure that social services and community support are available for students in order to raise student achievement, graduation rates, and college enrollment rates. In addition, students in these schools can benefit from participating in programs that offer additional services designed to increase student success.

Statement of Proposed Priority 4. Projects that are designed to address one or more of the following priority areas:

(a) Improving student achievement (as defined in this notice) in persistently lowest-achieving schools (as defined in this notice).

(b) Increasing graduation rates (as defined in this notice) and college enrollment rates for students in persistently lowest-achieving schools (as defined in this notice).

(c) Providing services to students enrolled in persistently lowest-achieving schools (as defined in this notice).

Proposed Priority 5—Increasing Postsecondary Success

Background. Meeting the President's goal of restoring the United States to first in the world in the percentage of citizens holding college degrees or other postsecondary credentials will require significantly increasing the number of high-need students who graduate from high school prepared to succeed in higher education and careers and who have access to college or rigorous postsecondary career or technical training leading to a degree or certificate. It will also require increasing the rates at which young people and adults enroll in, persist in, and complete college or other postsecondary training. This priority is designed to support efforts to reach the President's goal.

Statement of Proposed Priority 5. Projects that are designed to address one or more of the following priority areas:

(a) Increasing the rates at which high-need students (as defined in this notice) are academically prepared for and enroll in college or other postsecondary education and training.

(b) Increasing the rates at which high-need students (as defined in this notice) persist in and complete college or other postsecondary education and training.

(c) Increasing the rates at which high-need students (as defined in this notice) enroll in and complete high-quality secondary or postsecondary career and technical courses or programs of study (as defined in this notice) designed to lead to a degree, credential, or certificate.

(d) Increasing the number of individuals who return to the educational system to obtain a high school diploma, to obtain needed basic skills enhancement, or to enter, persist in, and complete college or rigorous postsecondary career or technical training leading to a degree, credential, or certificate.

(e) Increasing the rates at which high-need students (as defined in this notice) enroll in and complete graduate programs.

II. Addressing Needs of Student Subgroups

Proposed Priority 6—Improving Achievement and High School Graduation Rates of Rural and High-Need Students

Background. The Nation suffers from persistent gaps in achievement and graduation rates between the Nation's high-need students, including students at risk of educational failure or otherwise in need of special assistance and support, such as students who are living in poverty, who are English language learners, who are far below grade level, who have left school before receiving a regular high school diploma, who are at risk of not graduating with a diploma on time, who are homeless, who are in foster care, who have been

[2] These five domains of early learning are adopted from those identified by the National Education Goals Panel. Sharon Lynn Kagan *et al.,* Reconsidering Children's Early Development and Learning: Toward Common Views and Vocabulary (Washington, DC: National Education Goals Panel, 1995).

incarcerated, or who have disabilities, and their more advantaged peers. Accelerating the achievement and graduation rates of these students, including re-engaging individuals who have dropped out of school, is essential to improving the life outcomes for these students and to sustaining our economic and civic future. In addition, students in rural areas can face specific challenges to learning based on isolation and lack of local resources.

Statement of Proposed Priority 6. Projects that are designed to address one or more of the following priority areas:

(a) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment rates for students in rural communities.

(b) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment rates for high-need students (as defined in this notice).

(c) Accelerating learning and helping to improve high school graduation rates (as defined in this notice) and college enrollment in high-poverty schools (as defined in this notice).

Proposed Priority 7—Promoting Science, Technology, Engineering, and Mathematics (STEM) Education

Background. Increasing the number of students with interest, knowledge, and skills in STEM is essential to the success of our students and the health of our economy. This will require increasing the proportion of students prepared for careers in STEM who are from groups traditionally under-represented in these careers, including minorities, individuals with disabilities, and women. Strategies that schools and institutions can use to help meet this goal include offering rigorous and engaging courses of study in STEM subjects; collaborating with industry experts, museums, universities, research centers, or other STEM-capable community partners to prepare and assist teachers in promoting effective and relevant instruction and offering applied learning opportunities for students; and preparing more students for advanced study in STEM.

Statement of Proposed Priority 7. Projects that are designed to address one or more of the following priority areas:

(a) Providing students with increased access to rigorous and engaging courses of study in STEM.

(b) Increasing the number of students prepared for advanced postsecondary or graduate study and careers in STEM, with a specific focus on an increase in the proportion of students so prepared who are from groups traditionally under-represented in STEM careers, including minorities, individuals with disabilities, and women.

(c) Increasing the opportunities for high-quality preparation of, or professional development for, teachers of STEM subjects.

Proposed Priority 8—Promoting Diversity

Background. Local educational agencies and postsecondary institutions have found that providing diverse learning environments and, in the case of local educational agencies, avoiding the racial isolation of their student body can provide substantial educational benefits. These benefits include, among other things, improving educational outcomes, promoting cross-racial understanding, breaking down racial stereotypes, and preparing students for an increasingly diverse workforce and society. By encouraging local educational agencies and postsecondary institutions to take steps to promote student body diversity, including racial and ethnic diversity, and, in the case of local educational agencies, to avoid racial isolation, the Department can assist these agencies and institutions in better preparing their students to compete in the global marketplace. Any steps taken by these agencies and institutions to further these efforts must be done in accordance with applicable U.S. Supreme Court precedent.

Statement of Proposed Priority 8. Projects that are designed to promote student diversity, including racial and ethnic diversity, or avoid racial isolation.

Proposed Priority 9—Support for Military Families

Background. Military deployments following the terrorist attacks of September 11, 2001, have placed an enormous strain on military families and their children. Over 80 percent of children of active-duty military personnel who are in elementary or secondary school attend public schools in the United States. Through a Memorandum of Understanding, the Department of Education and the Department of Defense acknowledge the unique educational needs and challenges faced by the children of military servicemen and servicewomen. This priority is part of the Administration's commitment to the families of its servicemen and servicewomen.

Statement of Proposed Priority 9. Projects that are designed to address the needs of military-connected students (as defined in this notice).

III. Building Capacity for Systemic Continuous Improvement

Proposed Priority 10—Enabling More Data-Based Decision-Making

Background. Accurate, timely, relevant, and appropriate data are the key to knowing what is working for students and what is not. Data can tell us which students are on track to college- and career-readiness and which need additional support, which instructional strategies are working, which schools or institutions are doing better at improving student learning and performance, and which teachers or faculty excel in increasing student achievement so that they can, for example, be given the opportunity to coach others or to lead communities of professional practice. Data and the effective use of data for informed decision-making are essential to the continuous improvement of educational results.

This proposed priority is designed to support projects that provide educators, as well as families and other key stakeholders, with the data they need and the capacity and training to use those data to improve school readiness, respond to the learning and academic needs of students, increase student achievement (as defined in this notice), improve educator effectiveness, inform professional development practices and approaches, understand the culture and climate of their schools and institutions, and make informed decisions that increase overall program effectiveness.

Statement of Proposed Priority 10. Projects that are designed to collect (or obtain), analyze, and use high-quality and timely data, especially on program participant outcomes, in accordance with privacy requirements (as defined in this notice), in one of the following priority areas:

(a) Improving instructional practices, policies, and student outcomes in early learning settings.

(b) Improving instructional practices, policies and student outcomes in elementary and secondary schools.

(c) Improving postsecondary student outcomes relating to enrollment, persistence, and completion and leading to career success.

(d) Providing reliable and comprehensive information on the implementation of Department of Education programs, and participant outcomes in these programs, especially by developing strategies with appropriate State agencies to use data from State longitudinal data systems or by obtaining data from reliable third-party sources.

Proposed Priority 11—Building Evidence of Effectiveness

Background. The strongest available empirical evidence should inform decisions about education practices and policies. Evidence accumulates through evaluation of practices and of program performance and, as more robust evidence becomes available, increasingly rigorous evaluations become appropriate. Random assignment and quasi-experimental designs are considered the most rigorous evidence of the impact of a program because these designs are best able to eliminate plausible competing explanations for observed results. The Department's notice of final priority on scientifically based evaluation methods, published on January 25, 2005 in the **Federal Register**,[3] has made it possible for the Department to expand the number of programs and projects Department-wide that are evaluated using experimental and quasi-experimental designs. This priority remains in effect; however, recognizing that using such research designs is not always feasible and that, in some cases, other designs are more appropriate to the question being asked, priority 11 would support rigorous evaluation studies consistent with the principles of scientific research in order to enable better understanding of the relationship between intervention, implementation, and student outcomes.

Statement of Proposed Priority 11. Projects that propose evaluation plans that are likely to produce valid and reliable evidence in one or more of the following priority areas:

(a) Improving project design and implementation or designing more effective future projects to improve outcomes.

(b) Identifying and improving practices, strategies, and policies that may contribute to improving outcomes.

Under this priority, at a minimum, the outcome of interest is to be measured multiple times before and after the treatment for project participants and, where feasible, for a comparison group of non-participants.

Proposed Priority 12—Supporting Programs, Practices, or Strategies for Which There is Strong or Moderate Evidence of Effectiveness

Background. Using good evidence to inform decision-making and building better evidence over time are crucial components of continuous program improvement. This proposed priority is designed to support projects that use the best available evidence in designing and implementing programs and strategies.

Statement of Proposed Priority 12. Projects that are supported by strong or moderate evidence (as defined in this notice). A project that is supported by strong evidence (as defined in this notice) will receive more points than a project that is supported by moderate evidence (as defined in this notice).

Proposed Priority 13—Improving Productivity

Background. High-performing organizations consistently seek to improve the effectiveness of their processes and staff to achieve the best possible results in the most efficient manner. One tool for improving productivity is to redesign processes and structures to take advantage of the power of technology to improve learning outcomes while making more efficient use of time, money, and staff. In times of tight budgets, closely examining spending and reallocating resources toward more efficient and more cost-effective strategies are even more essential.

Statement of Proposed Priority 13. Projects that are designed to significantly increase efficiency in the use of time, staff, money, or other resources. Such projects may include innovative and sustainable uses of technology, modification of school schedules, use of open educational resources (as defined in this notice), or other strategies that improve results and increase productivity.

Proposed Definitions

Background: We propose definitions for several important terms associated with these priorities.

Proposed Definitions: The Secretary proposes the following definitions for the Department priorities.

Carefully matched comparison group design means a type of quasi-experimental study (as defined in this notice) that attempts to approximate an experimental study (as defined in this notice). More specifically, it is a design in which project participants are matched with non-participants based on key characteristics that are thought to be related to the outcome. These characteristics include, but are not limited to:

(1) Prior test scores and other measures of academic achievement (preferably, the same measures that the study will use to evaluate outcomes for the two groups);

(2) Demographic characteristics, such as age, disability, gender, English proficiency, ethnicity, poverty level, parents' educational attainment, and single- or two-parent family background;

(3) The time period in which the two groups are studied (*e.g.,* the two groups are children entering kindergarten in the same year as opposed to sequential years); and

(4) Methods used to collect outcome data (*e.g.,* the same test of reading skills administered in the same way to both groups).

Effective principal means a school principal whose students, overall and for each subgroup, achieve acceptable rates (*e.g.,* at least one grade level in an academic year) of student growth (as defined in this notice). A method for determining if a principal is effective must include multiple measures, and effectiveness must be evaluated, in significant part, on the basis of student growth (as defined in this notice). Supplemental measures may include, for example, high school graduation rates (as defined in this notice) and college enrollment rates, as well as evidence of providing supportive teaching and learning conditions, strong instructional leadership, and positive family and community engagement.

Effective teacher means a teacher whose students achieve acceptable rates (*e.g.,* at least one grade level in an academic year) of student growth (as defined in this notice). A method for determining if a teacher is effective must include multiple measures, and effectiveness must be evaluated, in significant part, on the basis of student growth (as defined in this notice). Supplemental measures may include, for example, multiple observation-based assessments of teacher performance.

Experimental study means a study that employs random assignment of, for example, students, teachers, classrooms, schools, or districts to participate in a project being evaluated (treatment group) or not to participate in the project (control group). The effect of the project is the average difference in outcomes between the treatment and control groups.

Graduation rate means a four-year adjusted cohort graduation rate consistent with 34 CFR 200.19(b)(1) and may also include an extended-year adjusted cohort graduation rate consistent with 34 CFR 200.19(b)(1)(v) if the State in which the proposed project is implemented has been approved by the Secretary to use such a rate under Title I of the ESEA.

Highly effective principal means a principal whose students, overall and for each subgroup, achieve high rates (*e.g.,* one and one-half grade levels in an academic year) of student growth (as defined in this notice). A method for

[3] 70 FR 3586 (Jan. 25, 2005).

determining if a principal is highly effective must include multiple measures, provided that principal effectiveness is evaluated, in significant part, on the basis of student growth (as defined in this notice). Supplemental measures may include, for example, high school graduation rates (as defined in this notice); college enrollment rates; evidence of providing supportive teaching and learning conditions, strong instructional leadership, and positive family and community engagement; or evidence of attracting, developing, and retaining high numbers of effective teachers.

Highly effective teacher means a teacher whose students achieve high rates (*e.g.,* one and one-half grade levels in an academic year) of student growth (as defined in this notice). A method of determining if a teacher is highly effective must include multiple measures, provided that teacher effectiveness is evaluated, in significant part, on the basis of student growth (as defined in this notice). Supplemental measures may include, for example, multiple observation-based assessments of teacher performance or evidence of leadership roles (which may include mentoring or leading professional learning communities) that increase the effectiveness of other teachers in the school or LEA.

High-need children and high-need students means children and students at risk of educational failure or otherwise in need of special assistance and support, such as children and students who are living in poverty, who are English language learners, who are far below grade level, who have left school before receiving a regular high school diploma, who are at risk of not graduating with a diploma on time, who are homeless, who are in foster care, who have been incarcerated, or who have disabilities.

High-poverty school means a school in which at least 50 percent of students are eligible for free or reduced-price lunches under the Richard B. Russell National School Lunch Act or in which at least 50 percent of students are from low-income families as determined using one of the criteria specified under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965, as amended. For middle and high schools, eligibility may be calculated on the basis of comparable data from feeder schools. Eligibility as a high-poverty school under this definition is determined on the basis of the most currently available data.

Interrupted time series design[4] means a type of quasi-experimental study (as defined in this notice) in which the outcome of interest is measured multiple times before and after the treatment for program participants only. If the program had an impact, the outcomes after treatment will have a different slope or level from those before treatment. That is, the series should show an "interruption" of the prior situation at the time when the program was implemented. Adding a comparison group time series, such as schools not participating in the program or schools participating in the program in a different geographic area, substantially increases the reliability of the findings.

Military-connected student means a student in pre-kindergarten through grade 12 who has a parent or guardian on active duty in the uniformed services, as defined by 37 U.S.C. 101, in the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or the reserve component of any of the aforementioned services.

Moderate evidence means evidence from previous studies whose designs can support causal conclusions (*i.e.,* studies with high internal validity) but have limited generalizability (*i.e.,* moderate external validity), or studies with high external validity but moderate internal validity. The following would constitute moderate evidence:

(1) At least one well-designed and well-implemented (as defined in this notice) experimental or quasi-experimental study (as defined in this notice) supporting the effectiveness of the practice, strategy, or program, with small sample sizes or other conditions of implementation or analysis that limit generalizability;

(2) At least one well-designed and well-implemented (as defined in this notice) experimental or quasi-experimental study (as defined in this notice) that does not demonstrate equivalence between the intervention and comparison groups at program entry but that has no other major flaws related to internal validity; or

(3) Correlational research with strong statistical controls for selection bias and for discerning the influence of internal factors.

Open educational resources (OER) means teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use or repurposing by others.

Persistently lowest-achieving schools means, as determined by the State: (i) Any Title I school in improvement, corrective action, or restructuring that (a) is among the lowest-achieving five percent of Title I schools in improvement, corrective action, or restructuring or the lowest-achieving five Title I schools in improvement, corrective action, or restructuring in the State, whichever number of schools is greater; or (b) is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years; and (ii) any secondary school that is eligible for, but does not receive, Title I funds that: (a) Is among the lowest-achieving five percent of secondary schools or the lowest-achieving five secondary schools in the State that are eligible for, but do not receive, Title I funds, whichever number of schools is greater; or (b) is a high school that has had a graduation rate as defined in 34 CFR 200.19(b) that is less than 60 percent over a number of years.

To identify the persistently lowest-achieving schools, a State must take into account both: (i) The academic achievement of the "all students" group in a school in terms of proficiency on the State's assessments under section 1111(b)(3) of the ESEA in reading/language arts and mathematics combined; and (ii) the school's lack of progress on those assessments over a number of years in the "all students" group.

Privacy requirements means the requirements of the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, and its implementing regulations in 34 CFR part 99, the Privacy Act, 5 U.S.C. 552a, as well as all applicable Federal, State and local requirements regarding privacy.

Program of study means a career and technical education program of study, which may be offered as an option to students (and their parents as appropriate) when planning for and completing future coursework, that—

[4] A single subject or single case design is an adaptation of an interrupted time series design that relies on the comparison of treatment effects on a single subject or group of single subjects. There is little confidence that findings based on this design would be the same for other members of the population. In some single subject designs, treatment reversal or multiple baseline designs are used to increase internal validity. In a treatment reversal design, after a pretreatment or baseline outcome measurement is compared with a post treatment measure, the treatment would then be stopped for a period of time; a second baseline measure of the outcome would be taken, followed by a second application of the treatment or a different treatment. A multiple baseline design addresses concerns about the effects of normal development, timing of the treatment, and amount of the treatment with treatment-reversal designs by using a varying time schedule for introduction of the treatment and/or treatments of different lengths or intensity.

(a) Incorporates secondary education and postsecondary education;

(b) Includes coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, non-duplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education;

(c) May include the opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary education credits; and

(d) Leads to an industry-recognized credential or certificate at the postsecondary level, or an associate or baccalaureate degree.

Quasi-experimental study means an evaluation design that attempts to approximate an experimental design (as defined in this notice) and can support causal conclusions (*i.e.,* minimizes threats to internal validity, such as selection bias, or allows them to be modeled). Well-designed and well-implemented quasi-experimental studies include carefully matched comparison group designs (as defined in this notice), interrupted time series designs (as defined in this notice), or regression discontinuity designs (as defined in this notice).

Regression discontinuity design study means, in part, a quasi-experimental study (as defined in this notice) design that closely approximates an experimental study (as defined in this notice). In a regression discontinuity design, participants are assigned to a treatment or comparison group based on a numerical rating or score of a variable unrelated to the treatment such as the rating of an application for funding. Another example would be assignment of eligible students, teachers, classrooms, or schools above a certain score ("cut score") to the treatment group and assignment of those below the score to the comparison group.

Strong evidence means evidence from previous studies whose designs can support causal conclusions (*i.e.,* studies with high internal validity), and studies that in total include enough of the range of participants and settings to support scaling up to the State, regional, or national level (*i.e.,* studies with high external validity). The following are examples of strong evidence:

(1) More than one well-designed and well-implemented (as defined in this notice) experimental study (as defined in this notice) or well-designed and well-implemented (as defined in this notice) quasi-experimental study (as defined in this notice) that supports the effectiveness of the practice, strategy, or program; or

(2) One large, well-designed and well-implemented (as defined in this notice) randomized controlled, multisite trial that supports the effectiveness of the practice, strategy, or program.

Student achievement means—

(a) *For tested grades and subjects:* (1) A student's score on the State's assessments under the ESEA; and, as appropriate, (2) other measures of student learning, such as those described in paragraph (b) of this definition, provided they are rigorous and comparable across schools.

(b) *For non-tested grades and subjects:* Alternative measures of student learning and performance, such as student scores on pre-tests and end-of-course tests; student performance on English language proficiency assessments; and other measures of student achievement that are rigorous and comparable across schools.

Student growth means the change in student achievement (as defined in this notice) for an individual student between two or more points in time. A State may also include other measures that are rigorous and comparable across classrooms.

Well-designed and well-implemented means, with respect to an experimental or quasi-experimental study (as defined in this notice), that the study meets the What Works Clearinghouse evidence standards, with or without reservations (*see http://ies.ed.gov/ncee/wwc/references/idocviewer/doc.aspx?docid=19&tocid=1* and in particular the description of "Reasons for Not Meeting Standards" at *http://ies.ed.gov/ncee/wwc/references/idocviewer/Doc.aspx?docId=19&tocId=4#reasons*).

Final Priorities and Definitions

We will announce the final priorities and definitions in a notice in the **Federal Register**. We will determine the final priorities and definitions after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing additional priorities and definitions, subject to meeting applicable rulemaking requirements.

Note: This notice does *not* solicit applications. In any year in which we choose to use any of these priorities and definitions, we invite applications through a notice in the **Federal Register.**

Reminder of Accountability Requirements: We remind potential applicants that in reviewing applications in any discretionary grant competition, under 34 CFR 75.217(d)(3), the Secretary may consider the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds and its compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a performance report or submitted a report of unacceptable quality.

Under 34 CFR 74.14 and 80.12, the Secretary may impose special conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 34 CFR part 74 or 80, as applicable; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

In making a continuation award, the Secretary may consider, under 34 CFR 75.253, the extent to which a grantee has made "substantial progress toward meeting the objectives in its approved application." This consideration includes the review of a grantee's progress in meeting the targets and projected outcomes in its approved application, and whether the grantee has expended funds in a manner that is consistent with its approved application and budget. In making a competitive grant award, the Secretary also requires various assurances and, in making a continuation award, considers whether the grantee is operating in compliance with its current assurances, including those under applicable Federal civil rights laws and the regulations in 34 CFR parts 100 through 110 that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department of Education.

Executive Order 12866

Under Executive Order 12866, the Secretary must determine whether a regulatory action is "significant" and therefore subject to the requirements of the Executive order and subject to review by the Office of Management and Budget. Section 3(f) of Executive Order 12866 defines a "significant regulatory action" as an action likely to result in a rule that may (1) have an annual effect on the economy of $100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or Tribal governments or communities in a material way (also referred to as an "economically significant" rule); (2) create serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3)

materially alter the budgetary impacts of entitlement grants, user fees, or local programs or the rights and obligations of recipients thereof; or (4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive order. The Secretary has determined that this regulatory action is significant under section 3(f) of the Executive order.

This notice has been reviewed in accordance with Executive Order 12866. Under the terms of the order, we have assessed the potential costs and benefits of this proposed regulatory action.

The potential costs associated with this proposed regulatory action are those resulting from statutory requirements and those we have determined as necessary for administering the Department's discretionary grant programs effectively and efficiently.

In assessing the potential costs and benefits—both quantitative and qualitative—of this proposed regulatory action, we have determined that the benefits of the proposed priorities and definitions justify the costs.

Intergovernmental Review: Some of the programs affected by these proposed priorities are subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (*e.g.,* braille, large print, audiotape, or computer diskette) on request to the program contact person listed under **FOR FURTHER INFORMATION CONTACT**.

Electronic Access to This Document: You can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister.* To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

Note: The official version of this document is the document published in the **Federal Register.** Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html.*

Dated: July 15, 2010.

Arne Duncan,

Secretary of Education.

[FR Doc. 2010–19296 Filed 8–4–10; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Baseline Filings

July 29, 2010.

ONEOK Gas Storage, L.L.C..	Docket No. PR10–67–000.
Atmos Energy—Kentucky/Mid-States Division.	Docket No. PR10–68–000.
Magic Valley Pipeline, L.P..	Docket No. PR10–69–000.
Calpine Texas Pipeline, L.P..	Docket No. PR10–70–000. (Not Consolidated).

Take notice that on July 27, 2010, and July 28, 2010, respectively the applicants listed above submitted their baseline filing of its Statement of Operating Conditions for services provided under section 311 of the Natural Gas Policy Act of 1978 (NGPA).

Any person desiring to participate in this rate proceeding must file a motion to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the date as indicated below. Anyone filing an intervention or protest must serve a copy of that document on the Applicant. Anyone filing an intervention or protest on or before the intervention or protest date need not serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov*, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5 p.m. Eastern time on Tuesday, August 10, 2010.

Kimberly D. Bose,

Secretary.

[FR Doc. 2010–19229 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

July 28, 2010.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER03–534–010.
Applicants: Ingenco Wholesale Power, LLC.
Description: Errata to Notice of Change in Status of Ingenco Wholesale Power, LLC.
Filed Date: 07/27/2010.
Accession Number: 20100727–5118.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 17, 2010.

Docket Numbers: ER08–770–004.
Applicants: Longview Power.
Description: Errata to Change-in-Status Notification of Longview Power, LLC.
Filed Date: 07/27/2010.
Accession Number: 20100727–5158.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 17, 2010.

Docket Numbers: ER09–1051–004.
Applicants: ISO New England Inc.
Description: ISO New England et al submits a compliance filing to remove the Host Utility exceptions for demand response aggregators registering to participate in the Forward Capacity Market.
Filed Date: 07/27/2010.
Accession Number: 20100728–0205.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 17, 2010.

Docket Numbers: ER10–1105–001.
Applicants: Pacific Gas and Electric Company.
Description: Pacific Gas and Electric Company submits its compliance filing to revise the Transmission Owner Tariff,

FERC Electric Tariff Volume 5, to be effective 4/27/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5006.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–1285–001.

Applicants: Craven County Wood Energy Limited Partnership.

Description: Craven County Wood Energy Limited Partnership submits tariff filing per 35: Revised Market-Based Baseline Tariff to be effective 7/29/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5041.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–1999–000.

Applicants: Attala Transmission LLC.

Description: Attala Transmission LLC submits its baseline Open Access Transmission Tariff pursuant to the requirements of FERC's Order No 714, to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5001.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2000–000.

Applicants: Perryville Energy Partners LLC.

Description: Perryville Energy Partners LLC submits its baseline Open Access Transmission Tariff pursuant to the requirements of FERC's Order No 714, to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5002.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2001–000.

Applicants: Entergy Services, Inc.

Description: Revised Depreciation Rates of Entergy Services, Inc.

Filed Date: 07/27/2010.

Accession Number: 20100727–5159.

Comment Date: 5 p.m. Eastern Time on Tuesday, August 17, 2010.

Docket Numbers: ER10–2002–000.

Applicants: Northwestern Corporation.

Description: North Western submits the Electric Interconnection Service Agreement with Montana Refining Company, Inc.

Filed Date: 07/27/2010.

Accession Number: 20100728–0204.

Comment Date: 5 p.m. Eastern Time on Tuesday, August 17, 2010.

Docket Numbers: ER10–2003–000.

Applicants: Consolidated Edison Company of New York.

Description: Consolidated Edison Company of New York, Inc. submits tariff filing per 35: Baseline Filing of Con Edison Rate Schedule No. 96 to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5028.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2005–000.

Applicants: Ashtabula Wind II, LLC.

Description: Ashtabula Wind II, LLC submits tariff filing per 35.12: Ashtabula II Baseline Filing2 to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5040.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2006–000.

Applicants: Hawkeye Power Partners, LLC.

Description: Hawkeye Power Partners, LLC submits tariff filing per 35.12: Hawkeye Baseline Filing to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5042.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2007–000.

Applicants: PPL Brunner Island, LLC.

Description: PPL Brunner Island, LLC submits tariff filing per 35.12: PPL Brunner Island, LLC Baseline Filing to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5077.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2008–000.

Applicants: PPL Colstrip I, LLC.

Description: PPL Colstrip I, LLC submits tariff filing per 35.12: PPL Colstrip I, LLC, Baseline Filing to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5078.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2009–000.

Applicants: PPL Colstrip II, LLC.

Description: PPL Colstrip II, LLC submits tariff filing per 35.12: PPL Colstrip II, LLC, Baseline Filing to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5079.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2010–000.

Applicants: PPL Electric Utilities Corporation.

Description: PPL Electric Utilities Corporation submits its baseline filing of FERC Electric Tariff pursuant to Order No 714, to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5080.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2011–000.

Applicants: PPL EnergyPlus, LLC.

Description: PPL EnergyPlus, LLC submits its baseline filing of FERC Electric Tariff pursuant to Order No 714, to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5081.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2012–000.

Applicants: PPL Great Works, LLC.

Description: PPL Great Works, LLC submits its baseline filing of FERC Electric Tariff pursuant to Order No 714, to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5082.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2013–000.

Applicants: PPL Holtwood, LLC.

Description: PPL Holtwood, LLC submits its baseline filing of FERC Electric Tariff pursuant to Order No 714, to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5083.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2014–000.

Applicants: PPL Maine, LLC.

Description: PPL Maine, LLC submits its baseline filing of FERC Electric Tariff pursuant to Order No 714, to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5084.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2015–000.

Applicants: PPL Martins Creek, LLC.

Description: PPL Martins Creek, LLC submits tariff filing per 35.12: PPL Martins Creek, LLC, Baseline Filing to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5086.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2016–000.

Applicants: PPL Montana, LLC.

Description: PPL Montana, LLC submits tariff filing per 35.12: PPL Montana, LLC, Baseline Filing to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5087.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2017–000.

Applicants: PPL Montour, LLC.

Description: PPL Montour, LLC submits tariff filing per 35.12: PPL Montour, LLC, Baseline Filing to be effective 7/28/2010.

Filed Date: 07/28/2010.

Accession Number: 20100728–5088.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2018–000.
Applicants: PPL New Jersey Biogas, LLC.
Description: PPL New Jersey Biogas, LLC submits tariff filing per 35.12: PPL New Jersey Biogas, LLC, Baseline Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5089.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2019–000.
Applicants: PPL New Jersey Solar, LLC.
Description: PPL New Jersey Solar, LLC submits tariff filing per 35.12: PPL New Jersey Solar, LLC, Baseline Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5090.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2020–000.
Applicants: PPL Renewable Energy, LLC.
Description: PPL Renewable Energy, LLC submits tariff filing per 35.12: PPL Renewable Energy, LLC, Baseline Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5091.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2021–000.
Applicants: PPL Susquehanna, LLC.
Description: PPL Susquehanna, LLC submits tariff filing per 35.12: PPL Susquehanna, LLC, Baseline Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5092.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2022–000.
Applicants: PPL University Park, LLC.
Description: PPL University Park, LLC submits tariff filing per 35.12: PPL University Park, LLC, Baseline Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5093.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2023–000.
Applicants: California Independent System Operator Corporation.
Description: California Independent System Operator Corporation submits tariff filing per 35.12: 2010–07–28 Non-Conforming Service Agreements Tariff ID Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5094.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Take notice that the Commission received the following land acquisition reports:

Docket Numbers: LA10–2–000.
Applicants: Order 697–C 2010 2nd Qtr Site Acquisition.
Description: Munnsville Wind Farm, LLC and Stony Creek Wind Farm, LLC 2010 Q2 Filing Per 18 CFR 35.42(d).
Filed Date: 07/28/2010.
Accession Number: 20100728–5038.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

As it relates to any qualifying facility filings, the notices of self-certification [or self-recertification] listed above, do not institute a proceeding regarding qualifying facility status. A notice of self-certification [or self-recertification] simply provides notification that the entity making the filing has determined the facility named in the notice meets the applicable criteria to be a qualifying facility. Intervention and/or protest do not lie in dockets that are qualifying facility self-certifications or self-recertifications. Any person seeking to challenge such qualifying facility status may do so by filing a motion pursuant to 18 CFR 292.207(d)(iii). Intervention and protests may be filed in response to notices of qualifying facility dockets other than self-certifications and self-recertifications.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport,ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2010–19232 Filed 8–4–10; 8:45 am]
BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings No. 2

July 28, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP06–298–012.
Applicants: National Fuel Gas Supply Corporation.
Description: Semi-Annual Report of Operation Sales of Gas of National Fuel Gas Supply Corporation.
Filed Date: 07/15/2010.
Accession Number: 20100715–5020.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–877–002.
Applicants: Cameron Interstate Pipeline, LLC.
Description: Cameron Interstate Pipeline, LLC submits tariff filing per 154.205(a): Cameron Interstate Pipeline Letter, July 15, 2010.
Filed Date: 07/15/2010.
Accession Number: 20100715–5027.
Comment Date: 5 p.m. Eastern Time on Monday, August, 2, 2010.

Docket Numbers: RP08–462–001.
Applicants: American Midstream (Midla), LLC.
Description: American Midstream (Midla), LLC submits Request for Extension of Time.
Filed Date: 07/26/2010.

Accession Number: 20100726–5178.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP05–473–001.
Applicants: KO Transmission Company.
Description: KO Transmission Company Amendment to Application of Duke Energy.
Filed Date: 07/27/2010.
Accession Number: 20100727–5161.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Any person desiring to protest this filing must file in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). Protests to this filing will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Such protests must be filed on or before 5 p.m. Eastern time on the specified comment date. Anyone filing a protest must serve a copy of that document on all the parties to the proceeding.

The Commission encourages electronic submission of protests in lieu of paper using the "eFiling" link at *http://www.ferc.gov*. Persons unable to file electronically should submit an original and 14 copies of the protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov*, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov*, or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2010–19240 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings No. 2

July 26, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP10–973–001.
Applicants: Natural Gas Pipeline Company of America.
Description: Natural Gas Pipeline Company of America LLC submits revised negotiated rate transaction replacing a contract amendment originally filed 7/16/10.
Filed Date: 07/21/2010.
Accession Number: 20100721–0213.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–877–004.
Applicants: Cameron Interstate Pipeline, LLC.
Description: Cameron Interstate Pipeline, LLC submits tariff filing per 154.203: Cameron Interstate Pipeline, Compliance Tariff Filing July 21, 2010 to be effective.
Filed Date: 07/22/2010.
Accession Number: 20100722–5050.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 3, 2010.

Docket Numbers: RP10–492–002.
Applicants: Trailblazer Pipeline Company LLC.
Description: Trailblazer Pipeline Company LLC submits report of refunds issued to shippers on July 7, 2010 for the period of January 1, 2010 to May 31, 2010.
Filed Date: 07/23/2010.
Accession Number: 20100723–0212.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 4, 2010.

Docket Numbers: RP10–972–001.
Applicants: Gulfstream Natural Gas System, L.L.C.
Description: Gulfstream Natural Gas System, L.L.C. submits tariff filing per 154.203: Baseline Errata Filing to be effective 7/16/2010.
Filed Date: 07/23/2010.
Accession Number: 20100723–5021.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 4, 2010.

Docket Numbers: RP10–976–001.
Applicants: Northern Natural Gas Company.
Description: Northern Natural Gas Company submits Second Revised Sheet 65 to FERC Gas Tariff, Fifth Revised Volume 1, to be effective 8/16/10.
Filed Date: 07/23/2010.
Accession Number: 20100723–0213.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 4, 2010.

Any person desiring to protest this filing must file in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). Protests to this filing will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Such protests must be on or before 5 p.m. Eastern time on the specified comment date. Anyone filing a protest must serve a copy of that document on all the parties to the proceeding.

The Commission encourages electronic submission of protests in lieu of paper using the "eFiling" link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 14 copies of the protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

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Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2010–19238 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings No. 1

July 26, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP10–989–000.
Applicants: Texas Gas Transmission, LLC.
Description: (doc-less) Motion to Intervene of Louisville Gas & Electric Company under RP10–989.
Filed Date: 07/23/2010.
Accession Number: 20100723–5037.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 4, 2010.

Docket Numbers: RP10–990–000.
Applicants: Columbia Gas Transmission, LLC.
Description: Columbia Gas Transmission, LLC submits tariff filing per 154.204: Non-Conforming—Antero to be effective 8/23/2010.
Filed Date: 07/22/2010.
Accession Number: 20100722–5112.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 3, 2010.

Docket Numbers: RP10–991–000.
Applicants: Great Lakes Gas Transmission Limited Par.
Description: Great Lakes Gas Transmission Limited Partnership

submits tariff filing per 154.203: Compliance RP10–149 Settlement to Baseline to be effective 6/29/2010.

Filed Date: 07/22/2010.

Accession Number: 20100722–5120.

Comment Date: 5 p.m. Eastern Time on Tuesday, August 3, 2010.

Docket Numbers: RP10–992–000.

Applicants: Southeast Supply Header, LLC.

Description: Southeast Supply Header, LLC submits tariff filing per 154.203: SESH Baseline Filing to be effective 7/23/2010.

Filed Date: 07/23/2010.

Accession Number: 20100723–5016.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 4, 2010.

Docket Numbers: RP10–993–000.

Applicants: Trailblazer Pipeline Company LLC.

Description: Trailblazer Pipeline Company LLC submits a report to inform the Commission of penalty revenues received for the quarter ended June 30, 2010.

Filed Date: 07/23/2010.

Accession Number: 20100723–0211.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 4, 2010.

Docket Numbers: RP10–994–000.

Applicants: Questar Overthrust Pipeline Company.

Description: Questar Overthrust Pipeline Company submits their Annual Fuel Gas Reimbursement Report for the period ended May 31, 2010.

Filed Date: 07/23/2010.

Accession Number: 20100723–0214.

Comment Date: 5 p.m. Eastern Time on Wednesday, August 4, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern Time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

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Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2010–19237 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

July 20, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP08–467–001.

Applicants: American Midstream (AlaTenn), LLC.

Description: Request of American Midstream (AlaTenn), LLC for Extension of Time.

Filed Date: 07/07/2010.

Accession Number: 20100707–5125.

Comment Date: 5 p.m. Eastern Time on Friday, July 23, 2010.

Docket Numbers: RP09–447–007.

Applicants: Monroe Gas Storage Company, L.P.

Description: Monroe Gas Storage Company, LLC submits Substitute First Revised Sheet 309 *et al.* to FERC Electric Tariff, Original Volume 1.

Filed Date: 07/16/2010.

Accession Number: 20100719–0203.

Comment Date: 5 p.m. Eastern Time on Wednesday, July 28, 2010.

Docket Numbers: RP10–823–001.

Applicants: Columbia Gulf Transmission Company.

Description: Columbia Gulf Transmission Company submits tariff filing per 154.203: IFF–TRA 7/16 Filing to be effective 8/1/2010.

Filed Date: 07/16/2010.

Accession Number: 20100716–5128.

Comment Date: 5 p.m. Eastern Time on Wednesday, July 28, 2010.

Docket Numbers: RP10–847–001.

Applicants: Monroe Gas Storage Company, L.P.

Description: Monroe Gas Storage Company, LLC submits instant filing, including the Second Revised Title Page and Second Revised Sheet No. 17 to FERC Gas Tariff, Original Volume 1.

Filed Date: 07/16/2010.

Accession Number: 20100719–0202.

Comment Date: 5 p.m. Eastern Time on Wednesday, July 28, 2010.

Any person desiring to protest this filing must file in accordance with Rule 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.211). Protests to this filing will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Such protests must be filed on or before 5 p.m. Eastern time on the specified comment date. Anyone filing a protest must serve a copy of that document on all the parties to the proceeding.

The Commission encourages electronic submission of protests in lieu of paper using the "eFiling" link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 14 copies of the protest to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2010–19235 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

July 30, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP10–1012–000.
Applicants: Transcontinental Gas Pipe Line Company, LLC.
Description: Transcontinental Gas Pipe Line Company, LLC submits tariff filing per 154.204: Update List of Non-Conforming Service Agreements to be effective 8/29/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5058.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 10, 2010.

Docket Numbers: RP10–1013–000.
Applicants: Mississippi Canyon Gas Pipeline, L.L.C.
Description: Mississippi Canyon Gas Pipeline, L.L.C. submits tariff filing per 154.203: MCGP Baseline Filing to be effective 8/31/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5084.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 10, 2010.

Docket Numbers: RP10–1014–000.
Applicants: CenterPoint Energy Gas Transmission Company.
Description: CenterPoint Energy Gas Transmission Company submits tariff filing per 154.203: Sheet 579 (778) Compliance Filing to be effective 8/6/2010.
Filed Date: 07/30/2010.
Accession Number: 20100730–5000.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 11, 2010.

Docket Numbers: RP10–1015–000.
Applicants: Alliance Pipeline L.P.
Description: Alliance Pipeline L.P. submits Fourth Revised Sheet No 11 to FERC Gas Tariff, Volume 1, to be effective 8/1/2010.
Filed Date: 07/30/2010.
Accession Number: 20100730–5001.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 11, 2010.

Docket Numbers: RP10–1016–000.
Applicants: Midwestern Gas Transmission Company.
Description: Midwestern Gas Transmission Company submits tariff filing per 154.203: Non-Conforming Agreement—EDF to be effective 7/1/2010.
Filed Date: 07/30/2010.
Accession Number: 20100730–5025.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 11, 2010.

Docket Numbers: RP10–1017–000.
Applicants: Florida Gas Transmission Company, LLC.
Description: Florida Gas Transmission Company, LLC submits tariff filing per 154.203: Baseline Filing to be effective 7/30/2010.
Filed Date: 07/30/2010.
Accession Number: 20100730–5032.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 11, 2010.

Docket Numbers: RP10–1018–000.
Applicants: Paiute Pipeline Company.
Description: Paiute Pipeline Company submits tariff filing per 154.203: Baseline to be effective 7/9/2010.
Filed Date: 07/30/2010.
Accession Number: 20100730–5040.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 11, 2010.

Docket Numbers: RP10–1019–000.
Applicants: Dominion Transmission, Inc.
Description: Dominion Transmission, Inc. submits tariff filing per 154.601: DTI—Volume No. 2 Contract Amendment to be effective 8/30/2010.
Filed Date: 07/30/2010.
Accession Number: 20100730–5050.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 11, 2010.

Docket Numbers: RP10–1020–000.
Applicants: Great Lakes Gas Transmission Limited Partnership.
Description: Great Lakes Gas Transmission Limited Partnership Semi-Annual Transporter's Use Report.
Filed Date: 07/30/2010.
Accession Number: 20100730–5068.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 11, 2010.

Docket Numbers: RP10–1021–000.
Applicants: Columbia Gas Transmission, LLC.
Description: Columbia Gas Transmission, LLC submits tariff filing per 154.204: Gathering Affiliates to be effective 8/1/2010.
Filed Date: 07/30/2010.
Accession Number: 20100730–5069.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 11, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern Time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2010–19233 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

July 29, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP10–1000–000.
Applicants: Kinder Morgan Interstate Gas Transmission LLC.
Description: Kinder Morgan Interstate Gas Transmission LLC submits Thirteenth Revised Sheet 4G.02 to FERC Gas Tariff, Fourth Revised Volume 1A, to be effective 8/1/10.
Filed Date: 07/28/2010.
Accession Number: 20100728–0207.

Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1001–000.
Applicants: Tres Palacios Gas Storage LLC.
Description: Tres Palacios Gas Storage LLC submits tariff filing per 154.203: Tres Palacios Gas Storage LLC, Baseline Tariff Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5050.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1002–000.
Applicants: Northern Natural Gas Company.
Description: Northern Natural Gas Company submits 1 Revised 35 Revised Sheet 54 *et al.* to FERC Gas Tariff, Fifth Revised Volume 1 to be effective 9/1/10.
Filed Date: 07/28/2010.
Accession Number: 20100728–0208.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1003–000.
Applicants: Carolina Gas Transmission Corporation.
Description: Carolina Gas Transmission Corporation's Penalty Revenue Sharing Filing for 2010.
Filed Date: 07/27/2010.
Accession Number: 20100727–5162.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1004–000.
Applicants: Northern Border Pipeline Company.
Description: Northern Border Pipeline Company submits tariff filing per 154.203: Baseline Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5109.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1005–000.
Applicants: Gulf South Pipeline Company, LP.
Description: Gulf South Pipeline Company, LP submits tariff filing per 154.203: Compliance Filing in RP10–872 to be effective 7/22/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5118.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1006–000.
Applicants: Liberty Gas Storage, LLC.
Description: Liberty Gas Storage, LLC submits tariff filing per 154.203: Liberty Gas Storage LLC FERC Gas Tariff to be effective 8/1/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5155.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1007–000.
Applicants: Rockies Express Pipeline LLC.
Description: Rockies Express Pipeline LLC submits tariff filing per 154.204: Negative Rate 2010–07–28 to be effective 8/1/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5157.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1008–000.
Applicants: Fayetteville Express Pipeline LLC.
Description: Fayetteville Express Pipeline LLC submits Original Sheet No 1 *et al.* to FERC Gas Tariff, Original Volume No 1, to be effective 10/1/10.
Filed Date: 07/28/2010.
Accession Number: 20100729–0204.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–1009–000.
Applicants: Carolina Gas Transmission Corporation.
Description: Carolina Gas Transmission Corporation submits tariff filing per 154.203: Compliance new tariff (Baseline) to be effective 8/1/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5034.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 10, 2010.

Docket Numbers: RP10–1010–000.
Applicants: Transcontinental Gas Pipe Line Company.
Description: Transcontinental Gas Pipe Line Company, LLC submits tariff filing per 154.203: Baseline Filing and Amendment to Non-Conf Agmt and Negotiated Rate Agmt Filing to be effective 7/22/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5040.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 10, 2010.

Docket Numbers: RP10–1011–000.
Applicants: Texas Eastern Transmission, LP.
Description: Texas Eastern Transmission, LP submits tariff filing per 154.204: FOSA Modifications to be effective 9/1/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5052.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 10, 2010.

Docket Numbers: OR10–17–000.
Applicants: Bear Paw Energy, LLC.
Description: Application for temporary waiver of filing and reporting requirements under the Interstate Commerce Act and Parts 341 and 357 of the Commission's rules of Bear Paw Energy, LLC.
Filed Date: 07/09/2010.
Accession Number: 20100712–5008.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2010–19241 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

July 22, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP10–978–000.
Applicants: Gulf South Pipeline Company, LP.
Description: Gulf South Pipeline Company, LP submits tariff filing per 154.204: Reservation of Capacity for Expansion Projects to be effective 8/18/2010.
Filed Date: 07/19/2010.
Accession Number: 20100719–5080.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–980–000.
Applicants: Transwestern Pipeline Company, LLC.
Description: Request for Waiver of Transwestern Pipeline Company, LLC.
Filed Date: 07/19/2010.
Accession Number: 20100719–5122.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–981–000.
Applicants: Gulf South Pipeline Company, LP.
Description: Gulf South Pipeline Company, LP submits tariff filing per 154.204: Enerquest to Texla to be effective 7/20/2010.
Filed Date: 07/20/2010.
Accession Number: 20100720–5040.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–982–000.
Applicants: Algonquin Gas Transmission, LLC.
Description: Algonquin Gas Transmission, LLC submits tariff filing per 154.204: Cleanup GT&C Section 46, to be effective 6/1/2010.
Filed Date: 07/20/2010.
Accession Number: 20100720–5045.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–983–000.
Applicants: Transcontinental Gas Pipe Line Company, LLC
Description: Transcontinental Gas Pipe Line Company, LLC submits tariff filing per 154.203: Order No. 714 Baseline Tariff Filing to be effective 7/20/2010.
Filed Date: 07/20/2010.
Accession Number: 20100720–5066.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–984–000.
Applicants: Alliance Pipeline L.P.
Description: Alliance Pipeline L.P. submits tariff filing per 154.204: CNRL Fortuna typing correction to be effective 7/1/2010.
Filed Date: 07/20/2010.
Accession Number: 20100720–5067.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–985–000.
Applicants: Vector Pipeline L.P.
Description: Vector Pipeline L.P. submits tariff filing per 154.203: Baseline Tariff Filing to be effective 7/21/2010.
Filed Date: 07/21/2010.
Accession Number: 20100721–5006.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–986–000.
Applicants: Trunkline Gas Company, LLC.
Description: Trunkline Gas Company, LLC submits tariff filing per 154.204: Negotiated Rates Filing to be effective 7/22/2010.
Filed Date: 07/21/2010.
Accession Number: 20100721–5108.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–987–000.
Applicants: Columbia Gas Transmission, LLC.
Description: Columbia Gas Transmission, LLC submits tariff filing per 154.204: Non-Conforming Agreement—UGI to be effective 8/23/2010.
Filed Date: 07/21/2010.
Accession Number: 20100721–5110.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–988–000.
Applicants: CenterPoint Energy Gas Transmission Company.
Description: CenterPoint Energy Gas Transmission Company submits tariff filing per 154.203: CEGT Baseline, to be effective 7/22/2010.
Filed Date: 07/22/2010.
Accession Number: 20100722–5001.
Comment Date: 5 p.m. Eastern Time on Tuesday, August 3, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

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Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

The filings in the above proceedings are accessible in the Commission's eLibrary system by clicking on the appropriate link in the above list. They are also available for review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2010–19236 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

July 19, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP10–973–000.
Applicants: Natural Gas Pipeline Company of America.
Description: Natural Gas Pipeline Co of America, LLC submits an amendment to the Firm Transportation and Storage Negotiated Rate Agreement.
Filed Date: 07/16/2010.
Accession Number: 20100716–0205.
Comment Date: 5 p.m. Eastern Time on Wednesday, July 28, 2010.

Docket Numbers: RP10–974–000.
Applicants: Columbia Gulf Transmission Company.
Description: Columbia Gulf Transmission Company submits tariff filing per 154.204: Retainage to be effective 8/1/2010.
Filed Date: 07/16/2010.
Accession Number: 20100716–5057.
Comment Date: 5 p.m. Eastern Time on Wednesday, July 28, 2010.

Docket Numbers: RP10–975–000.
Applicants: Northern Natural Gas Company.
Description: Northern Natural Gas Company submits Ninth Revised Sheet No. 154 et al to FERC Gas Tariff, Fifth Revised Volume No. 1, to be effective 8/16/10.
Filed Date: 07/16/2010.
Accession Number: 20100716–0184.
Comment Date: 5 p.m. Eastern Time on Wednesday, July 28, 2010.

Docket Numbers: RP10–976–000.
Applicants: Northern Natural Gas Company.
Description: Northern Natural Gas Company submits First Revised Sheet No. 25 et al to FERC Gas Tariff, Fifth Revised Volume No. 1, to be effective 8/16/10.
Filed Date: 07/16/2010.
Accession Number: 20100716–0183.
Comment Date: 5 p.m. Eastern Time on Wednesday, July 28, 2010.

Docket Numbers: RP10–977–000.
Applicants: ANR Pipeline Company.
Description: ANR Pipeline Company submits Fourth Revised Sheet 10A et al. to its FERC Gas Tariff, Original Volume 1, to be effective 8/1/10.
Filed Date: 07/16/2010.
Accession Number: 20100719–0201.
Comment Date: 5 p.m. Eastern Time on Wednesday, July 28, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

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Nathaniel J. Davis, Sr.,
Deputy Secretary.

[FR Doc. 2010–19234 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

July 29, 2010.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER97–324–019; ER97–3834–025; ER00–1816–008; ER10–663–002; ER01–2317–010; ER08–1418–003; ER07–415–005; ER05–1469–004; ER04–947–012.
Applicants: DTE Pontiac North, LLC, DTE Energy Trading, Inc., POSDEF Power Company, L.P., The Detroit Edison Company, DTE Stoneman, LLC, DTE River Rouge No. 1, LLC, DTE East China, LLC, Metro Energy, L.L.C., DTE Energy Supply, Inc., Woodland Biomass Power Ltd.
Description: Notice of change in status of the DTE MBR Entities.
Filed Date: 07/28/2010.
Accession Number: 20100728–5123.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER97–4345–026; ER98–511–014.
Applicants: Oklahoma Gas and Electric Company, OGE Energy Resources, Inc.
Description: Supplement to Notice of Non-Material Change in Status of Oklahoma Gas and Electric Company and OGE Energy Resources, Inc.
Filed Date: 07/28/2010.
Accession Number: 20100728–5111.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER00–107–005.
Applicants: La Paloma Generating Company, LLC.
Description: La Paloma Generating Company, LLC submits notice of non-material change in status and filed a Supplemental Information on 7/21/10.
Filed Date: 06/01/2010; 07/01/2010.
Accession Number: 20100602–0235; 20100701–5182.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: ER00–107–006.
Applicants: La Paloma Generating Company, LLC.
Description: Triennial Market-Based Rate Update Filing of La Paloma Generating Company, LLC.
Filed Date: 06/29/2010.
Accession Number: 20100629–5203.
Comment Date: 5 p.m. Eastern Time on Monday, August 30, 2010.

Docket Numbers: ER10–2024–000.
Applicants: PPL Wallingford Energy LLC.
Description: PPL Wallingford Energy LLC submits tariff filing per 35.12: PPL Wallingford Energy LLC, Baseline Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5097.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2025–000.
Applicants: Louis Dreyfus Energy Services L.P.
Description: Louis Dreyfus Energy Services L.P. submits tariff filing per 35.12: Baseline Tariff Filing to be effective 7/28/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5105.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2026–000.
Applicants: Pacific Gas and Electric Company.
Description: Pacific Gas and Electric Company submits tariff filing per 35.13(a)(1): Transmission Owner Tariff Rate Case 2011 (TO13) to be effective 10/1/2010.

Filed Date: 07/28/2010.
Accession Number: 20100728–5106.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2026–000.
Applicants: Pacific Gas and Electric Company.
Description: Pacific Gas and Electric Company submits tariff filing per 35.13(a)(1): Transmission Owner Tariff Rate Case 2011 (TO13) to be effective 10/1/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5107.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2027–000.
Applicants: California Independent System Operator Corporation.
Description: California Independent System Operator Corporation submits tariff filing per 35.13(a)(2)(iii): 2010–07–28 DSHBAOA with Griffith Energy to be effective 9/27/2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5170.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2028–000.
Applicants: Southern California Edison Company.
Description: Southern California Edison Company submits their letter agreements between the Transmission Distribution Business Unit and the Generation Business Unit, to be effective 7/23/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5003.
Comment Date: 5 p.m. Eastern Time on Thursday, August 19, 2010.

Docket Numbers: ER10–2029–000.
Applicants: Calpine Mid-Atlantic Marketing, LLC.
Description: Calpine Mid-Atlantic Marketing, LLC submits an application for authorization to maket market-based wholesale sales of energy, capacity and ancillary services under FERC Electric Tariff, Original Volume 1, to be effective 9/27/10.
Filed Date: 07/29/2010.
Accession Number: 20100729–5005.
Comment Date: 5 p.m. Eastern Time on Thursday, August 19, 2010.

Docket Numbers: ER10–2030–000.
Applicants: PJM Interconnection, L.L.C.
Description: PJM Interconnection, LLC submits notice of the cancellation of an interconnection service agreement with Liberty Gap Wind Force, LLC.
Filed Date: 07/28/2010.
Accession Number: 20100729–0206.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2031–000.
Applicants: Horizon Power, Inc.
Description: Horizon Power, Inc submits notice of cancellation of its FERC Electric Tariff, Original Volume 1, Original Sheet 1–2, effective August 1, 2010.
Filed Date: 07/28/2010.
Accession Number: 20100729–0207.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Docket Numbers: ER10–2032–000.
Applicants: Duke Energy Kentucky, Inc.
Description: Duke Energy Kentucky, Inc. submits tariff filing per 35.12: Duke Kentucky Baseline Tariffs Filing to be effective 7/29/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5018.
Comment Date: 5 p.m. Eastern Time on Thursday, August 19, 2010.

Docket Numbers: ER10–2033–000.
Applicants: Duke Energy Ohio, Inc.
Description: Duke Energy Ohio, Inc. submits tariff filing per 35.12: Duke Ohio Baseline Tariffs Filing to be effective 7/29/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5020.
Comment Date: 5 p.m. Eastern Time on Thursday, August 19, 2010.

Docket Numbers: ER10–2034–000.
Applicants: Duke Energy Indiana, Inc.
Description: Duke Energy Indiana, Inc. submits tariff filing per 35.12: Duke Indiana Baseline Filings to be effective 7/29/2010.
Filed Date: 07/29/2010.
Accession Number: 20100729–5021.
Comment Date: 5 p.m. Eastern Time on Thursday, August 19, 2010.

Take notice that the Commission received the following land acquisition reports:

Docket Numbers: LA10–2–000.
Applicants: Order 697–C 2010 2nd Qtr Site Acquisition.
Description: Endure Energy, L.L.C. Notification of Change in Status Second Quarter 2010.
Filed Date: 07/28/2010.
Accession Number: 20100728–5110.
Comment Date: 5 p.m. Eastern Time on Wednesday, August 18, 2010.

Take notice that the Commission received the following public utility holding company filings:

Docket Numbers: PH10–16–000.
Applicants: ArcLight Capital Holdings, LLC.
Description: Notice of Change in Facts of ArcLight Capital Holdings, LLC.
Filed Date: 06/23/2010.
Accession Number: 20100623–5081.
Comment Date: 5 p.m. Eastern Time on Wednesday, July 14, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

As it relates to any qualifying facility filings, the notices of self-certification [or self-recertification] listed above, do not institute a proceeding regarding qualifying facility status. A notice of self-certification [or self-recertification] simply provides notification that the entity making the filing has determined the facility named in the notice meets the applicable criteria to be a qualifying facility. Intervention and/or protest do not lie in dockets that are qualifying facility self-certifications or self-recertifications. Any person seeking to challenge such qualifying facility status may do so by filing a motion pursuant to 18 CFR 292.207(d)(iii). Intervention and protests may be filed in response to notices of qualifying facility dockets other than self-certifications and self-recertifications.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

Persons unable to file electronically should submit an original and 14 copies of the intervention or protest to the Federal Energy Regulatory Commission, 888 First St., NE., Washington, DC 20426.

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enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov.* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2010–19245 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings No 1

July 28, 2010.

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP07–310–000.
Applicants: Mojave Pipeline Company.
Description: Unapposed Petition to Amend Stipulation and Agreement, to Request Shortened Response Period and to Request Expedited Approval of Mojave Pipeline Company.
Filed Date: 07/07/2010.
Accession Number: 20100707–5106.
Comment Date: 5 p.m. Eastern Time on Monday, August 2, 2010.

Docket Numbers: RP10–995–000.
Applicants: Cameron Interstate Pipeline, LLC.
Description: Cameron Interstate Pipeline, LLC submits tariff filing per 154.203: Baseline Resubmission, to be effective 7/1/2010.
Filed Date: 07/26/2010.
Accession Number: 20100726–5080.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–996–000.
Applicants: Dominion Cove Point LNG, LP.
Description: Dominion Cove Point LNG, LP submits tariff filing per 154.203: DCP–2010 Operational Sales and Purchases of Gas Report.
Filed Date: 07/27/2010.
Accession Number: 20100727–5079.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–997–000.
Applicants: Millennium Pipeline Company, LLC.
Description: Millennium Pipeline Company, LLC submits tariff filing per 154.203: Baseline Filing to be effective 7/27/2010.
Filed Date: 07/27/2010.
Accession Number: 20100727–5146.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Docket Numbers: RP10–998–000.
Applicants: Midcontinent Express Pipeline LLC.
Description: Midcontinent Express Pipeline LLC submits First Revised Sheet 14G *et al.* to FERC Gas Tariff, Original Volume 1, to be effective 9/1/10.
Filed Date: 07/27/2010
Accession Number: 20100728–0202
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010

Docket Numbers: RP10–999–000.
Applicants: Natural Gas Pipeline Company of America
Description: Natural Gas Pipeline Company of America LLC submits a Fourth Revised Sheet 35C.01 *et al* to FERC Gas Tariff, Seventh Revised Volume 1, to be effective 8/1/10.
Filed Date: 07/27/2010.
Accession Number: 20100728–0201.
Comment Date: 5 p.m. Eastern Time on Monday, August 9, 2010.

Any person desiring to intervene or to protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. It is not necessary to separately intervene again in a subdocket related to a compliance filing if you have previously intervened in the same docket. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant. In reference to filings initiating a new proceeding, interventions or protests submitted on or before the comment deadline need not be served on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper, using the FERC Online links at *http://www.ferc.gov.* To facilitate electronic service, persons with Internet access who will eFile a document and/or be listed as a contact for an intervenor must create and validate an eRegistration account using the eRegistration link. Select the eFiling link to log on and submit the intervention or protests.

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Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2010–19239 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG10–25–000; EG10–26–000; EG10–27–000; EG10–28–000; EG10–29–000; EG10–30–000; EG10–31–000; EG10–31–000; EG10–32–000; EG10–33–000; EG10–34–000; EG10–34–000; EG10–35–000; EG10–36–000; EG10–37–000; EG10–38–000]

Cedro Hill Wind LLC; Butler Ridge Wind Energy Center, LLC; High Majestic Wind Energy Center, LLC; Wessington Wind Energy Center, LLC; Juniper Canyon Wind Power LLC; Loraine Windpark Project, LLC; White Oak Energy LLC; Meadow Lake Wind Farm III LLC; Meadow Lake Wind Farm IV LLC; Blackstone Wind Farm II LLC; Otay Acquisition Company, LLC; TX Solar I LLC; CalRENEW–1 LLC; Notice of Effectiveness of Exempt Wholesale Generator Status

July 29, 2010.

Take notice that during the month of June 2010, the status of the above-captioned entities as Exempt Wholesale Generators became effective by operation of the Commission's regulations, 18 CFR 366.7(a).

Kimberly D. Bose,

Secretary.

[FR Doc. 2010–19228 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 606–027—California]

Pacific Gas & Electric Company; Notice of Public Meeting on Draft Environmental Impact Statement

July 29, 2010.

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of its staff will conduct a second public meeting on the draft environmental impact statement (Draft EIS) for the Kilarc-Cow Creek Hydroelectric Project (FERC Project No. 606–027). In addition to or in lieu of sending written comments on the Draft EIS, you are invited to attend a second public meeting that will be held to receive comments on the Draft EIS. The time and location of this public meeting is as follows:

Kilarc-Cow Creek Project Second Public Meeting

Date: August 17, 2010.

Time: 6 to 8 p.m. (PST).

Place: Whitmore Community Center.

Address: 30555 Whitmore Road, P.O. Box 287, Whitmore, CA 96096.

Telephone: (530) 472–6463.

The purpose of this meeting is to solicit comments on the Draft EIS prepared as part of processing the surrender of license application for the Kilarc-Cow Creek Project. The Draft EIS was issued and publicly noticed on June 22, 2010, and is available for review on the Commission's Web site at *http://www.ferc.gov,* under the "eLibrary" link. Enter the docket number (*e.g.,* P–606) excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at *FERCOnlineSupport@ferc.gov* or toll-free at 1–866–208–3676, or for TTY, (202) 502–8659.

The Kilarc-Cow Creek Project is located on the Old Cow Creek, South Cow Creek, and tributaries in Shasta County, California. The project contains 1.87 acres that are held in trust by the United States under the jurisdiction of the Bureau of Indian Affairs. The licensee of the project is Pacific Gas and Electric Company.

This meeting is open to the public. At this meeting, State and Federal resource agency personnel, Indian tribes, non-governmental organizations, and other interested persons will have the opportunity to provide oral and/or written comments regarding the Draft EIS. The meeting will be recorded by a court reporter, and all statements (verbal and written) will become part of the Commission's public record for the project. This meeting will be posted on the Commission's calendar located at *http://www.ferc.gov/EventCalendar/EventsList.aspx* along with other related information.

The deadline for filing comments on the Draft EIS is *August 25, 2010.* Comments should be filed with: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. Comments should reference Project No. 606–027 (Kilarc-Cow Creek Project). Comments may be filed electronically via the Internet in lieu of paper. The Commission strongly encourages electronic filings. See 18 CFR 385.2001(a)(1)(iii) and instructions on the Commission's Web site at *http://www.ferc.gov* under the eLibrary link.

For further information on this project, contact the environmental coordinator CarLisa Linton-Peters at (202) 202–8416, or at *carlisa.linton-peters@ferc.gov.*

Kimberly D. Bose,

Secretary.

[FR Doc. 2010–19230 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of FERC Attendance at the Entergy Regional State Committee Meeting, Entergy ICT Tranmission Planning Summit and Entergy SPP RTO Planning Process

July 29, 2010.

The Federal Energy Regulatory Commission (FERC) hereby gives notice that members of its staff may attend the meetings noted below. Their attendance is part of the Commission's ongoing outreach efforts.

Entergy Regional State Committee Meeting

August 10, 2010 (8 a.m.–5 p.m.), Sheraton New Orleans, 500 Canal Street, New Orleans, LA 70130, 504–525–2500.

Entergy ICT Transmission Planning Summit

August 11, 2010 (8:30 a.m.–3 p.m.), Sheraton New Orleans.

Entergy SPP RTO Regional Planning Process

August 11, 2010 (3:15 p.m.–5 p.m.), Sheraton New Orleans.

The discussions may address matters at issue in the following proceedings:

Docket No. OA07–32 Entergy Services, Inc.
Docket No. OA08–59 Entergy Services, Inc.
Docket No. EL00–66 Louisiana Public Service Commission v. Entergy Services, Inc.
Docket No. EL01–88 Louisiana Public Service Commission v. Entergy Services, Inc.
Docket No. EL05–15 Arkansas Electric Cooperative Corp. v. Entergy Arkansas, Inc.
Docket No. EL07–52 Louisiana Public Service Commission v. Entergy Services, Inc.
Docket No. EL08–51 Louisiana Public Service Commission v. Entergy Services, Inc.
Docket No. EL08–60 Ameren Services Co. v. Entergy Services, Inc.
Docket No. EL09–43 Arkansas Public Service Commission v. Entergy Services, Inc.
Docket No. EL09–61 Louisiana Public Service Commission v. Entergy Services, Inc.
Docket No. EL09–78 South Mississippi Electric Power Association v. Entergy Services, Inc.
Docket No. EL10–55 Louisiana Public Service Commission v. Entergy Services, Inc.
Docket No. EL10–65 Louisiana Public Service Commission v. Entergy Services, Inc.
Docket No. ER05–1065 Entergy Services, Inc.
Docket No. ER07–682 Entergy Services, Inc.
Docket No. ER07–956 Entergy Services, Inc.
Docket No. ER08–767 Entergy Services, Inc.
Docket No. ER08–1056 Entergy Services, Inc.
Docket No. ER08–1057 Entergy Services, Inc.
Docket No. ER09–636 Entergy Services, Inc.
Docket No. ER09–833 Entergy Services, Inc.
Docket No. ER09–877 Entergy Services, Inc.
Docket No. ER09–882 Entergy Services, Inc.
Docket No. ER09–1214 Entergy Services, Inc.
Docket No. ER09–1224 Entergy Services, Inc.
Docket No. ER10–794 Entergy Services, Inc.
Docket No. ER10–879 Entergy Services, Inc.
Docket No. ER10–984 Entergy Services, Inc.

These meetings are open to the public.

For more information, contact Patrick Clarey, Office of Energy Market Regulation, Federal Energy Regulatory Commission at (317) 249–5937 or *patrick.clarey@ferc.gov.*

Kimberly D. Bose,

Secretary.

[FR Doc. 2010–19231 Filed 8–4–10; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2010–0340; FRL–9185–3; EPA ICR Number 1984.04; OMB Control Number 2060–0552]

Agency Information Collection Activities; Submission to OMB for Review and Approval; Comment Request; NESHAP for Plywood and Composite Products (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that an Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval. This is a request to renew an existing approved collection. The ICR which is abstracted below describes the nature of the collection and the estimated burden and cost.

DATES: Additional comments may be submitted on or before September 7, 2010.

ADDRESSES: Submit your comments, referencing docket ID number EPA–HQ–OECA–2010–0340 to (1) EPA online using *http://www.regulations.gov* (our preferred method), or by e-mail to *docket.oeca@epa.gov,* or by mail to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Enforcement and Compliance Docket and Information Center, mail code 28221T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, and (2) OMB at: Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Learia Williams, Compliance Assessment and Media Programs Division, Office of Compliance, Mail Code 2223A, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460; telephone number: (202) 564–4113; fax number: (202) 564–0050; e-mail address: *williams.learia@epa.gov.*

SUPPLEMENTARY INFORMATION: EPA has submitted the following ICR to OMB for review and approval according to the procedures prescribed in 5 CFR 1320.12. On June 2, 2010 (75 FR 30813), EPA sought comments on this ICR pursuant to 5 CFR 1320.8(d). EPA received no comments. Any additional comments on this ICR should be submitted to EPA and OMB within 30 days of this notice.

EPA has established a public docket for this ICR under docket ID number EPA–HQ–OECA–2010–0340, which is available for public viewing online at *http://www.regulations.gov,* in person viewing at the Enforcement and Compliance Docket in the EPA Docket Center (EPA/DC), EPA West, Room 3334, 1301 Constitution Avenue, NW., Washington, DC. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566–1744, and the telephone number for the Enforcement and Compliance Docket is (202) 566–1752.

Use EPA's electronic docket and comment system at *http://www.regulations.gov,* to submit or view public comments, access the index listing of the contents of the docket, and to access those documents in the docket that are available electronically. Once in the system, select "docket search," then key in the docket ID number identified above. Please note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing at *http://www.regulations.gov,* as EPA receives them and without change, unless the comment contains copyrighted material, Confidential Business Information (CBI), or other information whose public disclosure is restricted by statute. For further information about the electronic docket, go to *http://www.regulations.gov.*

Title: NESHAP for Plywood and Composite Products (Renewal).

ICR Numbers: EPA ICR Number 1984.04, OMB Control Number 2060–0552.

ICR Status: This ICR is schedule to expire on October 31, 2010. Under OMB regulations, the Agency may continue to conduct or sponsor the collection of information while this submission is pending at OMB. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in title 40 of the CFR, after appearing in the **Federal Register** when approved, are listed in 40 CFR part 9, and displayed either by publication in the **Federal Register** or by other appropriate means, such as on the related collection instrument or form, if applicable. The display of OMB control numbers in certain EPA regulations is consolidated in 40 CFR part 9.

Abstract: The National Emission Standards for Hazardous Air Pollutants (NESHAP) for Plywood and Composite Products were proposed on January 9, 2003, and promulgated on July 30, 2004, and amended on February 16, 2006.

This regulation covers both new and existing plywood and composite wood products (PCWP) facilities. Plywood and/or composite products are manufactured by bonding wood material (fibers, particles, strands, veneers, *etc.*) or agricultural fiber with resin, generally under head and pressure, to form a structural panel or engineered wood product. Plywood and composite products include, but are not limited to, plywood, veneer, particleboard, oriented strand board, hardboard, fiberboard, medium density fiberboard, laminated strand lumber, laminated veneer lumber, wood I-joists, kiln-dried lumber and glue-laminated beams.

Owners/operators of plywood and composite products facilities are required to submit initial notification, performance tests, and compliance status reports. Also, respondents are required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. Semiannual reports are required. These notifications, reports, and records are essential in determining compliance and, in general, are required of all sources subject to NESHAP.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least five years following the date of such measurements, maintenance reports, and records. Performance tests reports are required as this is the Agency's record of a source's initial capability to comply with the emission standard, and they serve as a record of the operating conditions under which compliance was achieved.

All reports are sent to the delegated State or local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA regional office. This information is

being collected to assure compliance with 40 CFR part 63, subpart DDDD, as authorized in section 112 and 114(a) of the Clean Air Act. The required information consists of emissions data and other information that has been determined to be private.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The OMB Control Number for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15, and are identified on the form and/or instrument, if applicable.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 21 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information. All existing ways will have to adjust to comply with any previously applicable instructions and requirements that have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: Plywood and composite products.

Estimated Number of Respondents: 228.

Frequency of Response: Initially and semiannually.

Estimated Total Annual Hour Burden: 11,680.

Estimated Total Annual Cost: $1,120,813 which includes $1,104,853 in labor costs, no capital/startup costs, and $15,960 in operation and maintenance (O&M) costs.

Changes in the Estimates: There is an adjustment in the labor hour burden in this ICR compared to the previous ICR. The labor burden is decreased compared to the most recently approved ICR because the industry is experiencing a flat production with no new facilities anticipated in the three years of this ICR. In addition, the new facilities in the previous ICR have become existing facilities. Existing facilities must demonstrate and report continuing compliance with the requirement.

There is a decrease in the capital/startup and O&M costs compared to the previous ICR because there are no new facilities that must purchase continuous monitoring equipment.

Dated: July 30, 2010.

John Moses,

Director, Collection Strategies Division.

[FR Doc. 2010–19281 Filed 8–4–10; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[CG Docket No. 10–145; DA 10–1324]

Accessible Mobile Phone Options for People Who Are Blind, Deaf-Blind, or Have Low Vision

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission, via the Wireless Telecommunications Bureau and the Consumer and Governmental Affairs Bureau ("the Bureaus"), seeks input from all stakeholders in order to be fully informed on issues raised by consumers and to determine the appropriate next steps to achieve telecommunications access. The Bureaus seek input on the following issues: The wireless phone features and functions in the current marketplace that are not accessible for people who are blind, have vision loss, or are deaf-blind and the extent to which gaps in accessibility are preventing wireless communication access by these populations; the cost and feasibility of technical solutions to achieve wireless accessibility for these populations; reasons why there are not a greater number of wireless phones—particularly among less expensive or moderately-priced handset models—that are accessible to people who are blind or have vision loss; technical obstacles, if any, to making wireless technologies compatible with Braille displays, as well as the cost and feasibility of technical solutions to achieve other forms of compatibility with wireless products and services for people who are deaf-blind; recommendations on the most effective and efficient technical policy solutions for addressing the needs of consumers with vision disabilities, including those who are deaf-blind; and recommendations on actions that the Bureaus or the Commission should take to address the current lack of access. For example, is additional guidance needed on specific access features that should be included in wireless products? Should the Bureaus or the Commission facilitate a dialogue among stakeholders in order to reach a specific agreement to address the accessibility concerns outlined herein?

DATES: Comments are due on or before September 13, 2010. Reply comments are due on or before September 30, 2010.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. Pursuant to 47 CFR 1.415 and 1.419, interested parties may file comments and reply comments regarding document DA 10–145 on or before the dates indicated on the first page of this document. You may submit comments, identified by [CG Docket number 10–145] by any of the following methods:

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the Commission's Electronic Comment Filing System (ECFS) *http://fjallfoss.fcc.gov/ecfs2/* or the Federal eRulemaking Portal: *http://www.regulations.gov.* Filers should follow the instructions provided on the Web site for submitting comments. For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket, which in this instance is CG Docket No. 10–145.
- Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to *ecfs@fcc.gov,* and include the following words in the body of the message, "get form (your e-mail address)." A sample form and directions will be sent in response.
- *Paper Filers:* Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. In addition, parties must send one copy of each pleading to: The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Washington, DC 20554.
- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW., Room TW–A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building. The filing hours are 8 a.m. to 7 p.m.
- Commercial overnight mail (other than U.S. Postal Service Express Mail

and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Elizabeth Lyle, Wireless Telecommunications Bureau, (202) 418–1776 (voice), (202) 418–1169 (TTY), or e-mail at *Elizabeth.Lyle@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document DA 10–1324, released July 19, 2010 in CG Docket No. 10–145. Document DA 10–1324 was released under a new docket number, CG Docket No. 10–145, which shall be captioned "Accessible Mobile Phone Options for People who are Blind, Deaf-blind, or Have Low Vision," and include all related matters. This new docket number is established to further administrative efficiency. The full text of document DA 10–1324 and copies of any subsequently filed documents in this matter will be available for public inspection and copying via ECFS and during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, *telephone:* (202) 488–5300, *fax:* (202) 488–5563, or e-mail *http://www.bcpiweb.com.* Document DA 10–1324 can also be downloaded in Word or Portable Document Format (PDF) at *http://www.fcc.gov/cgb/dro/headlines.html.*

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice) or (202) 418–0432 (TTY).

Synopsis

On May 13, 2010, the Bureaus held a workshop on "Expanding Disability Access with Wireless Technologies" (Wireless Access Workshop) to learn more about mobile communications issues facing people with disabilities and the ways in which new technologies can offer opportunities to meet the communications access needs of this community. Participants included stakeholders from the disability community, industry, academia, and non-profit organizations. On June 15, 2010, the Consumer and Governmental Affairs Bureau met with twelve members of the deaf-blind community, along with representatives of the Helen Keller National Center and the American Association of the Deaf-Blind. The purpose of this meeting was to discuss telecommunications and Internet barriers experienced by this population.

Based on the input that Commission staff received during these events, along with the record developed in conjunction with the National Broadband Plan, the Bureaus are concerned that people who are blind or have other vision disabilities have few accessible and affordable wireless phone options. More specifically, according to statements made at the workshop, the vast majority of mobile telephones are not accessible to this population without the addition of expensive software. The Bureaus are also concerned that many wireless technologies may not be compatible with Braille displays needed by individuals who are deaf-blind. In addition, according to the participants of the June 15th meeting, many specialized technologies needed to enable wireless telecommunications access for the deaf-blind community are cost prohibitive and difficult to find.

Federal Communications Commission.

Karen Peltz Strauss,

Deputy Chief, Consumer and Governmental Affairs Bureau.

[FR Doc. 2010–19298 Filed 8–4–10; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 10 a.m. on Tuesday, August 10, 2010, to consider the following matters:

SUMMARY AGENDA: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous Board of Directors' Meetings.

Summary reports, status reports, reports of the Office of Inspector General, and reports of actions taken pursuant to authority delegated by the Board of Directors.

Personnel Matters.

Memorandum and resolution re: Final Rule to Conform Insurance and Advertising (Logo) Regulations to Permanent SMDIA of $250,000.

DISCUSSION AGENDA:

Memorandum and resolution re: FDIC Pilot for Safe Transactional and Savings Accounts.

Memorandum and resolution re: Advanced Notice of Proposed Rulemaking Regarding Alternatives to the Use of Credit Ratings in the Regulatory Capital Guidelines of the Federal Banking Agencies.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, NW., Washington, DC.

This Board meeting will be Webcast live via the Internet and subsequently made available on-demand approximately one week after the event. Visit *http://www.vodium.com/goto/fdic/boardmeetings.asp* to view the event. If you need any technical assistance, please visit our Video Help page at: *http://www.fdic.gov/video.html.*

The FDIC will provide attendees with auxiliary aids (*e.g.,* sign language interpretation) required for this meeting. Those attendees needing such assistance should call (703) 562–6067 (Voice or TTY), to make necessary arrangements.

Requests for further information concerning the meeting may be directed to Mr. Robert E. Feldman, Executive Secretary of the Corporation, at (202) 898–7043.

Dated: August 3, 2010.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 2010–19436 Filed 8–3–10; 4:15 pm]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Board of Governors of the Federal Reserve System.

TIME AND DATE: 1 p.m. (Time approximate), Tuesday, August 10, 2010.

PLACE: Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Federal Reserve System Centennial Planning.

FOR FURTHER INFORMATION CONTACT: Michelle Smith, Director, or Dave Skidmore, Assistant to the Board, Office of Board Members at 202–452–2955.

SUPPLEMENTARY INFORMATION: You may call 202–452–3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may contact the Board's Web site at *http://www.federalreserve.gov* for an electronic announcement that not only lists applications, but also indicates procedural and other information about the meeting.

Board of Governors of the Federal Reserve System, August 3, 2010.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 2010–19471 Filed 8–3–10; 4:15 pm]

BILLING CODE 6210–01–S

FEDERAL MARITIME COMMISSION

Ocean Transportation Intermediary License Reissuance

Notice is hereby given that the following Ocean Transportation Intermediary licenses have been reissued by the Federal Maritime Commission pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. chapter 409) and the regulations of the Commission pertaining to the licensing of Ocean Transportation Intermediaries, 46 CFR part 515.

License No.	Name/address	Date reissued
015941N	Cargo Plus, Inc., 8333 Wessex Drive, Pennsauken, NJ 08109	June 23, 2010.
18547N	Pallets in Motion, 426 W. Florence Avenue, Inglewood, CA 90301	June 26, 2010.
020151NF	United Global Logistics, LLC, 1139 East Jersey Street, Suite 417, Elizabeth, NJ 07201.	May 27, 2010.

Sandra L. Kusumoto,

Director, Bureau of Certification and Licensing.

[FR Doc. 2010–19146 Filed 8–4–10; 8:45 am]

BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Office of the Assistant Secretary for Planning and Evaluation; Technical Review Panel on the Medicare Trustees Reports

AGENCY: Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation.

ACTION: Notice; correction.

SUMMARY: This document corrects the fax number and adds an e-mail address for Marian Robinson found in the **Federal Register** (FR) on July 30, 2010, entitled "Technical Review Panel on the Medicare Trustees Reports". The FR notice should have the corrected fax number of 202–260–2524 and should include the e-mail address for Marian Robinson (*marian.robinson@hhs.gov*).

Applicability Date: The corrections in this notice are applicable on and after August 2, 2010.

Dated: July 30, 2010.

Sherry Glied,

Assistant Secretary for Planning and Evaluation.

[FR Doc. 2010–19211 Filed 8–2–10; 4:15 pm]

BILLING CODE 4151–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for OMB Review; Comment Request

Title: Case Plan Requirement, Title IV–E of the Social Security Act.

OMB No.: 0980–0140.

Description: Under section 471(a)(16) of title IV–E of the Social Security Act (the Act), to be eligible for payments, states must have an approved title IV–E plan that provides for the development of a case plan for each child for whom the State receives foster care maintenance payments and that provides a case review system that meets the requirements in section 475(5) and 475(6) of the Act. The Fostering Connections to Success and Increasing Adoptions Act of 2008 (Pub. L. 110–351) added a new section 479B to the Act providing authority at 479B(b) for an Indian Tribe, tribal organization or tribal consortia (hereafter "Tribe") to elect to operate a title IV–E program with an approved title IV–E plan. Tribes are to operate a program in the same manner as states and must provide for a case plan for each child and for a case review system.

The case review system assures that each child has a case plan designed to achieve placement in a safe setting that is the least restrictive (most family-like) setting available and in close proximity to the child's parental home, consistent with the best interest and special needs of the child. Through these requirements, States and Tribes also comply, in part, with title IV–B section 422(b) of the Act, which assures certain protections for children in foster care.

The case plan is a written document that provides a narrative description of the child-specific program of care. Federal regulations at 45 CFR 1356.21(g) and section 475(1) of the Act delineate the specific information that should be addressed in the case plan. The Administration for Children and Families (ACF) does not specify a recordkeeping format for the case plan nor does ACF require submission of the document to the Federal government. Case plan information is recorded in a format developed and maintained by the State or Tribal child welfare agency.

Respondents: State and Tribe title IV–B and title IV–E agencies

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Case Plan	603,453	1	4.79	2,890,539.87

Estimated Total Annual Burden Hours: 2,890,539.87

Additional Information: Copies of the proposed collection may be obtained by writing to the Administration for Children and Families, Office of Administration, Office of Information Services, 370 L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection. E-mail address: *infocollection@acf.hhs.gov.*

OMB Comment: OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, Fax: 202–395–7285, E-mail: *OIRA_SUBMISSION@OMB.EOP.GOV,* Attn: Desk Officer for the Administration for Children and Families.

Dated: August 2, 2010.

Robert Sargis,

Reports Clearance Officer.

[FR Doc. 2010–19268 Filed 8–4–10; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2010–N–0348]

Center for Devices and Radiological Health 510(k) Working Group Preliminary Report and Recommendations, and Task Force on the Utilization of Science in Regulatory Decision Making Preliminary Report and Recommendations; Availability; Request for Comments

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; request for comment.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability for public comment of a two-volume set of documents entitled "Center for Devices and Radiological Health Preliminary Internal Evaluations," which is comprised of the preliminary reports of two internal committees: The 510(k) Working Group and the Task Force on the Utilization of Science in Regulatory Decision Making. Volume I is entitled "510(k) Working Group Preliminary Report and Recommendations." Volume II is entitled "Task Force on the Utilization of Science in Regulatory Decision Making Preliminary Report and Recommendations." The recommendations contained in these reports are preliminary. FDA has not made any decisions on specific changes to pursue. FDA is soliciting public input on the recommendations discussed in these reports, including the feasibility of implementation and potential alternatives. Once its assessment of public input and other necessary reviews are completed, FDA will announce which improvements it will implement, as well as projected timelines for implementation.

DATES: Submit either electronic or written comments on the preliminary report by October 4, 2010.

ADDRESSES: See the **SUPPLEMENTARY INFORMATION** section for electronic access to the document.

Submit electronic comments on the preliminary report to *http://www.regulations.gov.* Submit written comments to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Identify comments with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Philip Desjardins, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, rm. 5447, Silver Spring, MD 20993–0002, 301–796–5678.

SUPPLEMENTARY INFORMATION:

I. Background

A. 510(k) Working Group

The premarket notification (510(k)) process for the review of medical devices was established in 1976, under the Medical Device Amendments to the Federal Food, Drug, and Cosmetic Act (FDCA). With the exception of certain low-risk devices that are exempt from premarket submission requirements, a medical device that is first introduced into the market after May 28, 1976 (a postamendment device) may be legally marketed without an approved premarket approval application (PMA) if FDA concludes through review of a 510(k) submission that the device meets the comparative standard of "substantial equivalence" to a "predicate" device. Substantial equivalence may be determined by a comparison to a device that was legally marketed prior to May 28, 1976 (a preamendment device), to a device that has been reclassified from class III (high-risk) to class II or class I (medium- to low-risk), or to a device that has previously been cleared through the 510(k) process.

Since its inception, the 510(k) process has undergone a number of statutory changes. In addition, FDA has modified its implementation of the process to adapt to changing circumstances and accommodate the evolving medical device landscape. The current 510(k) program reflects the current statutory framework and FDA's implementation of that framework through regulation, guidance, and administrative practice.

The 510(k) program, as it currently exists, is intended to support FDA's public health mission by meeting two important goals: making available to consumers devices that are safe and effective, and fostering innovation in the medical device industry. In recent years, concerns have been raised within and outside of FDA about whether the current 510(k) program optimally achieves these goals.

In September 2009, CDRH convened an internal 510(k) Working Group as part of a two-pronged, comprehensive assessment of the 510(k) process. The other component of this assessment is an ongoing independent study by the Institute of Medicine, which is expected to conclude in the summer of 2011. The 510(k) Working Group was charged to evaluate the 510(k) program and explore actions CDRH could take to strengthen the program and improve the consistency of its decision making, with a principal focus on actions the Center could take in the short term under its existing statutory authority.

B. Task Force on the Utilization of Science in Regulatory Decision Making

CDRH uses science to guide its regulatory decision making across the total product life cycle of medical devices and radiation-emitting products. At any stage of that life cycle, CDRH may encounter new, unfamiliar, or unexpected information that may influence its thinking, expectations, and actions. To fulfill its mission to protect and promote the public health, CDRH must strike a balance between the ability to adapt its approach as necessary as new science emerges, and the desire to provide predictable regulatory pathways that foster innovation.

In September 2009, CDRH convened an internal Task Force on the Utilization of Science in Regulatory Decision Making to review how CDRH uses science in its regulatory decision making, and to make recommendations on how the Center can quickly incorporate new science—including

evolving information, novel technologies, and new scientific methods—into its decision making, while also maintaining as much predictability as practical.

C. Preliminary Reports

FDA is making available for public comment a two-volume set of documents entitled "Center for Devices and Radiological Health Preliminary Internal Evaluations." Volume I is entitled "510(k) Working Group Preliminary Report and Recommendations." This preliminary report is intended to communicate preliminary findings and recommendations regarding the 510(k) program and actions CDRH might take to address identified areas of concern. Volume II is entitled "Task Force on the Utilization of Science in Regulatory Decision Making Preliminary Report and Recommendations." This preliminary report is intended to communicate preliminary findings and recommendations regarding the incorporation of new scientific information into CDRH's decision making and actions CDRH might take to address identified areas of concern.

Interested persons are invited to comment on either or both of these preliminary reports. CDRH will consider comments received prior to finalizing the two reports and determining which, if any, recommendations to implement in their current or a modified form.

II. Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) either electronic or written comments regarding this document. It is only necessary to send one set of comments. It is no longer necessary to send two copies of mailed comments. Identify comments with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

III. Electronic Access

Persons with access to the Internet may obtain the documents at *http://www.regulations.gov* or *http://www.fda.gov/AboutFDA/CentersOffices/CDRH/CDRHReports/default.htm* (select appropriate option from the menu).

Dated: July 30, 2010.

Leslie Kux,

Acting Assistant Commissioner for Policy.

[FR Doc. 2010–19339 Filed 8–4–10; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2010–N–0001]

Tobacco Products Scientific Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

Name of Committee: Tobacco Products Scientific Advisory Committee

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on August 30, 2010, from 8:30 a.m. to 12 noon.

Location: Gaithersburg Marriott Washingtonian Center, 9751 Washingtonian Blvd., Gaithersburg, MD. The hotel telephone number is 301–590–0044.

Contact Person: Cristi Stark, Center for Tobacco Products, Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 1–877–287–1373 (choose option 4), e-mail: *TPSAC@fda.hhs.gov* or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 8732110002. Please call the Information Line for up-to-date information on this meeting. A notice in the **Federal Register** about last minute modifications that impact a previously announced advisory committee meeting cannot always be published quickly enough to provide timely notice. Therefore, you should always check the agency's Web site and call the appropriate advisory committee hot line/phone line to learn about possible modifications before coming to the meeting.

Agenda: On August 30, 2010, the committee will receive a report from the Tobacco Product Constituents Subcommittee and discuss a proposed initial list of harmful or potentially harmful constituents, the rationale for inclusion of each constituent, established analytical methods as well as the ancillary methods and normalization standards for the identified constituents.

FDA intends to make background material available to the public no later than 2 business days before the meeting. If FDA is unable to post the background material on its Web site prior to the meeting, the background material will be made publicly available at the location of the advisory committee meeting, and the background material will be posted on FDA's Web site after the meeting. Background material is available at *http://www.fda.gov/AdvisoryCommittees/Calendar/default.htm*. Scroll down to the appropriate advisory committee link.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person on or before August 23, 2010. Oral presentations from the public will be scheduled between approximately 10 a.m. and 11 a.m. Those desiring to make formal oral presentations should notify the contact person and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation on or before August 13, 2010. Time allotted for each presentation may be limited. If the number of registrants requesting to speak is greater than can be reasonably accommodated during the scheduled open public hearing session, FDA may conduct a lottery to determine the speakers for the scheduled open public hearing session. The contact person will notify interested persons regarding their request to speak by August 16, 2010.

Persons attending FDA's advisory committee meetings are advised that the agency is not responsible for providing access to electrical outlets.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Cristi Stark at least 7 days in advance of the meeting.

FDA is committed to the orderly conduct of its advisory committee meetings. Please visit our Web site at *http://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm111462.htm* for procedures on public conduct during advisory committee meetings.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: August 2, 2010.

Jill Hartzler Warner,

Acting Associate Commissioner for Special Medical Programs.

[FR Doc. 2010–19283 Filed 8–4–10; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2010–N–0001]

Psychopharmacologic Drugs Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

Name of Committee: Psychopharmacologic Drugs Advisory Committee.

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on September 16, 2010, from 8:30 a.m. to 5 p.m.

Location: FDA White Oak Campus, the Great Room, 10903 New Hampshire Ave., Bldg. 31, White Oak Conference Center (rm. 1503), Silver Spring, MD 20993–0002. Information regarding special accommodations due to a disability, visitor parking, and transportation may be accessed at: *http://www.fda.gov/AdvisoryCommittees/default.htm*; under the heading "Resources for You" tab, click on "White Oak Conference Center Parking and Transportation Information for FDA Advisory Committee Meetings."

Contact Person: Yvette Waples, Center for Drug Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 31, rm. 2417, Silver Spring, MD 20993–0002, 301–796–9001, FAX: 301–847–8533, e-mail: *yvette.waples@fda.hhs.gov*, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 3014512544. Please call the Information Line for up-to-date information on this meeting. A notice in the **Federal Register** about last minute modifications that impact a previously announced advisory committee meeting cannot always be published quickly enough to provide timely notice. Therefore, you should always check the agency's Web site and call the appropriate advisory committee hot line/phone line to learn about possible modifications before coming to the meeting.

Agenda: The committee will discuss the available safety and efficacy data for supplemental new drug application (sNDA) 21–897/015, VIVITROL (naltrexone for extended-release injectable suspension), sponsored by Alkermes, Inc., for the treatment of opioid dependence.

FDA intends to make background material available to the public no later than 2 business days before the meeting. If FDA is unable to post the background material on its Web site prior to the meeting, the background material will be made publicly available at the location of the advisory committee meeting, and the background material will be posted on FDA's Web site after the meeting. Background material is available at *http://www.fda.gov/AdvisoryCommittees/Calendar/default.htm*. Scroll down to the appropriate advisory committee link.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person on or before September 1, 2010. Oral presentations from the public will be scheduled between approximately 1 p.m. and 2 p.m. Those desiring to make formal oral presentations should notify the contact person and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation on or before August 24, 2010. Time allotted for each presentation may be limited. If the number of registrants requesting to speak is greater than can be reasonably accommodated during the scheduled open public hearing session, FDA may conduct a lottery to determine the speakers for the scheduled open public hearing session. The contact person will notify interested persons regarding their request to speak by August 25, 2010.

Persons attending FDA's advisory committee meetings are advised that the agency is not responsible for providing access to electrical outlets.

FDA welcomes the attendance of the public at its advisory committee meetings and will make every effort to accommodate persons with physical disabilities or special needs. If you require special accommodations due to a disability, please contact Yvette Waples at least 7 days in advance of the meeting.

FDA is committed to the orderly conduct of its advisory committee meetings. Please visit our Web site at *http://www.fda.gov/AdvisoryCommittees/AboutAdvisoryCommittees/ucm111462.htm* for procedures on public conduct during advisory committee meetings.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: July 28, 2010.

Thinh Nguyen,

Acting Associate Commissioner for Special Medical Programs.

[FR Doc. 2010–19161 Filed 8–4–10; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, Ancillary Clinical Studies Review Meeting.

Date: September 1, 2010.

Time: 3 p.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Two Democracy Plaza, 6707 Democracy Boulevard, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: John F. Connaughton, PhD, Chief, Chartered Committees Section, Review Branch, DEA, NIDDK, National Institutes of Health, Room 753, 6707 Democracy Boulevard, Bethesda, MD 20892–5452. (301) 594–7797. *connaughtonj@extra.niddk.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: July 30, 2010.

Jennifer S. Spaeth,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 2010–19210 Filed 8–4–10; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Solicitation for Nominations for New Clinical Preventive Health Topics To Be Considered for Review by the United States Preventive Services Task Force

AGENCY: Agency for Healthcare Research and Quality (AHRQ), DHHS.

ACTION: Solicit for new topic nominations.

SUMMARY: The Agency for Healthcare Research and Quality (AHRQ) invites individuals and organizations to nominate primary and secondary prevention topics pertaining to clinical preventive services that they would like the United States Preventive Services Task Force (USPSTF) to consider for review. All topics previously reviewed by the USPSTF are available on AHRQ's Web site, *http://www.preventiveservices.AHRQ.gov.*

The USPSTF is an independent panel of experts that makes evidence-based recommendations regarding the provision of clinical preventive services. Clinical preventive services include screening, counseling and preventive medications associated with primary care. The USPSTF makes recommendations about preventive services for asymptomatic people—people without recognized signs or symptoms of the specific condition targeted by the preventive service.

Topics can be nominated by individuals, organizations, evidence-based practice centers (EPC) and USPSTF members. The USPSTF will consider topic nominations in two steps. The USPSTF will first determine if the topic relates to a service is eligible, *i.e.,* constitutes primary or secondary prevention applicable to healthy asymptomatic persons; is primary care-feasible or referable from primary care; and addresses a condition with a substantial health burden. As a second step, within eligible topics, the USPSTF will prioritize based on the following set of criteria: Public health importance (burden of suffering, potential of preventive service to reduce the burden); and potential for greatest Task Force impact (*e.g.,* clinical controversy, practice does not reflect evidence, inappropriate timing in delivery of services).

Basic Topic Nomination Requirements

Nominations must be no more than 500 words in length and must include the information listed below. Nominations may include supporting documentation; reference lists and other supporting documents are not counted against the 500 word limit, but should not exceed ten pages.

Required Information

1. Name of topic.
2. Rationale for consideration by the USPSTF, describing:

a. Characterization as primary or secondary prevention topic (screening, counseling or preventive medication).

b. Primary care relevance (applicable clinical preventive service must be provided by a primary care provider and or initiated in the primary care setting which can be defined as family practice, internal medicine, pediatrics or obstetrics/gynecology).

c. Public health importance (burden of disease/suffering, potential of preventive service to reduce burden, including effective interventions). Citations and supporting documents are recommended.

d. Potential impact of USPSTF's review of the topic, *i.e.,* change in clinical practice, research focus, *etc.*

DATES: Topic nominations should be submitted by August 27, 2010 in order to be considered for 2010–2012. AHRQ will not reply to submissions in response to the request for nominations, but will consider all topic nominations during the selection process. If a topic is selected for review by the USPSTF, the nominator will be notified by AHRQ.

ADDRESSES: Please submit nominations to: Gloria Washington, ATTN: USPSTF Topic Nominations, Center for Primary Care, Prevention & Clinical Partnerships, Agency for Healthcare Research and Quality 540 Gaither Road, Room 6117, Rockville, MD 20850. *Fax:* 301–427–1595. *E-mail: qloria.washinqton@AHRQ.hhs.gov.*

FOR FURTHER INFORMATION CONTACT: Robert Cosby at *robert.cosby@AHRQ.hhs.qov* or Gloria Washington at *qloria.washington@AHRQ.hhs.gov.*

Arrangement for Public Inspection: All nominations will be available for public inspections by appointment at the Center for Primary Care, Prevention & Clinical Partnerships, 301–427–1500, weekdays between 10 a.m. and 5 p.m. (Eastern time).

SUPPLEMENTARY INFORMATION:

Background

Under Title IX of the Public Health Service Act, AHRQ is charged with enhancing the quality, appropriateness and effectiveness of health care services and access to such services. AHRQ accomplishes these goals through scientific research and promotion of improvements in clinical practice, including prevention of diseases and other health conditions. 42 U.S.C. 299(b).

The United States Preventive Services Task Force (USPSTF) is an independent expert panel, first established in 1984 under the auspices of the U.S. Public Health Service. Under AHRQ's authorizing legislation, see 42 U.S.C. 299b–4(a)(1), the Director of AHRQ is responsible for convening the USPSTF, which is to be composed of individuals with appropriate expertise. The mission of the Task Force is to review the scientific evidence related to the effectiveness, and appropriateness of clinical preventive services for the purpose of developing recommendations for the health care community. Current Task Force recommendations and associated evidence reviews are available at *http://www.preventiveservices.AHRQ.gov.*

Topic Nomination Solicitation

The purpose of this solicitation for new topics by AHRQ and the USPSTF is to create a balanced portfolio of relevant topics for the current Task Force library. Balance in the library is sought on the basis of populations, types of services (screening, counseling, preventive medications) and disease types (cancer; heart and vascular disease; injury and violence-related disorders; infectious diseases; mental disorders and substance abuse; metabolic, nutritional and endocrine diseases; musculoskeletal conditions; obstetric and gynecological conditions; pediatric disorders; and, vision and hearing disorders). Selection of suggested topics will be made on the basis of the qualifications of nominations as outlined above (*see* basic topic nomination requirements).

Dated: July 26, 2010.

Carolyn M. Clancy,

Director.

[FR Doc. 2010–19117 Filed 8–4–10; 8:45 am]

BILLING CODE 4160–90–M

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA–2002–11334]

Extension of Agency Information Collection Activity Under OMB Review: Aviation Security Infrastructure Fee Records Retention

AGENCY: Transportation Security Administration, DHS.

ACTION: 30-day notice.

SUMMARY: This notice announces that the Transportation Security Administration (TSA) has forwarded the Information Collection Request (ICR), Office of Management and Budget (OMB) control number 1652–0018, abstracted below to OMB for review and approval of an extension of the currently approved collection under the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. TSA published a **Federal Register** notice, with a 60-day comment period soliciting comments, of the following collection of information on March 4, 2010, 75 FR 9920. Please note that the OMB control number (1652–0001) cited in the 60-day notice was not correct. The correct OMB number for this collection is 1652–0018. The information collection would require the retention of certain information necessary for TSA to help set the Aviation Security Infrastructure Fee (ASIF), including information about air carriers' and foreign air carriers' costs related to screening passengers and property in calendar year 2000.

DATES: Send your comments by September 7, 2010. A comment to OMB is most effective if OMB receives it within 30 days of publication.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, OMB. Comments should be addressed to Desk Officer, Department of Homeland Security/TSA, and sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: Joanna Johnson, TSA PRA Officer, Office of Information Technology (OIT), TSA–11, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598–6011; telephone (571) 227–3651; email *TSAPRA@dhs.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The ICR documentation is available at *http://www.reginfo.gov.* Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Information Collection Requirement

Title: Aviation Security Infrastructure Fee Records Retention.

Type of Request: Extension of a currently approved collection.

OMB Control Number: 1652–0018.

Form(s): N/A.

Affected Public: Air Carriers.

Abstract: The Aviation Transportation and Security Act (ATSA) authorizes the Assistant Secretary of the Department of Homeland Security to set the ASIF provided the ASIF not exceed industry aggregate Calendar Year 2000 security expenditures nor exceed an individual carrier's Calendar Year 2000 security expenditures. Under 49 CFR part 1511, carriers must retain any and all documents, records, or information related to the amount of the ASIF, including all information applicable to the carrier's calendar year 2000 security costs and information reasonably necessary to complete an audit. This requirement includes retaining the source information for the calendar year 2000 screening costs reported to TSA.

Number of Respondents: 191.

Estimated Annual Burden Hours: An estimated 382 hours annually.

Issued in Arlington, Virginia, on July 30, 2010.

Joanna Johnson,

TSA Paperwork Reduction Act Officer, Office of Information Technology.

[FR Doc. 2010–19269 Filed 8–4–10; 8:45 am]

BILLING CODE 9110–05–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[USCG–2010–0489]

National Offshore Safety Advisory Committee

AGENCY: Coast Guard, DHS.

ACTION: Notice of open teleconference meeting.

SUMMARY: The National Offshore Safety Advisory Committee (NOSAC) will meet by teleconference to discuss items related to safety of operations and other matters affecting the oil and gas offshore industry. This meeting will be open to the public.

DATES: The teleconference meeting will take place on Wednesday, September 29, 2010, from 11 a.m. to 12:30 p.m. EST. This meeting may close early if all business is finished. Written material and requests to make oral presentations should reach the Coast Guard on or before September 10, 2010. Requests to have a copy of your material distributed to each member of the committee should reach the Coast Guard on or before September 10, 2010.

ADDRESSES: The Committee will meet, via telephone conference, on September 29, 2010. Public participation is welcome and members of the public wishing to participate may contact Commander P.W. Clark at 202–372–1410 for call-in information, or they may participate in person by coming to Room 5–1224, U.S. Coast Guard Headquarters Building, 2100 Second Street, SW., Washington, DC 20593. As there are a limited number of teleconference lines, public participation will be on a first come basis. Written comments should be sent to Commander P.W. Clark, Designated Federal Officer of NOSAC, Commandant (CG–5222), 2100 Second Street SW. Stop 7126, Washington, DC 20593–0001; or by fax to 202–372 1926, at least 10 days prior to the meeting. This notice will be available in our online docket, USCG–2010–0489, at *http://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Commander P.W. Clark, Designated Federal Officer of NOSAC, or Mr. Kevin Pekarek, Assistant Designated Federal Officer, telephone 202–372–1386, fax 202–372–1926.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given under the Federal Advisory Committee Act (FACA), 5 U.S.C. App. (Pub. L. 92–463). NOSAC provides advice and makes recommendations to the Coast Guard on

safety and other concerns affecting the offshore oil and gas industry and assists the Coast Guard in formulating U.S. positions for discussion and presentation at the International Maritime Organization (IMO).

Agenda of Meeting

The agenda for the September 29, 2010, Committee meeting is as follows:

(1) Roll call of committee members and the public participating in the teleconference.

(2) Approval of minutes from the July 1, 2010, meeting. Consideration and possible action on the Offshore Supply Vessels (OSV's) subcommittee's Report and submission to the committee, which will include a paper for IMO's Bulk Liquids and Gases (BLG) workgroup and recommendations regarding OSV's < 100 Gross Tons (GT) and Resolution A.673(16) The Guidelines for the Transport and Handling of Limited Amounts of Hazardous and Noxious Liquid Substances in Bulk on Offshore Support Vessels. Once the committee finalizes its report, it will be posted and available to the public within 30 days at the fido.gov Web site. Use "code 68" to identify NOSAC when accessing this material.

(1) Brief Updates to the committee on progress to date from ongoing subcommittees as follows:

(a) Diving Subcommittee.

(b) Marine Portable Quarters Subcommittee.

(5) Other matters submitted for the committee's attention.

(6) Period for Public Comment.

Procedural

This meeting is open to the public. Please note that the meeting may close early if all business is finished. At the Chair's discretion, members of the public may make oral presentations during the meeting concerning the matters being discussed. If you would like to make an oral presentation during the teleconference, please notify the DFO no later than September 10, 2010. Written material for distribution to Committee members should reach the Coast Guard no later than September 10, 2010.

Minutes

Minutes from the meeting will be available for the public review and copying 30 days following the teleconference meeting and can be accessed from the fido.gov Web site. Use "code 68" to identify NOSAC when accessing this material.

Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Mr. Kevin Pekarek at 202–372–1386 as soon as possible.

Dated: July 27, 2010.

J.G. Lantz,

Director of Commercial Regulations and Standards.

[FR Doc. 2010–19324 Filed 8–4–10; 8:45 am]

BILLING CODE 9110–04–P

INTER-AMERICAN FOUNDATION

Board Meeting; Sunshine Act Meetings

TIME AND DATE: August 9, 2010, 8:30 a.m.–5:30 p.m..

PLACE: 101 Constitution Avenue, Washington, DC 20001.

STATUS: Closed session as provided in 22 CFR 1004.4(f).

MATTERS TO BE CONSIDERED:

- Executive Session.

PORTIONS TO BE CLOSED TO THE PUBLIC:

- Executive Session to discuss Candidates for Presidential Position—Closed session as provided in 22 CFR 1004.4 (f).

CONTACT PERSON FOR MORE INFORMATION: Jennifer Hodges Reynolds, General Counsel, (703) 306–4301.

Dated: July 29, 2010.

Jennifer Hodges Reynolds,

General Counsel.

[FR Doc. 2010–19413 Filed 8–3–10; 4:15 pm]

BILLING CODE 7025–01–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Seminole Tribe of Florida Alcohol Beverage Control Act of 2009

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice publishes the Amended Seminole Tribe of Florida Alcohol Beverage Control Act of 2009, Ordinance No. C–01–09. The Amended Ordinance regulates and controls the possession, sale, and consumption of liquor within the tribal lands. The last amendment to the liquor ordinance was published in 60 FR 53431. The tribal lands are located in Indian country and this Amended Ordinance allows for possession and sale of alcoholic beverages within their boundaries. The Amended Ordinance contains provisions requiring the Tribe to issue licenses to all businesses that intend to sell liquor and it requires proof that the applicant for a liquor license is licensed by the State of Florida to sell alcoholic beverages as well. This Amended Ordinance will increase the ability of the tribal government to control the community's liquor distribution and possession, and at the same time will provide an important source of revenue for the continued operation and strengthening of the tribal government and the delivery of tribal services.

DATES: *Effective Date:* This Amended Ordinance is effective on September 7, 2010.

FOR FURTHER INFORMATION CONTACT: Chanda Joseph, Tribal Government Services Officer, Eastern Regional Office, 545 Marriott Drive, Suite 700, Nashville, TN 37214, Telephone: (615) 564–6750, Fax (615) 564–6552; or Elizabeth Colliflower, Office of Indian Services, 1849 C Street, NW., Mail Stop 4513–MIB, Washington, DC 20240, Telephone: (202) 513–7641.

SUPPLEMENTARY INFORMATION: Pursuant to the Act of August 15, 1953, Public Law 83–277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice* v. *Rehner,* 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transactions in Indian country. The Tribal Council of the Seminole Tribe of Florida adopted its Amended Alcohol Beverage Control Act by Resolution on June 18, 2009. The purpose of Amended Ordinance No. C–01–09 is to govern the sale, possession, and distribution of alcohol within tribal lands of the Tribe.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs. I certify that the Tribal Council of the Seminole Tribe of Florida adopted its Alcohol Beverage Control Act of 2009, Ordinance No. C–01–09 on June 18, 2009.

Dated: July 29, 2010.

Larry Echo Hawk,

Assistant Secretary—Indian Affairs.

The Alcohol Beverage Control Act of the Seminole Tribe of Florida reads as follows:

Seminole Tribe of Florida Alcohol Beverage Control Act of 2009

Seminole Tribe of Florida Hollywood, Florida

An Ordinance Relating to the Application of the Federal Liquor Laws

on the Florida Seminole Reservations and Trust Lands.

Whereas, the Seminole Tribe of Florida, is an organized Indian Tribe as defined in Section 16 of the Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935 (49 Stat. 378); and

Whereas, Public Law 277, 83rd Congress, approved August 15, 1953, provides that Sections 1154, 1156, 3113, 3488, and 3618 of Title 18, United States Code, as amended by Public Law No. 98–473, Section 223(b) replacing Section 3618 of Title 18 with Section 3669, commonly referred to as the Federal Indian Liquor Laws, shall not apply to any act or transaction within any area of Indian country provided such act or transaction is in conformity with both the laws of the State in which such act or transaction occurs, and with an ordinance duly adopted by the Tribe having jurisdiction over such area of Indian country certified by the Secretary of the Interior and published in the **Federal Register.**

Now Therefore Be It Ordained: By the Tribal Council of the Seminole Tribe of Florida that the provisions of this Ordinance shall apply on all Seminole Lands, as defined herein:

Section I. Introduction.

101. Title. This Ordinance shall be known as the "Seminole Tribe of Florida Alcohol Beverage Control Act, herein after referred to as the "Ordinance".

102. Authority. This Ordinance is enacted pursuant to the Act of August 15, 1953 (Pub. L. 83–277, and 67 Stat. 588, 18 U.S.C. section 1161) and the Constitution of the Seminole Tribe of Florida approved on July 11, 1957 and ratified on August 21, 1957 and applicable laws.

103. Purpose. The purpose of this Ordinance is to regulate and control the sale or possession of Alcoholic Beverages, as defined herein, within Seminole Lands.

104. Tribal Jurisdiction. The sale Alcoholic Beverages shall be lawful within Seminole Lands, provided that such sale is in conformity with the laws of the State of Florida and the provisions of this Ordinance.

Section II. Definitions.

As used in this Ordinance, the following words shall have the following meanings unless the context clearly requires otherwise:

201. "Alcoholic Beverage" means distilled spirits and all beverages containing one-half of one percent or more alcohol by volume. The percentage of alcohol by volume shall be determined by measuring the volume of standard ethyl alcohol in the beverage and comparing it with the volume of the remainder of the ingredients as though the remainder of the ingredients were distilled water.

202. "Entertainment Zone" means the areas designated pursuant to Paragraph 402 where alcoholic beverages may be dispensed or sold up to 24 hours per day, 7 days per week.

203. "Tribal Council" means the Tribal Council of the Seminole Tribe of Florida.

204. "Seminole Lands" means land legally titled in the name of the United States of America in trust for the Seminole Tribe of Florida, whether or not the same is in reservation status, as well as fee lands acquired by or for the Tribe and placed under the jurisdiction of the Tribe.

205. "Distilled Spirits" mean that substance known as ethyl alcohol, ethanol, or spirits of wine in any form, including all dilutions and mixtures thereof from whatever source or by whatever process produced.

206. "Principal Owner" with respect to a corporation or other legal entity shall refer to and mean any person or entity which, directly or indirectly, owns or controls a majority of shares or a controlling interest in any entity making application for an alcoholic beverage license or which will have operational control over the day to day operations of the applicant's business.

207. "Sale" and "Sell" means the exchange, barter, and traffic of Alcoholic Beverages by any person to any person.

208. "Tribe" means the Seminole Tribe of Florida.

209. "Person" means any natural person or business entity or organization.

Section III. Powers of Enforcement.

301. Powers and Duties Tribal Council. The Tribal Council, in furtherance of this Ordinance shall have the following powers and duties:

a. To employ managers, accountants, security personnel, inspectors, and such other persons as shall be reasonably necessary to allow the Tribal Council to perform its functions under this Ordinance;

b. To approve licenses permitting the sale of Alcoholic Beverages on Seminole Lands; and

c. To hold hearings on violations of this Ordinance.

302. Powers and Duties Tribal Beverage Inspector (Environmental Health Officer). The enforcement of this Ordinance and violations thereof as set forth in Section VI of this Ordinance shall be as follows:

a. The Tribal Beverage Inspector/ Environmental Health Officer may inspect the premises on which Alcoholic Beverages are sold or distributed at any time during open business hours for the purposes of ascertaining whether this Ordinance is being followed.

b. The Environmental Health Officer shall be empowered to issue citations for violations of this Ordinance.

c. Real Estate Services Department shall be empowered to suspend any License upon notice of a violation by the Environmental Health Officer for which it is deemed appropriate to suspend the sale and service of alcoholic beverages.

d. The Real Estate Services Department shall prepare Tribal Council resolutions and include background information regarding violations of this Ordinance for consideration regarding reinstatement of suspended licenses or revocation thereof.

Section IV. Sales of Alcoholic Beverages.

Licenses Required. Sale of Alcoholic Beverages on Seminole Lands shall only be permitted by a holder of a license issued hereunder and at the licensed premises or by the Tribe at a location owned or operated by the Tribe.

401. Regulated Hours for the Sale of Alcoholic Beverages. Except as provided in Entertainment Zones established hereunder, alcoholic beverages may not be sold other than during approved hours prescribed and established by the Tribal Council.

402. The following areas are established as Entertainment Zones where alcoholic beverages may be sold up to 24 hours per day, 7 days per week:

a. Hollywood Reservation—the premises commonly known as the Seminole Hard Rock Hotel & Casino—Hollywood, Seminole Paradise and the Seminole Indian Casino—Hollywood.

b. Tampa Reservation—the premises commonly known as the Seminole Hard Rock Hotel & Casino—Tampa.

c. Brighton Reservation—the premises commonly known as the Seminole Indian Casino—Brighton.

d. Big Cypress Reservation—the

premises commonly known as the Seminole Indian Casino—Big Cypress.

e. Immokalee Reservation—the premises commonly known as the Seminole Indian Casino—Immokalee.

f. Coconut Creek Trust Property—That portion of the premises commonly known as the Seminole Indian Casino—Coconut Creek which is situated on Seminole Lands.

Section V. Licensing.

501. Tribal Alcoholic Beverage License Requirements. No Tribal license shall be issued under this Ordinance except upon a sworn application filed with the Tribe's Real Estate Services Department containing a full and complete showing of the following:

a. Proof satisfactory to the Tribal Council that the applicant is not an officer or member of the Tribal Council or the Board of Directors of the Seminole Tribe of Florida, Inc.;

b. Satisfactory proof that the applicant is duly licensed by the State of Florida to sell alcoholic beverages;

c. Satisfactory proof, including a background check as conducted by the Tribe, that the applicant is of good character and reputation and that the applicant is financially responsible;

d. the description of the premises in which the Alcoholic Beverages are to be sold and proof that the applicant has the right of occupancy of such premises for at least the term of the license;

e. Agreement by the applicant to accept and abide by all conditions of the Ordinance;

f. Payment of a non-refundable fee established from time to time by the Tribal Council. The initial fee shall be $250.00, but can be changed by Tribal Council resolution at any time;

g. Satisfactory proof that neither the applicant, nor the applicant's spouse, nor any Principal Owner, officer, shareholder, or director of the applicant, if an entity, has ever been convicted of a felony or a crime of moral turpitude as defined by the laws of the State of Florida.

502. Hearing on Application for Tribal Alcoholic Beverage License. All applications for a Tribal Alcoholic Beverage License shall be considered by the Tribal Council in open session at which the applicant and any person protesting the application shall have the right to be present, and to offer sworn oral or documentary evidence relevant to the application. After the hearing, the Tribal Council, by majority vote, shall determine whether to grant or deny the application based on: (1) Whether the requirements of Section 501 have been met; and (2) whether the Tribal Council, at its sole discretion, determines that granting the license is in the best interest of the Tribe. In the event that the applicant is a member of the immediate family of a Tribal Council member, such Tribal Council member shall not vote on the application as a Tribal Council member.

503. License Types.

a. Annual—Other than Special Event Permits, the license shall be issued for a term not to exceed one (1) year and shall terminate on March 31 of each year.

b. Special Event Permits—the Tribal Council or their designee may grant a temporary permit for the sale of Alcoholic Beverages for a period not to exceed three (3) days to any person applying to the same in connection with a Tribal or community activity, provided that the conditions prescribed in Section 504 of this Ordinance shall be observed by the permittee. Each permit issued shall specify the types of alcoholic beverages to be sold. Further, a fee of $50.00 will be assessed on temporary permits, which fee shall be subject to change by Tribal Council resolution.

504. Conditions of the Tribal Alcoholic Beverage License. Any Tribal Alcoholic Beverage license issued under this Ordinance shall be subject to such reasonable conditions as the Tribal Council shall fix including but not limited to the following:

a. The licensee shall at all times maintain an orderly, clean, and neat establishment, both inside and outside the licensed premises.

b. The licensed premises shall be subject to inspection by Tribal Beverage Inspector/Environmental Health Officer and such other law enforcement officials as may be authorized by applicable law and open to inspection by authorized Tribal officials at all times when alcoholic beverages are being served.

505. License Not a Property Right. Notwithstanding any other provision of this Ordinance, a Tribal Alcoholic Beverage license is a mere permit for a fixed duration of time. A Tribal Alcoholic Beverage license shall not be deemed a property right or vested right of any kind, nor shall the granting of said license give rise to a presumption of legal entitlement to a license/permit in a subsequent time period.

506. Assignment or Transfer. No Tribal Alcoholic Beverage issued under this Ordinance shall be assigned or transferred.

Section VI. Rules Regulations and Violations.

601. The violations under this Ordinance and the penalties for such violations are set forth on the Table of Violations and Penalties which is attached and made a part hereof by reference.

Section VII. License Fees.

701. Disposition of Fees. The fees collected by the Tribal Council from all licensing provided for under this Ordinance, or the imposition of civil penalties for violating this Ordinance shall be payable to the Seminole Tribe of Florida for deposit to the general fund of the Tribe in the Tribe's usual depository.

Section VIII. Severability and Miscellaneous.

801. Prior Enactments. Any and all prior ordinances, resolutions or enactments of the Tribal Council which are inconsistent with the provisions of this Ordinance shall be deemed repealed as of the Effective Date of this Ordinance.

802. Effective Date. This amended Ordinance becomes effective 30 days after the Secretary of the Interior certifies the Ordinance and publishes it in the **Federal Register.**

803. Sovereign Immunity. Nothing contained in this Ordinance is intended to in any way limit, alter, restrict, or waive the Tribe's sovereign immunity from unconsented suit or action.

TABLES OF VIOLATIONS AND PENALTIES

Violation	Florida statute reference	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
Licensee not qualified to be issued an alcoholic beverage license.	Florida Statute Sections 561.15(3) and 561.29(f) and (g).	Revocation.			
Failing to file required application.	Florida Statute Sections 561.01(10), 561.17, 561.33, and 569.003.	$500	$1000	Revocation.	
Failure to meet minimum qualifications of special license or special events license.	Florida Statute Section 561.20.	$1000 and revocation without prejudice to obtain any other type of license, but with prejudice to obtain the same type of special license for 5 years.			
Maintaining a nuisance on the licensed premises.	Florida Statute Section 561.29(1)(c).	Revocation.			
Maintaining a premise that is unsanitary.	Florida Statute Section 561.29(1)(d).	Revocation.			
Unlawful transfer of ownership of license.	Florida Statute Section 561.32(4).	Revocation.			
Possession of beverages not permitted to be sold under license.	Florida Statute Section 562.02.	$1000	$2000	$4000	Revocation.
Sale off the licensed premises.	Florida Statute Section 562.06.	$500	$1000	$2000	Revocation.
Misrepresentation of alcoholic beverages.	Florida Statute Section 561.061.	$1000 and a 20-day license suspension.	Revocation.		
Sale, giving or serving alcoholic beverages to persons under the age of 21 or allowing them to consume alcoholic beverages.	Florida Statute Section 562.11.	$1000 and a 7-day license suspension.	$3000 and a 30-day license suspension.	Revocation.	
Selling alcoholic beverages in a manner not permitted by license or with expired license.	Florida Statute Section 562.12.	$500 or an amount equal to the correct license fee, whichever is greater.	$1000 or an amount equal to the correct license fee, whichever is greater.	$2000	Revocation.
Conspiracy to violate the Tribe's Ordinance.	Florida Statute Section 562.23.	$1000	Revocation.		
Refusing to admit authorized law enforcement officers or division or tribal employees to licensed premises.	Florida Statute Section 562.41(3).	$1000	Revocation.		
Forcefully obstructing a tribal, division employee or law enforcement officer.	Florida Statute Section 562.41(4).	$1000 and a 30-day suspension.	Revocation.		
Selling or serving alcoholic beverages after notice to close.	Florida Statute Section 562.454.	Revocation.			
Adulterating liquor	Florida Statute Section 562.455.	Revocation.			
Furnishing alcoholic beverages after notice to persons habitually addicted.	Florida Statute Section 562.50.	$1000 and 7-day suspension.	$2000 and 30-day suspension.	Revocation.	
Discrimination in service of alcoholic beverages.	Florida Statute Section 562.51.	$1000	$2000 and a 20-day license suspension.	$4000 and a 30-day license suspension.	Revocation.
Prostitution; Lewd and lascivious conduct on premises.	Florida Statute Chapter 796.	$1000	Revocation.		

TABLES OF VIOLATIONS AND PENALTIES—Continued

Violation	Florida statute reference	1st Occurrence	2nd Occurrence	3rd Occurrence	4th Occurrence
Worthless check	Florida Statute Section 832.05.	No future personal checks to Tribe for 3 years.	20-day suspension and no future personal check to Tribe.	Revocation.	
Perjury	Florida Statute Chapter 837.	Revocation.			
False information on application.	Florida Statute Section 559.791.	Revocation.			
Unlawful gambling	Florida Statute Chapter 849.	$250 per	$500	$1000	Revocation.
Failure to maintain active state license.		Suspension for period of time during which state licensure inactive.			Revocation.

[FR Doc. 2010–19282 Filed 8–4–10; 8:45 am]

BILLING CODE 4310–4J–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Centennial Challenges 2010 Strong Tether Challenge

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice.

SUMMARY: This notice is issued in accordance with 42 U.S.C. 2451 (314)(d). The 2010 Strong Tether Challenge is scheduled and teams that wish to compete may register. Centennial Challenges is a program of prize competitions to stimulate innovation in technologies of interest and value to NASA and the nation. The 2010 Strong Tether Challenge is a prize competition designed to encourage development of very strong, lightweight material for use in a multitude of structural applications. The Spaceward Foundation administers the Challenge for NASA. NASA is providing the prize purse.

DATES: 2010 Strong Tether Challenge will be held on August 13, 2010.

ADDRESSES: 2010 Strong Tether Challenge will be conducted at the 2010 Space Elevator Conference held at the Microsoft Conference Center, 16156 NE 36th St., Redmond, Washington.

FOR FURTHER INFORMATION CONTACT: To register for or get additional information regarding the 2010 Strong Tether Challenge, please visit: *http://www.spaceward.org/elevator2010-ts.*

For general information on the NASA Centennial Challenges Program please visit: *http://www.nasa.gov/challenges.* General questions and comments regarding the program should be addressed to Mr. Andrew Petro, Centennial Challenges Program, NASA Headquarters 300 E Street, SW., Washington, DC, 20546–0001. E-mail address: *andrew.j.petro@nasa.gov.*

SUPPLEMENTARY INFORMATION:

Summary

The competition consists of measuring the tensile strength of a tether material. There are requirements for maximum mass and minimum strength and length categories. The strongest sample that meets the criteria is eligible to win the specified prize.

I. Prize Amounts

The total 2010 Strong Tether Challenge purse is $2,000,000 (two million U.S. dollars). Incremental prizes will be offered for entries that meet specific requirements for strength and mass based on the length of the sample.

II. Eligibility

To be eligible to win a prize competitors must (1) register and comply with all requirements in the rules and team agreement; (2) in the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of the United States; and (3) shall not be a Federal entity or Federal employee acting within the scope of their employment.

III. Rules

The complete rules and team agreement for the 2010 Strong Tether Challenge can be found at: *http://www.spaceward.org/elevator2010-ts.*

Dated: July 30, 2010.

Douglas A. Comstock,

Director, Innovative Partnerships Program Office.

[FR Doc. 2010–19320 Filed 8–4–10; 8:45 am]

BILLING CODE 7510–13–P

NATIONAL SCIENCE FOUNDATION

National Science Board; Sunshine Act Meetings; Notice (Subject Matter Revised From Earlier Notice)

The National Science Board's Task Force on Support of Mid-Scale and Multi-investigator Research, of the Committee on Programs and Plans, pursuant to NSF regulations (45 CFR part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n–5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of a teleconference meeting for the transaction of National Science Board business and other matters specified, as follows:

DATE AND TIME: August 12, 2010, at 3 p.m. EDT.

SUBJECT MATTER: Review and Discussion of Current Mid-Scale Research Funding Support at NSF, Review and Discussion of Draft charge to the Task Force on Support of Mid-Scale and Multi-investigator Research, and Future Plans.

STATUS: Open.

LOCATION: This meeting will be held by teleconference originating at the National Science Board Office, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. A room will be available for the public to listen-in on this teleconference meeting. All visitors must contact the Board Office at least 24 hours prior to the meeting to arrange for a visitor's badge and to obtain the room number. Call 703–292–7000 to request the room number and your badge, which will be ready for pick-up at the visitor's desk on the day of the meeting. All visitors must report to the NSF visitor desk at the 9th and N. Stuart Streets entrance to receive their visitor's badge on the day of the teleconference.

UPDATES AND POINT OF CONTACT: Please refer to the National Science Board Web

site (*http://www.nsf.gov/nsb/notices/*) for information or schedule updates, or contact: Matt Wilson, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292–7000.

Daniel A. Lauretano,

Counsel to the National Science Board.

[FR Doc. 2010–19432 Filed 8–3–10; 4:15 pm]

BILLING CODE 7555–01–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: Postal Service notice of filing of a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List pursuant to 39 U.S.C. 3642 and 3632(b)(3).

DATES: August 5, 2010.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that on July 21, 2010, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 25 to Competitive Product List.* Documents are available at *http://www.prc.gov,* Docket Nos. MC2010–30, CP2010–75.

Neva R. Watson,

Attorney, Legislative.

[FR Doc. 2010–19343 Filed 8–4–10; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: Postal Service notice of filing of a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List pursuant to 39 U.S.C. 3642 and 3632(b)(3).

DATES: August 5, 2010.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that on July 21, 2010, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 27 to Competitive Product List.* Documents are available at *http://www.prc.gov,* Docket Nos. MC2010–32, CP2010–77.

Neva R. Watson,

Attorney, Legislative.

[FR Doc. 2010–19350 Filed 8–4–10; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Product Change—Priority Mail Negotiated Service Agreement

AGENCY: Postal Service™.

ACTION: Notice.

SUMMARY: Postal Service notice of filing of a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List pursuant to 39 U.S.C. 3642 and 3632(b)(3).

DATES: August 5, 2010.

FOR FURTHER INFORMATION CONTACT: Elizabeth A. Reed, 202–268–3179.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that on July 21, 2010, it filed with the Postal Regulatory Commission a *Request of the United States Postal Service to Add Priority Mail Contract 26 to Competitive Product List.* Documents are available at *http://www.prc.gov,* Docket Nos. MC2010–31, CP2010–76.

Neva R. Watson,

Attorney, Legislative.

[FR Doc. 2010–19351 Filed 8–4–10; 8:45 am]

BILLING CODE 7710–12–P

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

President's Council of Advisors on Science and Technology

Notice of Meeting: Partially Closed Meeting of the President's Council of Advisors on Science and Technology.

ACTION: Public notice.

SUMMARY: This notice sets forth the schedule and summary agenda for a partially closed meeting of the President's Council of Advisors on Science and Technology (PCAST), and describes the functions of the Council. Notice of this meeting is required under the Federal Advisory Committee Act (FACA), 5 U.S.C., App.

DATES: September 2, 2010.

ADDRESSES: The meeting will be held at the Keck Center of the National Academies, 500 5th Street, NW., Room Keck 100, Washington, DC.

Type of Meeting: Open and closed.

Proposed Schedule and Agenda: The President's Council of Advisors on Science and Technology (PCAST) is scheduled to meet in open session on September 2, 2010 from 10 a.m. to 5 p.m. with a lunch break from 12 p.m. to 2 p.m.

Open Portion of Meeting: During this open meeting, PCAST is tentatively scheduled to hear presentations on information technology. PCAST members will also discuss reports they are developing on the topics of advanced manufacturing; science, technology, engineering, and mathematics (STEM) education; and the energy technology innovation system. Additional information and the agenda will be posted at the PCAST Web site at: *http://whitehouse.gov/ostp/pcast.*

Closed Portion of the Meeting: PCAST may hold a closed meeting of approximately 1 hour with the Vice-President on September 2, 2010, which must take place in the White House for the Vice President's scheduling convenience and to maintain Secret Service protection. This meeting will be closed to the public because such portion of the meeting is likely to disclose matters that are to be kept secret in the interest of national defense or foreign policy under 5 U.S.C. 552b(c)(1). The precise date and time of this potential meeting has not yet been determined.

Public Comments: It is the policy of the PCAST to accept written public comments of any length, and to accommodate oral public comments whenever possible. The PCAST expects that public statements presented at its meetings will not be repetitive of previously submitted oral or written statements.

The public comment period for this meeting will take place on September 2, 2010 at a time specified in the meeting agenda posted on the PCAST Web site at *http://whitehouse.gov/ostp/pcast.* This public comment period is designed only for substantive commentary on PCAST's work, not for business marketing purposes.

Oral Comments: To be considered for the public speaker list at the September meeting, interested parties should register to speak at *http://whitehouse.gov/ostp/pcast,* no later than 5 p.m. Eastern Time on Wednesday,

August 25, 2010. Phone or email reservations will not be accepted. To accommodate as many speakers as possible, the time for public comments will be limited to two (2) minutes per person, with a total public comment period of 30 minutes. If more speakers register than there is space available on the agenda, PCAST will randomly select speakers from among those who applied. Those not selected to present oral comments may always file written comments with the committee. Speakers are requested to bring at least 25 copies of their oral comments for distribution to the PCAST members.

Written Comments: Although written comments are accepted until the date of the meeting, written comments should be submitted to PCAST at least two weeks prior to each meeting date, August 19, 2010, so that the comments may be made available to the PCAST members prior to the meeting for their consideration. Information regarding how to submit comments and documents to PCAST is available at *http://whitehouse.gov/ostp/pcast* in the section entitled "Connect with PCAST."

Please note that because PCAST operates under the provisions of FACA, all public comments and/or presentations will be treated as public documents and will be made available for public inspection, including being posted on the PCAST Web site.

FOR FURTHER INFORMATION CONTACT: For Further Information: Information regarding the meeting agenda, time, location, and how to register for the meeting is available on the PCAST Web site at: *http://whitehouse.gov/ostp/pcast.* A live video webcast and an archive of the webcast after the event will be available at *http://whitehouse.gov/ostp/pcast.* The archived video will be available within one week of the meeting. Questions about the meeting should be directed to Dr. Deborah D. Stine, PCAST Executive Director, at *dstine@ostp.eop.gov,* (202) 456–6006. Please note that public seating for this meeting is limited and is available on a first-come, first-served basis.

SUPPLEMENTARY INFORMATION: Supplementary Information: The President's Council of Advisors on Science and Technology (PCAST) is an advisory group of the nation's leading scientists and engineers who directly advise the President and the Executive Office of the President. *See* the Executive Order at *http://www.whitehouse.gov/ostp/pcast.* PCAST makes policy recommendations in the many areas where understanding of science, technology, and innovation is key to strengthening our economy and forming policy that works for the American people. PCAST is administered by the Office of Science and Technology Policy (OSTP). PCAST is co-chaired by Dr. John P. Holdren, Assistant to the President for Science and Technology, and Director, Office of Science and Technology Policy, Executive Office of the President, The White House; and Dr. Eric S. Lander, President, Broad Institute of MIT and Harvard.

Meeting Accomodations: Individuals requiring special accommodation to access this public meeting should contact Dr. Stine at least ten business days prior to the meeting so that appropriate arrangements can be made.

Ted Wackler,

Deputy Chief of Staff.

[FR Doc. 2010–19299 Filed 8–4–10; 8:45 am]

BILLING CODE P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

Extension:

Regulation C; OMB Control No. 3235–0074; SEC File No. 270–68.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management Budget for extension and approval.

Regulation C (17 CFR 230.400 through 230.498) provides standard instructions to guide persons when filing registration statements under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*). The information collected is intended to ensure the adequacy of information available to investors in the registration of securities. Regulation C is assigned one burden hour for administrative convenience because the regulation simply prescribes the disclosure that must appear in other filings under the Federal securities laws.

Written comments are invited on: (a) Whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Charles Boucher, Director/CIO, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312; or send an e-mail to: *PRA_Mailbox@sec.gov.*

Dated: July 30, 2010.

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19267 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29374; File No. 812–13807]

GE Asset Management Incorporated and GE Investment Distributors, Inc.; Notice of Application and Temporary Order

July 30, 2010.

AGENCY: Securities and Exchange Commission ("Commission").

ACTION: Temporary order and notice of application for a permanent order under section 9(c) of the Investment Company Act of 1940 ("Act").

SUMMARY OF APPLICATION: Applicants have received a temporary order exempting them from section 9(a) of the Act, with respect to an injunction entered against General Electric Company ("GE"), Ionics, Inc. ("Ionics"), and Amersham plc ("Amersham") on July 30, 2010, by the United States District Court for the District of Columbia ("Injunction"), until the Commission takes final action on an application for a permanent order. Applicants also have applied for a permanent order.

APPLICANTS: GE Asset Management Incorporated ("GEAM") and GE Investment Distributors, Inc. ("GEID",

collectively with GEAM, the "Applicants").[1]

DATES: *Filing Dates:* The application was filed on July 27, 2010, and amended on July 30, 2010.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving Applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on August 24, 2010, and should be accompanied by proof of service on Applicants, in the form of an affidavit, or for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090; *Applicants:* 3001 Summer Street, Stamford, CT 06904–7900.

FOR FURTHER INFORMATION CONTACT: Courtney S. Thornton, Senior Counsel, at (202) 551–6812, or Mary Kay Frech, Branch Chief, at (202) 551–6821, (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a temporary order and a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or an applicant using the Company name box, at *http://www.sec.gov/search/search.htm,* or by calling (202) 551–8090.

Applicants' Representations

1. GE is a large diversified technology, media, and financial services company. GEAM, a Delaware corporation, is a direct, wholly-owned subsidiary of GE. GEAM is registered as an investment adviser under the Investment Advisers Act of 1940 and serves as investment adviser to a number of registered investment companies ("Funds"), including employees' securities companies ("ESCs").[2] GEID is, through GEAM, an indirect, wholly-owned subsidiary of GE. GEID is registered as a broker-dealer under the Securities Exchange Act of 1934 and is a member of the Financial Industry Regulatory Authority, Inc. GEID serves as principal underwriter to a number of Funds.

2. On July 30, 2010, the United States District Court for the District of Columbia entered a final judgment, which included the Injunction, against GE, Ionics, and Amersham ("Judgment") in a matter brought by the Commission.[3] The Commission alleged in the complaint ("Complaint") that, from 2000 to 2003, four current subsidiaries of GE, including Ionics and Amersham, which were both acquired by GE after the conduct at issue in the Complaint, authorized and made payments in the form of cash, medical equipment, and services to Iraqi government ministries through agents on sales of products to Iraq under the United Nations Oil for Food Program. Without admitting or denying the allegations in the Complaint, except as to jurisdiction, GE, Ionics, and Amersham consented to the entry of the Judgment that included, among other things, the entry of the Injunction. In addition, the Judgment ordered GE, on behalf of itself, Ionics, and Amersham, to pay disgorgement in the amount of approximately $18.4 million, plus prejudgment interest of approximately $4 million, and a civil penalty of $1 million.

Applicants' Legal Analysis

1. Section 9(a)(2) of the Act, in relevant part, prohibits a person who has been enjoined from, among other things, engaging in or continuing any conduct or practice in connection with the purchase or sale of a security, or in connection with activities as an underwriter, broker or dealer, from acting, among other things, as an investment adviser or depositor of any registered investment company or a principal underwriter for any registered open-end investment company, registered unit investment trust or registered face-amount certificate company. Section 9(a)(3) of the Act makes the prohibition in section 9(a)(2) applicable to a company, any affiliated person of which has been disqualified under the provisions of section 9(a)(2). Section 2(a)(3) of the Act defines "affiliated person" to include, among others, any person directly or indirectly controlling, controlled by, or under common control with, the other person. Applicants state that each of GE, Ionics, and Amersham is an affiliated person of each of the Applicants within the meaning of section 2(a)(3) of the Act. Applicants state that the entry of the Injunction results in Applicants being subject to the disqualification provisions of section 9(a) of the Act.

2. Section 9(c) of the Act provides that the Commission shall grant an application for exemption from the disqualification provisions of section 9(a) if it is established that these provisions, as applied to the applicants, are unduly or disproportionately severe or that the applicants' conduct has been such as not to make it against the public interest or the protection of investors to grant the exemption. Applicants have filed an application pursuant to section 9(c) seeking a temporary and permanent order exempting them and other Covered Persons from the disqualification provisions of section 9(a) of the Act.

3. Applicants believe they meet the standard for exemption specified in section 9(c). Applicants state that the prohibitions of section 9(a) as applied to them would be unduly and disproportionately severe and that the conduct of the Applicants has been such as not to make it against the public interest or the protection of investors to grant the exemption from section 9(a).

4. Applicants state that the alleged conduct giving rise to the Injunction did not involve either of the Applicants acting in the capacity of investment adviser, subadviser or depositor for any Fund or as principal underwriter for any Fund, and no such Funds bought or held any securities issued by the Covered Persons during the period of misconduct alleged in the Complaint, other than with respect to index Funds and certain international Funds holding securities issued by Amersham prior to its acquisition by GE. Applicants also state that none of the current or former directors, officers, or employees of the Applicants had any responsibility for, or involvement in, the violative conduct alleged in the Complaint. Applicants further state that the personnel at GE, Ionics, or Amersham who had any responsibility for, or involvement in, the violations alleged in the Complaint have had no, and will not have any future, involvement in providing investment advisory, subadvisory, or underwriting services to the Funds.

5. Applicants state that their inability to continue to provide investment advisory, subadvisory and underwriting services to the Funds would result in potential hardship for the Funds and

[1] Applicants request that any relief granted pursuant to the application also apply to any other company of which GE, Ionics, or Amersham is or may become an affiliated person (together with the Applicants, the "Covered Persons").

[2] The ESCs, as defined in section 2(a)(13) of the Act, are open-end management investment companies registered under the Act and provide investment opportunities for certain employees, officers, and directors of GEAM and its affiliates, and other eligible participants.

[3] *Securities and Exchange Commission* v. *General Electric Company,* Final Judgment as to General Electric Company, 1:10–cv–1258 (RWR) (D.D.C. July 30, 2010).

their shareholders. Applicants state that they will, as soon as reasonably practical, distribute written materials, including an offer to meet in person to discuss the materials, to the boards of directors of the Funds ("Boards") for which the Applicants serve as investment adviser, investment subadviser or principal underwriter, including the directors who are not "interested persons," as defined in section 2(a)(19) of the Act, of such Funds, and their independent legal counsel as defined in rule 0–1(a)(6) under the Act, relating to the circumstances that led to the Injunction, any impact on the Funds, and the application. Applicants state they will provide the Boards with all information concerning the Judgment and the application that is necessary for the Funds to fulfill their disclosure and other obligations under the federal securities laws.

6. Applicants also state that, if they were barred from providing services to the Funds, the effect on their businesses and employees would be severe. Applicants state that they have committed substantial resources to establishing expertise in providing advisory and distribution services to Funds. Applicants further state that prohibiting them from providing such services would not only adversely affect their businesses, but would also adversely affect about 500 employees who are involved in those activities.

7. In 2009, GEAM and GEID received an exemption under section 9(c) as a result of conduct by GE that triggered section 9(a), as described in greater detail in the application. A predecessor of one of the Applicants previously received an exemption under section 9(c) as the result of conduct that triggered section 9(a), as described in greater detail in the application.

Applicants' Condition

Applicants agree that any order granting the requested relief will be subject to the following condition:

Any temporary exemption granted pursuant to the application shall be without prejudice to, and shall not limit the Commission's rights in any manner with respect to, any Commission investigation of, or administrative proceedings involving or against, Covered Persons, including, without limitation, the consideration by the Commission of a permanent exemption from section 9(a) of the Act requested pursuant to the application or the revocation or removal of any temporary exemptions granted under the Act in connection with the application.

Temporary Order

The Commission has considered the matter and finds that Applicants have made the necessary showing to justify granting a temporary exemption.

Accordingly,

It is hereby ordered, pursuant to section 9(c) of the Act, that GEAM and GEID and any other Covered Persons are granted a temporary exemption from the provisions of section 9(a), solely with respect to the Injunction, subject to the condition in the application, from July 30, 2010, until the Commission takes final action on their application for a permanent order.

By the Commission.

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19244 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29375; File No. 812–13709–01]

Millington Securities, Inc., et al.; Notice of Application

July 30, 2010.

AGENCY: Securities and Exchange Commission ("Commission").

ACTION: Notice of application for an order under section 12(d)(1)(J) of the Investment Company Act of 1940 ("Act") for an exemption from sections 12(d)(1)(A), (B) and (C) of the Act, and under sections 6(c) and 17(b) of the Act for an exemption from section 17(a) of the Act.

SUMMARY OF THE APPLICATION: Millington Securities, Inc., (the "Depositor"), and Millington Unit Investment Trusts (the "Trust"), on behalf of itself and any future series, and any future registered unit investment trust ("UIT") sponsored by the Depositor (or an entity controlling, controlled by or under common control with the Depositor) and their respective series (the future UITs, together with the Trust, are collectively the "Trusts," the series of the Trusts are the "Series," and the Trusts together with the Depositor are collectively, the ("Applicants"), request an order to permit each Series to acquire shares of registered investment companies or series thereof (the "Funds") both within and outside the same group of investment companies.

APPLICANTS: The Depositor and the Trust.

FILING DATES: The application was filed on October 2, 2009, and amended on November 20, 2009, December 2, 2009, April 26, 2010, and July 7, 2010.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on August 24, 2010, and should be accompanied by proof of service on applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090; Applicants: c/o Millington Securities, Inc., 222 S. Mill Street, Naperville, Illinois 60540.

FOR FURTHER INFORMATION CONTACT: Emerson S. Davis, Senior Counsel, at (202) 551–6868, or Julia Kim Gilmer, Branch Chief, at (202) 551–6821 (Office of Investment Company Regulation, Division of Investment Management).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or an applicant using the Company name box, at *http://www.sec.gov/search/search.htm* or by calling (202) 551–8090.

Applicants' Representations

1. The Trust is a UIT registered under the Act. Each Series will be a series of a Trust and will offer units for sale to the public ("Units").[1] Each Series will be created pursuant to a trust agreement which will incorporate by reference a master trust agreement between the Depositor and a financial institution that satisfies the criteria in section 26(a) of the Act (the "Trustee"). The Depositor is a broker dealer registered under the Securities Exchange Act of 1934 and member of the Financial Industry Regulatory Authority, Inc. ("FINRA").

2. Applicants request relief to permit a Series to invest in registered investment companies or series thereof ("Funds") that are (a) part of the same

[1] All existing Trusts that currently intend to rely on the requested order are named as applicants. Any other Trust that relies on the order in the future will comply with the terms and conditions of the application.

"group of investment companies" (as that term is defined in section 12(d)(1)(G) of the Act) as the Series ("Affiliated Funds"), and (b) not part of the same group of investment companies as the Series ("Unaffiliated Funds"). An Unaffiliated Fund that is a UIT is referred to as an "Unaffiliated Underlying Trust." An Unaffiliated Fund that is a closed-end or open-end management investment company is referred to as an "Unaffiliated Underlying Fund." Certain of the Funds may be registered as an open-end investment company or a UIT, but have received exemptive relief in order that their shares may be traded at "negotiated prices" on a national securities exchange in the same manner as other equity securities (the "Exchange Funds"). Shares of Exchange Funds and closed-end Funds will be deposited in a Series at prices which are based on the market value of the securities, as determined by an evaluator. The Depositor does not have discretion as to when portfolio securities of a Series will be sold, except that the Depositor is authorized to sell securities in extremely limited circumstances described in the Series' prospectus.

3. Applicants state that the requested relief will provide investors with a practical, cost-efficient means of investing in a professionally selected, diversified portfolio of securities of investment companies.

Applicants' Legal Analysis

A. Section 12(d)(1)

1. Section 12(d)(1)(A) of the Act prohibits a registered investment company from acquiring shares of an investment company if the securities represent more than 3% of the total outstanding voting stock of the acquired company, more than 5% of the total assets of the acquiring company, or, together with the securities of any other investment companies, more than 10% of the total assets of the acquiring company. Section 12(d)(1)(B) of the Act prohibits a registered open-end investment company, its principal underwriter and any broker or dealer from selling the shares of the investment company to another investment company if the sale will cause the acquiring company to own more than 3% of the acquired company's voting stock, or if the sale will cause more than 10% of the acquired company's voting stock to be owned by investment companies generally. Section 12(d)(1)(C) prohibits an investment company, other investment companies having the same investment adviser, and companies controlled by such investment companies, from acquiring more than 10% of the outstanding voting stock of a registered closed-end management investment company.

2. Section 12(d)(1)(G) provides, in relevant part, that section 12(d)(1) will not apply to securities of a registered open-end investment company or UIT acquired by a registered UIT if the acquired company and the acquiring company are part of the same group of investment companies, provided that certain other requirements contained in section 12(d)(1)(G) are met. Applicants state that they may not rely on section 12(d)(1)(G) because a Series will invest in Unaffiliated Funds and other securities in addition to Affiliated Funds.

3. Section 12(d)(1)(J) of the Act provides that the Commission may exempt any person, security, or transaction, or any class or classes of persons, securities or transactions, from any provision of section 12(d)(1) if the exemption is consistent with the public interest and the protection of investors. Applicants seek an exemption under section 12(d)(1)(J) to permit a Series to acquire shares of a Fund and to permit a Fund to sell its shares to a Series beyond the limits set forth in sections 12(d)(1)(A), (B), and (C).

4. Applicants state that the proposed arrangement will not give rise to the policy concerns underlying sections 12(d)(1)(A), (B), and (C), which include concerns about undue influence by a fund of funds over underlying funds, excessive layering of fees, and overly complex fund structures. Accordingly, Applicants believe that the requested exemption is consistent with the public interest and the protection of investors.

5. Applicants state that the concern about undue control does not arise with respect to a Series' investment in Affiliated Funds, as reflected in section 12(d)(1)(G) of the Act. Applicants also state that the proposed arrangement will not result in undue influence by a Series or its affiliates over Unaffiliated Funds. Applicants have agreed that (a) the Depositor, (b) any person controlling, controlled by or under common control with the Depositor, and (c) any investment company and any issuer that would be an investment company but for section 3(c)(1) or 3(c)(7) of the Act, sponsored or advised by the Depositor (or any person controlling, controlled by or under common control with the Depositor) (collectively, the "Group") will not control (individually or in the aggregate) an Unaffiliated Fund within the meaning of section 2(a)(9) of the Act. Applicants also note that conditions 2, 3, 5 and 6 set forth below will address the concern about undue influence with respect to the Unaffiliated Funds.

6. As an additional assurance that an Unaffiliated Underlying Fund understands the implications of an investment by a Series under the requested order, prior to a Series' investment in the Unaffiliated Underlying Fund in excess of the limit in Section 12(d)(1)(A)(i), the Series and the Unaffiliated Underlying Fund will execute an agreement stating, without limitation, that the Depositor and Trustee and the board of directors or trustees to the Unaffiliated Underlying Fund and the investment adviser(s) to the Unaffiliated Underlying Fund, understand the terms and conditions of the order and agree to fulfill their responsibilities under the order ("Participation Agreement"). Applicants note that an Unaffiliated Underlying Fund, including a closed-end Fund or an Exchange Fund, may choose to reject an investment from the Series by declining to execute the Participation Agreement.

7. Applicants do not believe that the proposed arrangement will involve excessive layering of fees. Applicants state that any sales charges and/or service fees (as those terms are defined in Rule 2830 of the Conduct Rules of the NASD, Inc. ("NASD Conduct Rules") charged with respect to Units of a Series will not exceed the limits applicable to a fund of funds as set forth in Rule 2830 of the NASD Conduct Rules.[2] In addition, the Trustee or Depositor will waive fees otherwise payable to it by the Series in an amount at least equal to any compensation (including fees paid pursuant to any plan adopted by an Unaffiliated Underlying Fund under rule 12b–1 under the Act) received from an Unaffiliated Fund by the Trustee or Depositor, or an affiliated person of the Trustee or Depositor, other than any advisory fees paid to the Trustee or Depositor or its affiliated person by an Unaffiliated Underlying Fund, in connection with the investment by the Series in the Unaffiliated Fund.

8. Applicants state that the proposed arrangement will not create an overly complex fund structure. Applicants note that a Fund will be prohibited from acquiring securities of any investment company or company relying on section 3(c)(1) or 3(c)(7) of the Act in excess of the limits contained in section 12(d)(1)(A). Applicants also represent that a Series' prospectus and sales literature will contain concise, "plain

[2] With respect to purchasing closed-end Funds or Exchange Fund shares, a Series may incur the customary brokerage commissions associated with purchasing any equity security on the secondary market.

English" disclosure designed to inform investors of the unique characteristics of the trust of funds structure, including, but not limited to, its expense structure and the additional expenses of investing in Funds.

B. Section 17(a) of the Act

1. Section 17(a) of the Act generally prohibits sales or purchases of securities between a registered investment company and any affiliated person of the company. Section 2(a)(3) of the Act defines an "affiliated person" of another person to include (a) any person directly or indirectly owning, controlling, or holding with power to vote, 5% or more of the outstanding voting securities of the other person; (b) any person 5% or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote by the other person; and (c) any person directly or indirectly controlling, controlled by, or under common control with the other person.

2. Applicants state that a Series and an Affiliated Fund might be deemed to be under the common control of the Depositor or an entity controlling, controlled by, or under common control with the Depositor. Applicants also state that a Series and a Fund might become "affiliated persons" if the Series acquires more than 5% of the Fund's outstanding voting securities. The sale or redemption by a Fund of its shares to or from a Series therefore could be deemed to be a principal transaction prohibited by Section 17(a) of the Act.[3]

3. Section 17(b) of the Act authorizes the Commission to grant an order permitting a transaction otherwise prohibited by section 17(a) if it finds that (a) the terms of the proposed transaction are fair and reasonable and do not involve overreaching on the part of any person concerned; (b) the proposed transaction is consistent with the policies of each registered investment company involved; and (c) the proposed transaction is consistent with the general purposes of the Act. Section 6(c) of the Act permits the Commission to exempt any person or transactions from any provision of the Act if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

4. Applicants submit that the proposed transactions satisfy the standards for relief under sections 17(b) and 6(c) of the Act. Applicants state that the terms of the proposed transactions are fair and reasonable and do not involve overreaching. Applicants note that the consideration paid for the sale and redemption of shares of the open-end Funds and Funds that are UITs will be based on the net asset values of the Funds. Further, Applicants state that shares of Exchange Funds and closed-end Funds will be purchased at market prices. Finally, Applicants state that the proposed transactions will be consistent with the policies of each Series and Fund, and with the general purposes of the Act.

Applicants' Conditions

Applicants agree that the order granting the requested relief shall be subject to the following conditions:

1. The members of the Group will not control (individually or in the aggregate) an Unaffiliated Fund within the meaning of section 2(a)(9) of the Act. If, as a result of a decrease in the outstanding voting securities of an Unaffiliated Fund, the Group, in the aggregate, becomes a holder of more than 25% of the outstanding voting securities of the Unaffiliated Fund, the Group will vote its shares of the Unaffiliated Fund in the same proportion as the vote of all other holders of the Unaffiliated Fund's shares.

2. No Series or its Depositor, promoter, principal underwriter, or any person controlling, controlled by, or under common control with any of those entities (each, a "Series Affiliate") will cause any existing or potential investment by the Series in an Unaffiliated Fund to influence the terms of any services or transactions between the Series or Series Affiliate and the Unaffiliated Fund or its investment adviser(s), sponsor, promoter, principal underwriter, or any person controlling, controlled by, or under common control with any of those entities.

3. Once an investment by a Series in the securities of an Unaffiliated Underlying Fund exceeds the limit in section 12(d)(1)(A)(i) of the Act, the board of directors or trustees of the Unaffiliated Underlying Fund, including a majority of the disinterested board members, will determine that any consideration paid by the Unaffiliated Underlying Fund to the Series or Series Affiliate in connection with any services or transactions: (a) Is fair and reasonable in relation to the nature and quality of the services and benefits received by the Unaffiliated Underlying Fund; (b) is within the range of consideration that the Unaffiliated Underlying Fund would be required to pay to another unaffiliated entity in connection with the same services or transactions; and (c) does not involve overreaching on the part of any person concerned. This condition does not apply with respect to any services or transactions between an Unaffiliated Underlying Fund and its investment adviser(s), or any person controlling, controlled by, or under common control with such investment adviser(s).

4. The Trustee or Depositor will waive fees otherwise payable to it by the Series, in an amount at least equal to any compensation (including fees received pursuant to any plan adopted by an Unaffiliated Underlying Fund under rule 12b–1 under the Act) received from an Unaffiliated Fund by the Trustee or Depositor, or an affiliated person of the Trustee or Depositor, other than any advisory fees paid to the Trustee or Depositor or its affiliated person by an Unaffiliated Underlying Fund, in connection with the investment by a Series in the Unaffiliated Fund.

5. No Series or Series Affiliate (except to the extent it is acting in its capacity as an investment adviser to an Unaffiliated Underlying Fund or sponsor to an Unaffiliated Underlying Trust) will cause an Unaffiliated Fund to purchase a security in an offering of securities during the existence of any underwriting or selling syndicate of which a principal underwriter is the Depositor or a person of which the Depositor is an affiliated person (each, an "Underwriting Affiliate," except any person whose relationship to the Unaffiliated Fund is covered by section 10(f) of the Act is not an Underwriting Affiliate). An offering of securities during the existence of an underwriting or selling syndicate of which a principal underwriter is an Underwriting Affiliate is an "Affiliated Underwriting."

6. The board of an Unaffiliated Underlying Fund, including a majority of the disinterested board members, will adopt procedures reasonably designed to monitor any purchases of securities by the Unaffiliated Underlying Fund in an Affiliated Underwriting once an investment by a Series in the securities of the Unaffiliated Underlying Fund exceeds the limit of section 12(d)(1)(A)(i) of the Act, including any purchases made directly from an Underwriting Affiliate. The board of the Unaffiliated Underlying Fund will review these purchases periodically, but no less frequently than annually, to

[3] Applicants note that shares of an Exchange Fund would be purchased and sold generally through secondary market transactions at market prices rather than through principal transactions with the Exchange Fund at net asset value. Applicants will not rely on the requested relief from section 17(a) for such secondary market transactions.

determine whether the purchases were influenced by the investment by the Series in the Unaffiliated Underlying Fund. The board of the Unaffiliated Underlying Fund will consider, among other things: (a) Whether the purchases were consistent with the investment objectives and policies of the Unaffiliated Underlying Fund; (b) how the performance of securities purchased in an Affiliated Underwriting compares to the performance of comparable securities purchased during a comparable period of time in underwritings other than Affiliated Underwritings or to a benchmark such as a comparable market index; and (c) whether the amount of securities purchased by the Unaffiliated Underlying Fund in Affiliated Underwritings and the amount purchased directly from an Underwriting Affiliate have changed significantly from prior years. The board of the Unaffiliated Underlying Fund will take any appropriate actions based on its review, including, if appropriate, the institution of procedures designed to assure that purchases of securities in Affiliated Underwritings are in the best interests of shareholders.

7. An Unaffiliated Underlying Fund will maintain and preserve permanently in an easily accessible place a written copy of the procedures described in the preceding condition, and any modifications to such procedures, and will maintain and preserve for a period of not less than six years from the end of the fiscal year in which any purchase in an Affiliated Underwriting occurred, the first two years in an easily accessible place, a written record of each purchase of securities in Affiliated Underwritings once an investment by a Series in the securities of the Unaffiliated Underlying Fund exceeds the limit of section 12(d)(1)(A)(i) of the Act, setting forth from whom the securities were acquired, the identity of the underwriting syndicate's members, the terms of the purchase, and the information or materials upon which the determinations of the board of the Unaffiliated Underlying Fund were made.

8. Before investing in an Unaffiliated Underlying Fund in excess of the limit in section 12(d)(1)(A)(i), each Series and the Unaffiliated Underlying Fund will execute a Participation Agreement stating, without limitation, that the Depositor and Trustee, and the board of directors or trustees of the Unaffiliated Underlying Fund and the investment adviser(s) to the Unaffiliated Underlying Fund, understand the terms and conditions of the order and agree to fulfill their responsibilities under the order. At the time of its investment in shares of an Unaffiliated Underlying Fund in excess of the limit in section 12(d)(1)(A)(i), a Series will notify the Unaffiliated Underlying Fund of the investment. At such time, the Series also will transmit to the Unaffiliated Underlying Fund a list of the names of each Series Affiliate and Underwriting Affiliate. The Series will notify the Unaffiliated Underlying Fund of any changes to the list of names as soon as reasonably practicable after a change occurs. The Unaffiliated Underlying Fund and the Series will maintain and preserve a copy of the order, the Participation Agreement, and the list with any updated information for the duration of the investment, and for a period of not less than six years thereafter, the first two years in an easily accessible place.

9. Any sales charges and/or service fees charged with respect to Units of a Series will not exceed the limits applicable to a fund of funds as set forth in Rule 2830 of the Conduct Rules of the NASD.

10. No Fund will acquire securities of any other investment company or company relying on section 3(c)(1) or 3(c)(7) of the Act in excess of the limits contained in section 12(d)(1)(A) of the Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19248 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62604; File No. SR–NYSEArca–2010–49]

Self-Regulatory Organizations; NYSE Arca, Inc.; Order Granting Approval of Proposed Rule Change, as Modified by Amendment No. 1 Thereto, Regarding Listing and Trading of the WisdomTree Emerging Markets Local Debt Fund

July 30, 2010.

I. Introduction

On June 10, 2010, NYSE Arca, Inc. ("Exchange" or "NYSE Arca") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") [1] and Rule 19b–4 thereunder,[2] a proposed rule change to list and trade shares of the WisdomTree Emerging Markets Local Debt Fund under NYSE Arca Equities Rule 8.600. On June 18, 2010, the Exchange filed Amendment No. 1 to the proposed rule change. The proposed rule change, as amended, was published for comment in the **Federal Register** on June 29, 2010.[3] The Commission received no comments on the proposal. This order grants approval of the proposed rule change.

II. Description of the Proposal

The Exchange proposes to list and trade shares ("Shares") of the WisdomTree Emerging Markets Local Debt Fund ("Fund") of the WisdomTree Trust ("Trust"), pursuant to NYSE Arca Equities Rule 8.600, which governs the listing and trading of Managed Fund Shares on the Exchange. The Fund will be an actively managed exchange-traded fund. The Shares will be offered by the Trust, which was established as a Delaware statutory trust on December 15, 2005 and is registered with the Commission as an investment company.[4] WisdomTree Asset Management, Inc. is the investment adviser ("Adviser") to the Fund, and Mellon Capital Management Corporation serves as sub-adviser for the Fund ("Sub-Adviser").[5] The Exchange represents that the Shares will be subject to Rule 8.600(d), which sets forth the initial and continued listing criteria applicable to Managed Fund Shares. In addition, for initial and/or continued listing, the Shares will be in compliance with Rule 10A–3 under the Exchange Act,[6] as provided by NYSE Arca Equities Rule 5.3.

The Fund seeks to provide investors with a high level of total return consisting of both income and capital appreciation and is designed to provide exposure to a broad range of emerging market countries and issuers through investments in local currency debt instruments. Specifically, the Fund intends to invest in issuers in Asia,

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 62350 (June 22, 2010), 75 FR 37502 ("Notice").

[4] The Fund has filed a registration statement on Form N–1A ("Registration Statement") with the Commission. *See* Post-Effective Amendment No. 32 to Registration Statement on Form N–1A for the Trust, dated March 19, 2010 (File Nos. 333–132380 and 811–21864), as amended on June 8, 2010.

[5] The Exchange represents that, while the Adviser is not affiliated with any broker-dealer, the Sub-Adviser is affiliated with multiple broker-dealers and has implemented a "fire wall" with respect to such broker-dealers regarding access to information concerning the composition and/or changes to the Fund's portfolio. In addition, MCM personnel who make decisions regarding the Fund's portfolio are subject to procedures designed to prevent the use and dissemination of material non-public information regarding the Fund's portfolio. *See* Commentary .06 to NYSE Arca Equities Rule 8.600.

[6] *See* 17 CFR 240.10A–3.

Latin America, Eastern Europe, Africa, and the Middle East. Likely country exposures include Brazil, Chile, Colombia, Hungary, Indonesia, Israel, Malaysia, Mexico, Peru, Poland, Russia, South Africa, South Korea, Thailand, and Turkey. The Fund intends to invest at least 70% of its net assets in debt instruments denominated in a currency other than the U.S. dollar issued by emerging market governments, government agencies, corporations, and supranational issuers, which include international organizations such as the European Investment Bank, International Bank for Reconstruction and Development, International Finance Corporation, or other regional development banks (collectively, "Debt Instruments"). The Fund expects to invest up to 20% of its net assets in emerging market corporate bonds. The Fund will invest only in corporate bonds that the Adviser or Sub-Adviser deems to be sufficiently liquid. Generally, a corporate bond must have $200 million or more par amount outstanding and significant par value traded to be considered as an eligible investment. Economic and other conditions in specific countries may, from time to time, lead to a decrease in the average par amount outstanding of bond issuances. Therefore, although the Fund does not intend to do so, the Fund may invest up to 5% of its net assets in corporate bonds with less than $200 million par amount outstanding if (i) the Adviser or Sub-Adviser deems such security to be sufficiently liquid based on its analysis of the market for such security (based on, for example, broker-dealer quotations or its analysis of the trading history of the security or the trading history of other securities issued by the issuer), (ii) such investment is consistent with the Fund's goal of providing exposure to a broad range of countries and issuers, and (iii) such investment is deemed by the Adviser or Sub-Adviser to be in the best interest of the Fund.

The Fund will invest in both investment grade and non-investment grade securities in a manner designed to provide exposure to broad-based emerging market debt. The Fund currently expects that it will have 75% or more of its assets invested in investment grade securities, and no more than 25% of its assets invested in non-investment grade securities. Because the Fund is designed to provide exposure to a broad range of emerging market countries and issuers and because the debt ratings of such countries and issuers will change from time to time, the exact percentage of the Fund's investments in investment grade and non-investment grade debt will change from time to time in response to economic events and changes to the credit ratings of such government and corporate issuers. Within the non-investment grade category some issuers and instruments are considered to be of lower credit quality and at higher risk of default. In order to limit its exposure to these more speculative credits, the Fund will not invest more than 15% of its assets in securities rated B or below by Moody's, or equivalently rated by S&P or Fitch. The Fund does not intend to invest in unrated securities. However, it may do so to a limited extent, such as where a rated security becomes unrated, if such security is determined by the Adviser and Sub-Adviser to be of comparable quality. In determining whether a security is of "comparable quality," the Adviser and Sub-Adviser will consider, for example, whether the issuer of the security has issued other rated securities.

With respect to its limited investments in instruments other than Debt Instruments, the Fund may purchase short-term obligations issued or guaranteed by the U.S. Treasury or the agencies or instrumentalities of the U.S. government; may invest in short-term securities issued or guaranteed by non-U.S. governments, agencies and instrumentalities; may invest in deposits and other obligations of U.S. and non-U.S. banks and financial institutions; may invest in deposits and obligations of banks and financial institutions including certificates of deposit, time deposits, and bankers' acceptances.

The Fund also may invest in corporate debt obligations with less than 397 calendar days remaining to maturity, purchase floating rate and adjustable rate obligations, such as demand notes, bonds, and commercial paper, and pursue its investment objective by investing some of its assets in other WisdomTree Funds based on foreign currencies. In addition, the Fund may use derivative instruments as part of its investment strategies. The examples of derivative instruments include forward currency contracts, non-deliverable forward currency contracts, currency and interest rate swaps, currency options, futures contracts, options on futures contracts, and swap agreements. The Fund's use of derivative instruments will be underpinned by investments in short term, high-quality U.S. money market securities. The Fund expects that no more than 30% of the value of the Fund's net assets will be invested in derivative instruments. Such investments will be consistent with the Fund's investment objective and will not be used to enhance leverage.

With respect to certain kinds of derivative transactions entered into by the Fund that involve obligations to make future payments to third parties, including, but not limited to, futures, forward contracts, swap contracts, the purchase of securities on a when-issued or delayed delivery basis, or reverse repurchase agreements, under applicable Federal securities laws, rules, and interpretations thereof, the Fund must "set aside" liquid assets or engage in other measures to "cover" open positions with respect to such transactions.

The Fund may engage in foreign currency transactions and may invest directly in foreign currencies in the form of bank and financial institution deposits, certificates of deposit, and bankers acceptances denominated in a specified non-U.S. currency. The Fund may also enter into forward currency contracts in order to "lock in" the exchange rate between the currency it will deliver and the currency it will receive for the duration of the contract.

The Fund may enter into swap agreements, including interest rate swaps and currency swaps, and may buy or sell put and call options on foreign currencies either on exchanges or in the over-the-counter market. The Fund may also enter into repurchase agreements with counterparties that are deemed to present acceptable credit risks and reverse repurchase agreements involving the sale of securities held by the Fund, subject to its agreement to repurchase the securities at an agreed upon date or upon demand and at a price reflecting a market rate of interest.

Lastly, the Fund may invest in the securities of other investment companies (including money market funds and exchange-traded funds). The Fund may invest up to an aggregate amount of 10% of its net assets in illiquid securities. Illiquid securities include securities subject to contractual or other restrictions on resale and other instruments that lack readily available markets. The Fund will not invest in non-U.S. equity securities.

Additional details regarding the investment and trading policies of the Fund, creations and redemptions of the Shares, investment risks, NAV calculation, the dissemination of key values and availability of information about the underlying assets, trading halts, applicable trading rules, surveillance, and the Information Bulletin, among other things, can be

found in the Notice and/or the Registration Statement, as applicable.[7]

III. Discussion and Commission's Findings

After careful consideration, the Commission finds that the proposed rule change to list and trade the Shares of the Fund is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.[8] In particular, the Commission finds that the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act,[9] which requires, among other things, that the Exchange's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system.

The Commission finds that the proposal to list and trade the Shares on the Exchange is also consistent with Section 11A(a)(1)(C)(iii) of the Act,[10] which sets forth Congress' finding that it is in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure the availability to brokers, dealers, and investors of information with respect to quotations for, and transactions in, securities. Quotation and last-sale information regarding the Shares will be available via the Consolidated Tape Association's high-speed line. On each business day before commencement of trading in the Shares in the Core Trading Session on the Exchange, the Trust will disclose on its Web site the identities and quantities of the portfolio of securities and other assets ("Disclosed Portfolio") held by the Fund that will form the basis for the Fund's calculation of the NAV at the end of the business day.[11] The Disclosed Portfolio will include, as applicable, the names, quantity, percentage weighting and market value of securities, and other assets held by the Fund and the characteristics of such assets. In addition, an estimated value that reflects an estimated intraday value of the Fund's portfolio, defined in NYSE Arca Equities Rule 8.600 as the "Portfolio Indicative Value," will also be disseminated. The Portfolio Indicative Value will be based upon the current value for the components of the Disclosed Portfolio and will be updated and disseminated by one or more major market data vendors at least every 15 seconds during the Core Trading Session on the Exchange. In addition, during hours when the markets for securities in the Fund's portfolio are closed, the Portfolio Indicative Value will be updated at least every 15 seconds during the Core Trading Session to reflect currency exchange fluctuations. The Web site for the Fund (*http://www.wisdomtree.com*) will contain the prospectus and additional data relating to NAV and other applicable quantitative information.

The Commission further believes that the proposal to list and trade the Shares is reasonably designed to promote fair disclosure of information that may be necessary to price the Shares appropriately and to prevent trading when a reasonable degree of transparency cannot be assured. The Commission notes that the Exchange will obtain a representation from the issuer of the Shares that the NAV and the Disclosed Portfolio will be made available to all market participants at the same time. If the Exchange becomes aware that the NAV or Disclosed Portfolio with respect to the Shares is not disseminated to all market participants at the same time, it will halt trading in the Shares until such time as the NAV or Disclosed Portfolio is available to all market participants. Further, the Exchange may halt trading during the day in which an interruption to the dissemination of the Portfolio Indicative Value occurs. If the interruption to the dissemination of the Portfolio Indicative Value persists past the trading day in which it occurred, the Exchange will halt trading no later than the beginning of the trading day following the interruption.[12] The Exchange also represents that the Sub-Adviser, which is affiliated with multiple broker-dealers, has implemented a "fire wall" with respect to such broker-dealers regarding access to information concerning the composition and/or changes to the Fund's portfolio. In addition, Sub-Adviser personnel who make decisions regarding the Fund's portfolio are subject to procedures designed to prevent the use and dissemination of material non-public information regarding the Fund's portfolio.[13] Finally, the Commission notes that the Reporting Authority that provides the Disclosed Portfolio must implement and maintain, or be subject to, procedures designed to prevent the use and dissemination of material non-public information regarding the actual components of the portfolio.[14]

The Exchange has represented that the Shares are deemed equity securities subject to the Exchange's rules governing the trading of equity securities. In support of this proposal, the Exchange has made representations, including the following:

(1) The Shares will be subject to NYSE Arca Equities Rule 8.600(d), which sets forth the initial and continued listing criteria applicable to Managed Fund Shares.

(2) The Exchange has appropriate rules to facilitate transactions in the Shares during all trading sessions.

(3) The Exchange's surveillance procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable Federal securities laws.

(4) Prior to the commencement of trading, the Exchange will inform its ETP Holders in an Information Bulletin of the special characteristics and risks associated with trading the Shares. Specifically, the Information Bulletin will discuss the following: (a) The procedures for purchases and redemptions of Shares in Creation Unit aggregations (and that Shares are not individually redeemable); (b) NYSE Arca Equities Rule 9.2(a), which imposes a duty of due diligence on its ETP Holders to learn the essential facts relating to every customer prior to trading the Shares; (c) the risks involved in trading the Shares during the Opening and Late Trading Sessions when an updated Portfolio Indicative Value will not be calculated or publicly disseminated; (d) how information

[7] *See supra* notes 3 and 4.

[8] In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[9] 15 U.S.C. 78f(b)(5).

[10] 15 U.S.C. 78k–1(a)(1)(C)(iii).

[11] Under accounting procedures followed by the Fund, trades made on the prior business day ("T") will be booked and reflected in NAV on the current business day ("T+1"). Notwithstanding the foregoing, portfolio trades that are executed prior to the opening of the Exchange on any business day may be booked and reflected in NAV on such business day. Accordingly, the Fund will be able to disclose at the beginning of the business day the portfolio that will form the basis for the NAV calculation at the end of the business day.

[12] *See* NYSE Arca Equities Rule 8.600(d)(2)(D). Trading in the Shares may also be halted because of market conditions or for reasons that, in the view of the Exchange, make trading in the Shares inadvisable. These may include: (1) The extent to which trading is not occurring in the securities comprising the Disclosed Portfolio and/or the financial instruments of the Fund; or (2) whether other unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market are present.

[13] *See supra* note 5 and accompanying text.

[14] *See* NYSE Arca Equities Rule 8.600(d)(2)(B)(ii).

regarding the Portfolio Indicative Value is disseminated; (e) the requirement that ETP Holders deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction; and (f) trading information.

(5) A minimum of 100,000 Shares will be outstanding at the commencement of trading on the Exchange.

(6) For initial and continued listing, the Shares must be in compliance with Rule 10A–3 under the Act.[15]

This approval order is based on the Exchange's representations.

For the foregoing reasons, the Commission finds that the proposed rule change is consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[16] that the proposed rule change (SR–NYSEArca–2010–49), as modified by Amendment No. 1 thereto, be, and it hereby is, approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[17]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19246 Filed 8–3–10; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62606; File No. SR–NYSEAmex–2010–74]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by NYSE Amex LLC That Constitutes a Stated Interpretation With Respect to the Meaning, Administration, and Enforcement of Rule 128(g)

July 30, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 28, 2010, NYSE Amex LLC ("NYSE Amex" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to constitutes [sic] a stated interpretation with respect to the meaning, administration, and enforcement of NYSE Amex Equities Rule 128(g). The text of the proposed rule change is available at the Exchange, the Commission's Public Reference Room, and *http://www.nyse.com.*

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to adopt a stated interpretation with respect to the meaning, administration, and enforcement of NYSE Amex Equities Rule 128(g), concerning the ability of an Exchange Officer to act on his or her own motion to review potentially erroneous executions.

Rule 128(g) provides that an Officer, acting on his or her own motion, may review potentially erroneous executions that occur on the Exchange and may, among other things, declare such transaction(s) null and void. When extraordinary circumstances exist, any such action must be taken by no later than the start of the Regular Trading Hours of the Exchange on the trading day following the date of execution(s) under review.

For purposes of Rule 128(g), the Exchange believes that a series of transactions in a particular security on one or more trading days may be viewed as one event if all such transactions were effected based on incorrect or grossly misinterpreted structural or issuance information, resulting in a severe pricing dislocation for all such transactions (the "Event"). In such circumstances, the Event may be considered to constitute extraordinary circumstances pursuant to Rule 128(g). An Officer acting on his or her own motion may take action to declare all transactions that occurred during the Event null and void not later than before the start of the next trading date following the last such transaction in the Event. If the security is halted immediately following the last transaction in the Event, and before pricing ceases to be dislocated, the next trading date for all transactions comprising the Event will be the date on which trading resumes following the halt.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the "Act"),[3] in general, and furthers the objectives of Section 6(b)(5) of the Act,[4] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes that the proposed stated interpretation promotes just and equitable principles of trade because it ensures that a potentially erroneous execution may be reviewed if such executions are based on incorrect or grossly misinterpreted structural or issuance information, resulting in a severe pricing dislocation for all such transactions. The stated interpretation also enables the Exchange to declare null and void such potentially erroneous executions during a halt in trading, but before trading resumes at a price based on the corrected information.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

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[15] *See supra* note 6.

[16] 15 U.S.C. 78f(b)(2).

[17] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78f(b).

[4] 15 U.S.C. 78f(b)(5).

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)[5] of the Act and Rule 19b–4(f)(1)[6] thereunder. At any time within the 60-day period beginning on the date of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an e-mail to *rule-comments@sec.gov*. Please include File Number SR–NYSEAmex–2010–74 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEAmex–2010–74. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEAmex–2010–74 and should be submitted on or before August 26, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19263 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62609; File No. SR–NYSE–2010–55]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by New York Stock Exchange LLC That Constitutes a Stated Interpretation With Respect to the Meaning, Administration, and Enforcement of Rule 128(g)

July 30, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act")[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 27, 2010, New York Stock Exchange LLC ("NYSE" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes a rule change that constitutes a stated interpretation with respect to the meaning, administration, and enforcement of Rule 128(g). The text of the proposed rule change is available at the Exchange, the Commission's Public Reference Room, and *http://www.nyse.com.*

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to adopt a stated interpretation with respect to the meaning, administration, and enforcement of Rule 128(g), concerning the ability of an Exchange Officer to act on his or her own motion to review potentially erroneous executions.

Rule 128(g) provides that an Officer, acting on his or her own motion, may review potentially erroneous executions that occur on the Exchange and may, among other things, declare such transaction(s) null and void. When extraordinary circumstances exist, any such action must be taken by no later than the start of the Regular Trading Hours of the Exchange on the trading day following the date of execution(s) under review.

For purposes of Rule 128(g), the Exchange believes that a series of transactions in a particular security on one or more trading days mayl [sic] be viewed as one event if all such transactions were effected based on incorrect or grossly misinterpreted structural or issuance information, resulting in a severe pricing dislocation for all such transactions (the "Event"). In such circumstances, the Event may be considered to constitute extraordinary circumstances pursuant to Rule 128(g). An Officer acting on his or her own motion may take action to declare all transactions that occurred during the Event null and void not later than before the start of the next trading date following the last such transaction in the Event. If the security is halted immediately following the last transaction in the Event, and before pricing ceases to be dislocated, the next trading date for all transactions comprising the Event will be the date on which trading resumes following the halt.

In particular, the Exchange believes that the interpretation is applicable to a recent event involving an exchange offer ("Exchange Offer") made by U.S. Bancorp in which there were a series of executions based on incorrect or grossly misinterpreted structural or issuance information, as a result of which the securities traded at severely dislocated prices.

In May 2010, U.S. Bancorp commenced an offer to exchange up to 1,250,000 Depositary Shares, each representing a 1/100 the interest in a share of Series A Non-Cumulative Perpetual Preferred Stock, $100,000 liquidation preference per share (the "Depositary Shares") for any and all of the 1,250,000 outstanding 6.189% Fixed-to-Floating Rate Normal ITS issued by U.S. Bancorp Capital IX, each with a liquidation amount of $1,000 (the "Normal ITS"). The Depositary Shares were approved for listing on the NYSE under the symbol USB PRA. On June 11, 2010, the NYSE opened the shares on a quote, but trading did not commence until June 16, 2010 at prices in the range of $79.00 per share. There were additional executions on the Exchange in that price range on June 17 and 18, 2010.

On June 18, 2010, Exchange staff learned that the prices at which trades had executed were not consistent with the value of the security, which was closer to an $800 price. Upon learning of the pricing disparity, the Exchange immediately halted trading in the Depositary Shares on all markets and alerted U.S. Bancorp and other exchanges that traded the Depositary Shares of the pricing discrepancy.

For purposes of this stated interpretation, the Exchange believes that the trading in Depository Shares from June 16 to June 18 constituted a single event because that trading was based on incorrect or grossly misinterpreted structural or issuance information that resulted in severe price dislocation (the "U.S. Bancorp Event"). Because the Depository Shares were halted before the price of the Depository Shares ceased to be dislocated, and remain halted, the Exchange believes that, pursuant to this interpretation, an Officer may review trading in Depository Shares and may declare null and void all trading in the U.S. Bancorp Event, provided such declaration is made before the security resumes trading following the trading halt.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the "Act"),[3] in general, and furthers the objectives of Section 6(b)(5) of the Act,[4] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes that the proposed stated interpretation promotes just and equitable principles of trade because it ensures that a potentially erroneous execution may be reviewed if such executions are based on incorrect or grossly misinterpreted structural or issuance information, resulting in a severe pricing dislocation for all such transactions. The stated interpretation also enables the Exchange to declare null and void such potentially erroneous executions during a halt in trading, but before trading resumes at a price based on the corrected information.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)[5] of the Act and Rule 19b–4(f)(1)[6] thereunder. At any time within the 60-day period beginning on the date of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an e-mail to *rule-comments@sec.gov.* Please include File Number SR–NYSE–2010–55 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSE–2010–55. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSE–2010–55 and should be submitted on or before August 26, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19265 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

[3] 15 U.S.C. 78f(b).

[4] 15 U.S.C. 78f(b)(5).

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62579; File No. SR–CBOE–2010–068]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Fees Schedule

July 28, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 16, 2010, Chicago Board Options Exchange, Incorporated ("Exchange" or "CBOE") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange has designated this proposal as one establishing or changing a due, fee, or other charge imposed by CBOE under Section 19(b)(3)(A)(ii) of the Act [3] and Rule 19b–4(f)(2) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange proposes to amend its Fees Schedule to make changes related to options on Exchange-Traded Notes and Exchange-Traded Funds. The text of the proposed rule change is available on the Exchange's Web site at *http://www.cboe.org/Legal,* at the Exchange's Office of the Secretary, on the Commission's Web site at *http://www.sec.gov,* and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b–4(f)(2).

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Exchange-Traded Note ("ETN") Options [5]

The first change being proposed by this filing is to codify the Exchange's existing practice of assessing fees for transactions in ETN options at the same rates charged for Exchange-Traded Fund ("ETF") options.[6] To affect this change, the Exchange is proposing to amend Section 1, *Index Options,* to the Fees Schedule by including references to ETNs throughout that section. The transaction fees for ETN options are as follows:

- $0.20 per contract for Market-Maker and Designated Primary Market-Maker transactions;[7]
- $0.20 per contract for Clearing Trading Permit Holder proprietary transactions;
- $0.25 per contract for manually executed broker-dealer transactions;
- $0.45 per contract for electronically executed broker-dealer transactions;
- $0.20 per contract for voluntary professional transactions;
- $0.20 per contract for professional transactions;
- $0.18 per contract for customer transactions; and
- $0.10 per contract CFLEX surcharge fee.

The Exchange is also proposing to amend Section 2, *Marketing Fee,* to the Fees Schedule to codify the marketing fee ($0.25) that will be assessed to any ETN options classes that participate in the Penny Pilot. Currently, there are no ETN options classes in the Penny Pilot.

In addition, the Exchange is proposing to add a reference to ETN options to Footnote 6 regarding the assessment of the marketing fee, which is $0.65 per contract for those classes not in the Penny Pilot.[8]

The Exchange is also proposing to add a reference to ETN options to Footnote 9 regarding the waiver of transaction fees for customer orders of 99 contracts or less and the charging of any leg of a complex order in ETN options that exceed 99 contracts, even if the leg is only partially executed below the 99 contract threshold.

Lastly, the Exchange is proposing to add a reference to ETN options to Section 18, *Customer Large Trade Discount,* which provides that regular customer transaction fees will only be charged up to the first 3,000 contracts.

Exchange-Traded Note and HOLDRs Options

The second change being proposed by this filing is to amend Section 2, *Marketing Fee,* to the Fees Schedule to codify the marketing fee ($0.25) that will be assessed to any ETF and Holding Company Depository Receipts ("HOLDRs") option classes that participate in the Penny Pilot (other than those ETF options that are either assessed a modified marketing fee or no marketing fee).

In addition, the Exchange notes that options on the iShares MSCI Emerging Markets Index Fund ("EEM") and the iShares MSCI Taiwan Index Fung [sic] ("EWT") are not assessed a marketing fee.[9] EEM and EWT are classes that participate in the Penny Pilot. Similar to QQQQ and IWM (which are not assessed a marketing fee and participate in the Penny Pilot), the Exchange is proposing to add EEM and EWT to QQQQ and IWM to Section 2, *Marketing Fee,* to clarify that no marketing fee applies to these Penny Pilot classes.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,[10] in general, and furthers the objectives of Section 6(b)(4) [11] of the Act in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among CBOE Trading Permit Holders and other persons using its facilities. The Exchange believes the fee changes proposed by this filing are equitable and reasonable in that [sic] will codify the Exchange's existing practice of assessing fees for ETN options in a manner similar to ETF options. In addition, the changes proposed by this filing clarify CBOE's Fees Schedule.

B. Self-Regulatory Organization's Statement on Burden on Competition

CBOE does not believe that the proposed rule change will impose any

[5] ETN options are also referred to as "Index Linked Securities" in Interpretation and Policy .13 to Rule 5.3. *See also* Securities Exchange Act Release No. 58204 (July 22, 2008), 73 FR 43807 (July 28, 2008) (order approving proposal to list and trade ETN options) (SR–CBOE–2008–64).

[6] *See e.g.,* Securities Exchange Act Release No. 61696 (March 12, 2010), 75 FR 13174 (March 18, 2010) (noting the Exchange's belief that the marketplace and investors expect ETN options to trade in a similar manner to ETF options) (SR–CBOE–2010–005).

[7] This is the standard rate that is subject to the Liquidity Provider Sliding Scale as set forth in Footnote 10 to the Fees Schedule.

[8] *See* Section 2, *Marketing Fee,* of the Fees Schedule.

[9] *See* Footnote 6 of the Fees Schedule.

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78f(b)(4).

burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposal.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change establishes or changes a due, fee, or other charge imposed by the Exchange, it has become effective pursuant to Section 19(b)(3)(A) of the Act [12] and subparagraph (f)(2) of Rule 19b–4 [13] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an e-mail to *rule-comments@sec.gov.* Please include File Number SR–CBOE–2010–068 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–CBOE–2010–068. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make publicly available. All submissions should refer to File Number SR–CBOE–2010–068 and should be submitted on or before August 26, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[14]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19365 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

[12] 15 U.S.C. 78s(b)(3)(A).

[13] 17 CFR 240.19b–4(f)(2).

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62610; File No. SR–NYSEArca–2010–73]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by NYSE Arca, Inc. That Constitutes a Stated Interpretation With Respect to the Meaning, Administration, and Enforcement of NYSE Arca Equities Rule 7.10(g)

July 30, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 28, 2010, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes that constitutes [sic] a stated interpretation with respect to the meaning, administration, and enforcement of NYSE Arca Equities Rule 7.10(g). The text of the proposed rule change is available at the Exchange, the Commission's Public Reference Room, and *http://www.nyse.com.*

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to adopt a stated interpretation with respect to the meaning, administration, and enforcement of NYSE Arca Equities Rule 7.10(g), concerning the ability of an Exchange Officer to act on his or her own motion to review potentially erroneous executions.

Rule 7.10(g) provides that an Officer, acting on his or her own motion, may review potentially erroneous executions that occur on the Exchange and may, among other things, declare such transaction(s) null and void. When extraordinary circumstances exist, any such action must be taken by no later than the start of the Regular Trading Hours of the Exchange on the trading day following the date of execution(s) under review.

For purposes of Rule 7.10(g), the Exchange believes that a series of transactions in a particular security on one or more trading days may be viewed as one event if all such transactions were effected based on incorrect or grossly misinterpreted structural or issuance information, resulting in a severe pricing dislocation for all such transactions (the "Event"). In such

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

circumstances, the Event may be considered to constitute extraordinary circumstances pursuant to Rule 7.10(g). An Officer acting on his or her own motion may take action to declare all transactions that occurred during the Event null and void not later than before the start of the next trading date following the last such transaction in the Event. If the security is halted immediately following the last transaction in the Event, and before pricing ceases to be dislocated, the next trading date for all transactions comprising the Event will be the date on which trading resumes following the halt.

In particular, the Exchange believes that the interpretation is applicable to a recent event involving an exchange offer ("Exchange Offer") made by U.S. Bancorp in which there were a series of executions based on incorrect or grossly misinterpreted structural or issuance information, as a result of which the securities traded at severely dislocated prices.

In May 2010, U.S. Bancorp commenced an offer to exchange up to 1,250,000 Depositary Shares, each representing a 1/100 the interest in a share of Series A Non-Cumulative Perpetual Preferred Stock, $100,000 liquidation preference per share (the "Depositary Shares") for any and all of the 1,250,000 outstanding 6.189% Fixed-to-Floating Rate Normal ITS issued by U.S. Bancorp Capital IX, each with a liquidation amount of $1,000 (the "Normal ITS"). The Depositary Shares were approved for listing on the New York Stock Exchange LLC ("NYSE") under the symbol USB PRA. On June 11, 2010, the NYSE opened the shares on a quote, but trading did not commence until June 16, 2010 at prices in the range of $79.00 per share. There were additional executions on the Exchange in that price range on June 17 and 18, 2010.

On June 18, 2010, the NYSE halted trading in the Depositary Shares on all markets and alerted U.S. Bancorp and other exchanges that traded the Depositary Shares of the pricing discrepancy.

For purposes of this stated interpretation, the Exchange believes that the trading in Depository Shares from June 16 to June 18 constituted a single event because that trading was based on incorrect or grossly misinterpreted structural or issuance information that resulted in severe price dislocation (the "U.S. Bancorp Event"). Because the Depository Shares were halted before the price of the Depository Shares ceased to be dislocated, and remain halted, the Exchange believes that, pursuant to this interpretation, an Officer may review trading in Depository Shares and may declare null and void all trading in the U.S. Bancorp Event, provided such declaration is made before the security resumes trading following the trading halt.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Securities Exchange Act of 1934 (the "Act"),[3] in general, and furthers the objectives of Section 6(b)(5) of the Act,[4] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes that the proposed stated interpretation promotes just and equitable principles of trade because it ensures that a potentially erroneous execution may be reviewed if such executions are based on incorrect or grossly misinterpreted structural or issuance information, resulting in a severe pricing dislocation for all such transactions. The stated interpretation also enables the Exchange to declare null and void such potentially erroneous executions during a halt in trading, but before trading resumes at a price based on the corrected information.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)[5] of the Act and Rule 19b–4(f)(1)[6] thereunder. At any time within the 60-day period beginning on the date of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an e-mail to *rule-comments@sec.gov.* Please include File Number SR–NYSEArca–2010–73 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEArca–2010–73. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–NYSEArca–2010–73 and

[3] 15 U.S.C. 78f(b).

[4] 15 U.S.C. 78f(b)(5).

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

should be submitted on or before August 26, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19247 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62607; File No. SR–ISE–2010–80]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change by International Securities Exchange, LLC That Constitutes a Stated Interpretation With Respect to the Meaning, Administration, and Enforcement of Rule 2128

July 30, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 29, 2010, International Securities Exchange, LLC (the "Exchange" or "ISE") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes a rule change that constitutes a stated interpretation with respect to the meaning, administration, and enforcement of Rule 2128. The proposed rule change is available on the Exchange's Web site at *http://www.ise.com,* at the Exchange's principal office, and at the Public Reference Room of the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to adopt a stated interpretation with respect to the meaning, administration, and enforcement of Rule 2128(g), concerning the ability of an Exchange Officer to act on his or her own motion to review potentially erroneous executions.

Rule 2128(g) provides that an Officer, acting on his or her own motion, may review potentially erroneous executions that occur on the Exchange and may, among other things, declare such transaction(s) null and void. When extraordinary circumstances exist, any such action must be taken by no later than the start of the Regular Market Session of the Exchange on the trading day following the date of execution(s) under review.

For purposes of Rule 2128(g), the Exchange believes that a series of transactions in a particular security on one or more trading days may be viewed as one event if all such transactions were effected based on incorrect or grossly misinterpreted structural or issuance information, resulting in a severe pricing dislocation for all such transactions (the "Event"). In such circumstances, the Event may be considered to constitute extraordinary circumstances pursuant to Rule 2128(g).

An Officer acting on his or her own motion may take action to declare all transactions that occurred during the Event null and void not later than before the start of the next trading date following the last such transaction in the Event. If the security is halted immediately following the last transaction in the Event, and before pricing ceases to be dislocated, the next trading date for all transactions comprising the Event will be the date on which trading resumes following the halt.

In particular, the Exchange believes that the interpretation is applicable to a recent event involving a New York Stock Exchange LLC ("NYSE") offer ("NYSE Exchange Offer") made by U.S. Bancorp in which there were a series of executions based on incorrect or grossly misinterpreted structural or issuance information, as a result of which the securities traded at severely dislocated prices.

In May 2010, U.S. Bancorp commenced an offer to exchange up to 1,250,000 Depositary Shares, each representing a 1/100 the interest in a share of Series A Non-Cumulative Perpetual Preferred Stock, $100,000 liquidation preference per share (the "Depositary Shares") for any and all of the 1,250,000 outstanding 6.189% Fixed-to-Floating Rate Normal ITS issued by U.S. Bancorp Capital IX, each with a liquidation amount of $1,000 (the "Normal ITS"). The Depositary Shares were approved for listing on the NYSE under the symbol USB PRA. On June 11, 2010, the NYSE opened the shares on a quote, but trading did not commence until June 16, 2010 at prices in the range of $85.00 per share. There were additional executions on the ISE Stock Exchange in the $79.00 to $85.00 price range on June 17 and 18, 2010.

On June 18, 2010, the NYSE halted trading in the Depositary Shares on all markets and alerted U.S. Bancorp and other exchanges that traded the Depositary Shares of the pricing discrepancy. For purposes of this stated interpretation, the Exchange believes that the trading in Depository Shares from June 16 to June 18 constituted a single event because that trading was based on incorrect or grossly misinterpreted structural or issuance information that resulted in severe price dislocation (the "U.S. Bancorp Event"). Because the Depository Shares were halted before the price of the Depository Shares ceased to be dislocated, and remain halted, the Exchange believes that, pursuant to this interpretation, an Officer may review trading in Depository Shares and may declare null and void all trading in the U.S. Bancorp Event, provided such declaration is made before the security resumes trading following the trading halt.

2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,[3] in general, and furthers the objectives of Section 6(b)(5) of the Act,[4] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes that the proposed stated interpretation promotes just and equitable principles of trade because it ensures that a potentially erroneous execution may be

[7] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78f(b).

[4] 15 U.S.C. 78f(b)(5).

reviewed if such executions are based on incorrect or grossly misinterpreted structural or issuance information, resulting in a severe pricing dislocation for all such transactions. The stated interpretation also enables the Exchange to declare null and void such potentially erroneous executions during a halt in trading, but before trading resumes at a price based on the corrected information.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A) [5] of the Act and Rule 19b–4(f)(1) [6] thereunder. At any time within the 60-day period beginning on the date of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an e-mail to *rule-comments@sec.gov.* Please include File Number SR–ISE–2010–80 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–ISE–2010–80. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–ISE–2010–80 and should be submitted on or before August 26, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19266 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62599; File No. SR–NYSEAmex–2010–75]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by NYSE Amex LLC To Amend Certain of Its Rules in Connection With the Decommissioning of the Odd-Lot System

July 29, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act") [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on July 29, 2010, NYSE Amex LLC (the "Exchange" or "NYSE Amex") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend certain of its NYSE Amex Equities Rule 500 Series to correspond with rule changes filed by the Exchange and approved by the Commission.[3] The text of the proposed rule change is available at the Exchange's principal office, from the Commission's Public Reference Room, on the Commission's Web site at *http://www.sec.gov*, and at *http://www.nyse.com.*

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 62578 (July 27, 2010) (order approving SR–NYSE–2010–43 and SR–NYSEAmex–2010–53).

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend certain of the NYSE Amex Equities Rule 500 Series to correspond with rule changes filed by the Exchange and approved by the Commission.

a. Background

On July 27, 2010, the Commission approved amendments to certain Exchange rules relating to the receipt and execution of odd-lot interest into the round-lot market and to decommission the use of the odd-lot system.[4] The Exchange proposes to implement these changes on a stock-by-stock basis beginning on July 30, 2010.

As approved, the Exchange will no longer trade odd-lot sized (generally, less than 100 shares) orders in a separate, dedicated system, but will trade them on the Display Book system, which the Exchange uses for round-lot sized orders. As part of these changes, the new unit of trading on the Exchange will be one share. However, quotes of less than one round-lot (generally, 100 shares) will not be displayed as the Exchange quotation and odd-lot sized transactions will not be published to the Consolidated Tape.

b. Proposed Amendments to Rules 501-, 506- and 508- NYSE Amex Equities

In conjunction with the Exchange's decommissioning of its odd-lot system, the Exchange proposes conforming amendments to Rules 501-, 506- and 508- NYSE Amex Equities governing the trading of Nasdaq Securities.

In Rule 501(a)—NYSE Amex Equities, the Exchange proposes to amend the definition of the term "Closing Price" to mean the last transaction in a Nasdaq Security on the Exchange reported to the Consolidated Tape. This change is necessary because, under the current Rule, a last transaction on the Exchange in a Nasdaq Security could be an odd-lot sized transaction, which would not be reported to the Consolidated Tape. The proposed change makes clear that only transactions reported to the Consolidated Tape would be considered for the Closing Price. In paragraph (e)(1) of Rule 501—NYSE Amex Equities, the Exchange further proposes to add language to conform the definition of a "Stop Order" for Nasdaq Securities with that for the Exchange's listed securities in accordance with Rule 13—NYSE Amex Equities.

The Exchange proposes to amend Rule 506(a)—NYSE Amex Equities to conform with the approved changes to Rules 55- and 56- NYSE Amex Equities. Thus, the minimum unit of trading for Nasdaq Securities will be one share and Nasdaq Securities will be quoted in round-lots of 100 shares, unless the UTP Listing Market determines otherwise, in which case the provisions of Rule 64—NYSE Amex Equities shall apply. Correspondingly, the Exchange further proposes to delete the provisions of Rule 506(b)(1)(A)- and (B)- NYSE Amex Equities related to odd-lots and partial round-lots, and the cross-reference to Rule 65—NYSE Amex Equities in paragraph (b)(3)(A) of Rule 506—NYSE Amex Equities.

The Exchange further proposes to delete the provisions of Rule 508(a)(1)(A)—NYSE Amex Equities. Because odd-lot sized orders will no longer trade on their own system, but will instead trade with all other interest in Display Book, odd-lot sized orders in Nasdaq Securities will not be accepted by the Exchange before trading opens and will be rejected by Exchange systems.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,[5] in general, and furthers the objectives of Section 6(b)(5) of the Act,[6] in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change supports the objectives of the Act by conforming, as needed, its rules governing the trading of Nasdaq Securities with the rules for trading its listed securities.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[7] and Rule 19b–4(f)(6) thereunder.[8] Because the proposed rule change does not:
(i) Significantly affect the protection of investors or the public interest;
(ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[9] and Rule 19b–4(f)(6) thereunder.[10]

The Exchange has requested that the Commission waive the 30-day operative delay. The Commission believes that waiver of the operative delay is consistent with the protection of investors and the public interest because the proposal is substantially similar to another proposal that was approved by the Commission.[11] In addition, waiver of the operative delay will allow the proposed rule changes to become operative before the existing odd-lot system is decommissioned on July 30, 2010, and thus will ensure consistency between the rules governing trading of Nasdaq Securities and listed securities. Therefore, the Commission designates the proposal operative upon filing.[12]

At any time within the 60-day period beginning on the date of filing of the proposed rule change, the Commission summarily may temporarily suspend

[4] *See* Securities Exchange Act Release No. 62578 (July 27, 2010). The New York Stock Exchange LLC ("NYSE") submitted, and received SEC approval of, a companion rule filing adopting trading-in-shares. *See id.*

[5] 15 U.S.C. 78f(b).

[6] 15 U.S.C. 78f(b)(5).

[7] 15 U.S.C. 78s(b)(3)(A)(iii).

[8] 17 CFR 240.19b–4(f)(6).

[9] 15 U.S.C. 78s(b)(3)(A).

[10] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Commission has waived the five-day pre-filing requirement in this case.

[11] *See* Securities Exchange Act Release No. 62578 (July 27, 2010) (SR–NYSEAmex–2010–53).

[12] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send e-mail to *rule-comments@sec.gov*. Please include File Number SR–NYSEAmex–2010–75 on the subject line.

Paper Comments

Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–NYSEAmex–2010–75. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File number SR–NYSEAmex–2010–75 and should be submitted on or before August 26, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[13]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19262 Filed 8–4–10; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62597; File No. SR–BATS–2010–020]

Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Establish a Short Term Option Program

July 29, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")[1] and Rule 19b–4 thereunder,[2] notice is hereby given that, on July 27, 2010, BATS Exchange, Inc. (the "Exchange" or "BATS") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange has designated this proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A) of the Act[3] and Rule 19b–4(f)(6) thereunder,[4] which renders it effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is proposing to amend Rule 19.6 (Series of Options Contracts Open for Trading) and Rule 29.11 (Terms of Index Options Contracts) in order to list option series that expire one week after being opened for trading; to add the definitions of Quarterly Options Series and Short Term Option Series to Rules 16.1 and 29.2; and to renumber and reletter definitions in Rule 16.1 and Rule 29.2.

The text of the proposed rule change is available at the Exchange's Web site at *http://www.batstrading.com,* at the principal office of the Exchange, on the Commission's Web site at *http://www.sec.gov,* and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to establish a short term option program on the Exchange ("STO Program" or "Short Term Option Program") by proposing to add new Rule 19.6, Interpretation Policy .05 and Rule 29.11(h) in order to list option series that expire one week after being opened for trading ("Short Term Option Series" or "STO"). The Exchange also proposes to add the definitions of "Quarterly Options Series" and "Short Term Option Series" to Rule 16.1 and Rule 29.2 ,[5] and to renumber and reletter definitions in Rule 16.1 and Rule 29.2.

The Commission approved the Short Term Option Program on a pilot basis in 2005 and approved permanent establishment of the Short Term Option Program in 2009 on behalf of Chicago Board Options Exchange ("CBOE") in its Rules 5.5 and 24.9.[6] Thereafter, CBOE amended Rules 5.5 and 24.9 to permit opening Short Term Option Series not just on Friday but also on Thursday.[7]

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[13] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A).

[4] 17 CFR 240.19b–4(f)(6)(iii).

[5] Short Term Option Series is defined as: A series in an option class that is approved for listing and trading on the Exchange in which the series is opened for trading on any Thursday or Friday that is a business day and that expires on the Friday of the next business week. If a Thursday or Friday is not a business day, the series may be opened (or shall expire) on the first business day immediately prior to that Thursday or Friday, respectively. Proposed Rules 16.1(a)(56) and 29.2(n).

[6] CBOE refers to its short term option program as the "Weeklys Program." *See* Securities Exchange Act Release Nos. 52011 (July 12, 2005), 70 FR 41451 (July 19, 2005) (SR–CBOE–2004–63) (approval order establishing Weeklys Pilot Program) and 59824 (April 27, 2009), 74 FR 20518 (May 4, 2009) (SR–CBOE–2009–018) (approval order permanently establishing Weeklys Program).

[7] *See* Securities Exchange Act Release No. 62170 (May 25, 2010), 75 FR 30889 (June 2, 2010) (SR–

Continued

Recently, other options exchanges have established or implemented as permanent Short Term Option Programs.[8] The Exchange's proposal is based directly on the short term option program (Weeklys Program) in CBOE Rules 5.5 and 24.9; PHLX Rules 1012 and Rule 1101A; NOM Rules Chapter IV, Section 6 and Chapter XIV, Section 11; BOX Rules Chapter IV, Section 6 and Chapter XIV, Section 10; NYSE Arca Rules 5.19 and 6.4; NYSE Amex Rules 903C and 903; and ISE Rules 504 and 2009.

Specifically, the Exchange proposes to establish a Short Term Option Program for non-index options (*e.g.,* equity options and ETF options) in new Interpretation and Policy .05 to Rule 19.6; and for index options in new Rule 29.11(h). The Short Term Option Program allows the Exchange to list and trade Short Term Option Series. Thus, after an option class has been approved for listing and trading on the Exchange, the Exchange may open for trading on any Thursday or Friday that is a business day ("Short Term Option Opening Date") series of options on that class that expire on the Friday of the following business week that is a business day ("Short Term Option Expiration Date"). If the Exchange is not open for business on the respective Thursday or Friday, the Short Term Option Opening Date will be the first business day immediately prior to that respective Thursday or Friday. Similarly, if the Exchange is not open for business on the Friday of the following business week, the Short Term Option Expiration Date will be the first business day immediately prior to that Friday.[9]

Under the STO Program, the Exchange may select up to five (5) approved option classes on which Short Term Option Series could be opened. The Exchange also may list Short Term Option Series on any option classes that are selected by other securities exchanges that employ a similar program under their respective rules.[10] For each class selected for the STO Program, the Exchange may open up to twenty Short Term Option Series for each expiration date in that class, with approximately the same number of strike prices above and below the value of the underlying security or calculated index value at about the time that the Short Term Option Series is opened. The interval between strike prices on Short Term Option Series shall be the same as the strike prices for series in that same option class that expire in accordance with the normal monthly expiration cycle.[11]

Any strike prices listed by the Exchange shall be within thirty percent (30%) above or below the current value of the underlying index.[12] If the Exchange opens less than twenty Short Term Option Series for a given expiration date, additional series may be opened for trading on the Exchange when the Exchange deems it necessary to maintain an orderly market, to meet customer demand, or when the current value of the underlying security or index moves substantially from the previously listed exercise prices. The total number of series for a given expiration date, however, will not exceed twenty series. Any additional strike prices listed by the Exchange shall be within 30% above or below the current price of the underlying security. The Exchange may also open additional strike prices of Short Term Option Series that are more than 30% above or below the current price of the underlying security provided that demonstrated customer interest exists for such series, as expressed by institutional, corporate or individual customers or their brokers. Market-Makers trading for their own account shall not be considered when determining customer interest under this provision. Moreover, the opening of the new Short Term Option Series shall not affect the series of options of the same class previously opened.[13]

The Short Term Option Program provides that no Short Term Option Series may expire in the same week in which monthly option series on the same class expire or, in the case of Quarterly Options Series, on an expiration that coincides with an expiration of Quarterly Options Series on the same class.[14] With regard to the impact of this proposal on system capacity, the Exchange has analyzed its capacity and represents that it and the Options Price Reporting Authority ("OPRA") have the necessary systems capacity to handle the potential additional traffic associated with the listing and trading of options pursuant to the Short Term Option Program.

Finally, the Exchange proposes to add a definition of Quarterly Options Series ("QOS") to Rule 16.1 and Rule 29.2. The definition was inadvertently left out when the rules for BATS Options, including QOS listing standards, were adopted for the Exchange,[15] and the addition conforms the noted BATS Options rule language to Phlx Rules 1000 and 1000A as well as the rules of CBOE.

The Exchange believes that the Short Term Option Program will provide investors with a flexible and valuable tool to manage risk exposure, minimize capital outlays, and be more responsive to the timing of events affecting the securities that underlie options contracts. The Exchange also believes that providing the flexibility to list all Short Term Option series (equity and index) on any Thursday or Friday will help implement the program more effectively and avoid investor confusion.

The Exchange has agreed for the purposes of this filing, to submit one report to the Commission providing an analysis of the Exchange's Short Term Option Program (the "Report"). The Report will cover the period from the date of effectiveness of the STO Program through the first quarter of 2011, and will describe the experience of the Exchange with the STO Program in respect of the options classes included by the Exchange in such program.[16] The

CBOE–2010–048) (notice of filing and immediate effectiveness allowing opening Short Term Option Series on any Thursday or Friday).

[8] *See* Securities Exchange Act Release Nos. 62296 (June 15, 2010), 75 FR 35115 (June 21, 2010) (SR–PHLX–2010–084) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change by NASDAQ OMX PHLX, Inc. To Establish a Short Term Option Program); 62297 (June 15, 2010), 75 FR 35111 (June 21, 2010) (SR–NOM–2010–073) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change by The NASDAQ Stock Market LLC To Establish a Short Term Option Program); 62369 (June 23, 2010), 75 FR 37868 (June 23, 2010) (SR–Arca-2010–059) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change by NYSE Arca To Expand and Permanently Establish its Short Term Option Program); 62370 (June 23, 2010), 75 FR 35870 (June 30, 2010) (SR–Amex–2010–062) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change by NYSE Amex, LLC To Expand and Permanently Establish Its Short Term Option Program).

[9] *See* proposed Rule 19.6, Interpretation and Policy .05 and Rule 29.11(h).

[10] *See* proposed Rule 19.6, Interpretation and Policy .05(a) and Rule 29.11(h)(l).

[11] *See* proposed Rule 19.6, Interpretation and Policy .05(e) and Rule 29.11(h)(5).

[12] *See* proposed Rule 19.6, Interpretation and Policy .05(c) and Rule 29.11(h)(3).

[13] *See* proposed Rule 19.6, Interpretation and Policy .05(d) and Rule 29.11(h)(4).

[14] *See* proposed Rule 19.6, Interpretation and Policy .05(b) and Rule 29.11(h)(2). Moreover, the Exchange expects that Short Term Option Series will settle (*e.g.,* in terms of A.M. or P.M.) in the same manner as do the monthly expiration series in the same option class.

[15] *See* Securities Exchange Act Release No. 61419 (January 26, 2010), 75 FR 5157 (February 1, 2010) (SR–BATS–2009–031) (notice of approval of a proposal to establish rules governing the trading of options on the BATS Options Exchange).

[16] The Report would include the following: (1) Data and written analysis on the open interest and trading volume in the classes for which Short Term Option Series were opened; (2) an assessment of the appropriateness of the option classes selected for the STO Program; (3) an assessment of the impact of the STO Program on the capacity of the Exchange, OPRA, and market data vendors (to the extent data from market data vendors is available);

Report will be submitted by May 1, 2011, under separate cover and will seek confidential treatment under the Freedom of Information Act.

2. Statutory Basis

Approval of the rule change proposed in this submission is consistent with Section 6(b) of the Act [17] in general, and furthers the objectives of Section 6(b)(5) of the Act [18] in particular in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanisms of a free and open market and a national market system, by establishing a Short Term Option Program that will provide investors with a flexible and valuable tool to manage risk exposure, minimize capital outlays, and be more responsive to the timing of events affecting the securities that underlie option contracts.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change imposes any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act [19] and Rule 19b–4(f)(6) thereunder.[20] Because the proposed rule change does not:
(i) Significantly affect the protection of investors or the public interest;
(ii) impose any significant burden on competition; and (iii) become operative prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act [21] and Rule 19b–4(f)(6) thereunder.[22]

The Exchange has requested that the Commission waive the 30-day operative delay. The Commission believes that waiver of the operative delay is consistent with the protection of investors and the public interest because the proposal is substantially similar to that of another exchange that was approved by the Commission.[23] Therefore, the Commission designates the proposal operative upon filing.[24]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an e-mail to *rule-comments@sec.gov.* Please include File Number SR–BATS–2010–020 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549–1090.

All submissions should refer to File Number SR–BATS–2010–020. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–BATS–2010–020 and should be submitted on or before August 26, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[25]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–19243 Filed 8–3–10; 8:45 am]

BILLING CODE 8010–01–P

(4) any capacity problems or other problems that arose during the operation of the STO Program and how the Exchange addressed such problems; (5) any complaints that the Exchange received during the operation of the STO Program and how the Exchange addressed them; and (6) any additional information that would assist in assessing the operation of the STO Program.

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(5).

[19] 15 U.S.C. 78s(b)(3)(A)(iii).

[20] 17 CFR 240.19b–4(f)(6).

[21] 15 U.S.C. 78s(b)(3)(A).

[22] 17 CFR 240.19b–4(f)(6). In addition, Rule 19b–4(f)(6)(iii) requires the Exchange to give the Commission written notice of the Exchange's intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Commission has waived the five-day pre-filing requirement in this case.

[23] *See* Securities Exchange Act Release No. 59824 (April 27, 2009), 74 FR 20518 (May 4, 2009) (SR–CBOE–2009–018).

[24] For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. *See* 15 U.S.C. 78c(f).

[25] 17 CFR 200.30–3(a)(12).

DEPARTMENT OF STATE

[Public Notice 7080]

Culturally Significant Objects Imported for Exhibition Determinations: "German Impressionist Landscape Painting: Liebermann—Corinth—Slevogt"

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000, I hereby determine that the objects to be

included in the exhibition "German Impressionist Landscape Painting: Liebermann—Corinth—Slevogt," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Museum of Fine Arts, Houston, Houston, Texas, from on or about September 12, 2010, until on or about December 5, 2010, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6469). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: July 27, 2010.

Ann Stock,

Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2010–19323 Filed 8–4–10; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 7078]

Culturally Significant Objects Imported for Exhibition Determinations: "The Nepalese Legacy in Tibetan Painting"

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000, I hereby determine that the objects to be included in the exhibition "The Nepalese Legacy in Tibetan Painting," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Rubin Museum of Art, New York, NY, from on or about September 3, 2010, until on or about May 23, 2011, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6467). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: July 30, 2010.

Ann Stock,

Assistant Secretary for Educational and Cultural Affairs, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2010–19321 Filed 8–4–10; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 7079]

Culturally Significant Objects Imported for Exhibition; Determinations: "The Emperor's Private Paradise, Treasures from the Forbidden City"

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000, I hereby determine that the objects to be included in the exhibition "The Emperor's Private Paradise, Treasures from the Forbidden City," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign owner or custodian. I also determine that the exhibition or display of the exhibit objects at the Peabody Essex Museum, Salem, Massachusetts, from on or about September 14, 2010, until on or about January 9, 2011, the Metropolitan Museum of Art, New York, New York, from on or about February 3, 2011, until on or about May 1, 2011, the Milwaukee Art Museum, Milwaukee, Wisconsin, from on or about June 11, 2011, until on or about September 12, 2011, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6469). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: July 30, 2010.

Ann Stock,

Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2010–19319 Filed 8–4–10; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 7081]

Culturally Significant Objects Imported for Exhibition Determinations: "Franz Xaver Messerschmidt"

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.;* 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000, I hereby determine that the objects to be included in the exhibition "Franz Xaver Messerschmidt," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Neue Galerie, New York, New York, from on or about September 16, 2010, until on or about January 10, 2011, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these Determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of the exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6469). The mailing address is U.S. Department of State, SA–5, L/PD, Fifth Floor (Suite 5H03), Washington, DC 20522–0505.

Dated: July 30, 2010.

Ann Stock,

Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.

[FR Doc. 2010–19302 Filed 8–4–10; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice 7097]

Bureau of Educational and Cultural Affairs (ECA) Request for Grant Proposals: Global Undergraduate Exchange Program for East Asia and the Pacific and the Western Hemisphere

Announcement Type: New Cooperative Agreement.

Funding Opportunity Number: ECA/A/E/WHA–11–01.

Catalog of Federal Domestic Assistance Number: 19.009.

Key Dates

Application Deadline: November 1, 2010.

Executive Summary: The Office of Academic Exchange Programs of the Bureau of Educational and Cultural Affairs (ECA) announces an open competition for an assistance award to provide administrative services for the FY 2011 Global Undergraduate Exchange Program for East Asia and the Pacific and the Western Hemisphere (Global UGRAD Program for EAP and WHA). Public and private non-profit organizations meeting the provisions described in IRS regulation 26 CFR 1.501(c)(3) may submit proposals to cooperate with the Bureau in the administration and implementation of academic exchange activities for promising undergraduate students from underrepresented sectors of the population in East Asia and the Pacific and the Western Hemisphere. For a list of participating countries by region, please *see* the Project Objectives, Goals, and Implementation document (POGI) that accompanies this announcement. Organizations must apply to administer the program in both geographic regions. Pending the availability of funds it is anticipated that the total amount of funding available for all FY 2011 activities will be $4,200,000 and will involve the management of approximately 170 students.

I. Funding Opportunity Description

Authority

Overall grant making authority for this program is contained in the Mutual Educational and Cultural Exchange Act of 1961, Public Law 87–256, as amended, also known as the Fulbright-Hays Act. The purpose of the Act is "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries * * *; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations * * * and thus to assist in the development of friendly, sympathetic and peaceful relations between the United States and the other countries of the world." The funding authority for the program above is provided through legislation.

Purpose

The U.S. Department of State is dedicated to increasing its engagement with undergraduate student leaders worldwide who represent indigenous, disadvantaged or underrepresented communities. ECA's outreach includes providing merit-based programs for underserved sectors of society that increase participants' knowledge and understanding of the United States.

The principal objective of the Global Undergraduate Exchange Program (hereafter referred to as the Global UGRAD Program) is to provide a substantive exchange experience at a U.S. college or university to a diverse group of emerging student leaders from underrepresented sectors of the population in East Asia and the Pacific and the Western Hemisphere. The award recipient will ensure that participants are enrolled full-time in a non-degree course of study at U.S. institutions alongside American peers, and will provide the participants with opportunities to experience American society, institutions, and culture in and out of the classroom. Program participants will return to their home countries at the conclusion of the exchange program to complete their degrees in their home colleges and universities, and to re-integrate with their home societies.

The Global UGRAD Program will provide no less than 170 scholarships for non-degree academic study at institutions of higher education to outstanding students from non-elite sectors. This number includes 40 one academic year and 50 one-semester scholarships for students from East Asia and the Pacific and 30 one academic year and 50 one-semester scholarships for students from the Western Hemisphere. In addition, the award recipient will be responsible for providing pre-academic intensive English language instruction as specified in the POGI. Scholarships will be granted to students currently enrolled in an undergraduate program in their home country, and who will have at least a semester of coursework to complete before graduating after they finish their Global UGRAD program and return to their home country. The award recipient will place one-semester and one-academic year program participants in non-degree programs at both U.S. four-year colleges and universities, and community colleges.

The award recipient will enhance the participants' academic education by developing enrichment activities that include having students make local presentations about their countries, performing community service, and taking part in internships. All participants will be required to return to their home countries immediately upon the conclusion of their scholarship program. ECA will not consider participant transfers from the Global UGRAD Program to any other U.S. institution or Exchange Visitor Program.

The award recipient will make all university placements and serve as the principal liaison among Global UGRAD Program host institutions and ECA. Further details on specific program responsibilities can be found in the POGI. Interested organizations should read the entire **Federal Register** announcement for all information prior to preparing proposals. Programs must comply with J–1 visa regulations. Please refer to the Solicitation Package for further instructions.

In a Cooperative Agreement, the WHA and EAP Program Offices of the Office of Academic Exchange Programs (ECA/A/E) are substantially involved in program activities beyond routine monitoring. In this program ECA/A/E will:

1. Participate in the design and direction of program activities;
2. Make final selections of all program participants;
3. Approve and provide input for all program agendas and timelines;
4. Approve all student placements;
5. Provide guidance in the execution of all project components;
6. Monitor the target goal for the number of participants and the expenditure of funds toward meeting that goal;
7. Arrange for State Department speakers at workshops;
8. Assist with SEVIS-related issues;
9. Assist with participant emergencies;
10. Provide liaison with Public Affairs Sections of the U.S. Embassies, bi-national Fulbright Commissions, and

country desk officers at the State Department;

11. Provide program evaluation and feedback to award recipient.

Note: All materials, publicity, and correspondence related to the program must acknowledge this as a program of the Bureau of Educational and Cultural Affairs, U.S. Department of State. The Bureau will retain copyright use of and distribute materials related to this program as it sees fit. *See* the PSI for additional information.

II. Award Information

Type of Award: Cooperative Agreement. ECA's level of involvement in this program is listed under number I above.

Fiscal Year Funds: FY 2011.

Approximate Total Funding: $4,200,000, pending availability of funds.

Approximate Number of Awards: 1.

Anticipated Award Date: Pending availability of funds, the anticipated program start date will be January 1, 2011.

Anticipated Project Completion Date: December 31, 2012.

Additional Information: Pending successful implementation of this program and the availability of funds in subsequent fiscal years, it is ECA's intent to renew this agreement for two additional fiscal years, before openly competing it again.

III. Eligibility Information

III.1. Eligible Applicants

Applications may be submitted by public and private non-profit organizations meeting the provisions described in Internal Revenue Code section 26 U.S.C. 501(c)(3).

III.2. Cost Sharing or Matching Funds

There is no minimum or maximum percentage required for this competition. However, the Bureau encourages applicants to provide maximum levels of cost sharing and funding in support of its programs.

When cost sharing is offered, it is understood and agreed that the applicant must provide the amount of cost sharing as stipulated in its proposal and later included in an approved agreement. Cost sharing may be in the form of allowable direct or indirect costs. For accountability, you must maintain written records to support all costs which are claimed as your contribution, as well as costs to be paid by the Federal government. Such records are subject to audit. The basis for determining the value of cash and in-kind contributions must be in accordance with OMB Circular A–110, (Revised), Subpart C.23—Cost Sharing and Matching. In the event you do not provide the minimum amount of cost sharing as stipulated in the approved budget, ECA's contribution will be reduced in like proportion.

III.3. Other Eligibility Requirements

(a) Bureau grant guidelines require that organizations with less than four years experience in conducting international exchanges be limited to $60,000 in Bureau funding. ECA anticipates making one award, in an amount up to $4,200,000 to support program and administrative costs required to implement this exchange program. Therefore, organizations with less than four years experience in conducting international exchanges are ineligible to apply under this competition. The Bureau encourages applicants to provide maximum levels of cost sharing and funding in support of its programs.

IV. Application and Submission Information

Note: Please read the complete announcement before sending inquiries or submitting proposals. Once the RFGP deadline has passed, Bureau staff may not discuss this competition with applicants until the proposal review process has been completed.

IV.1. Contact Information To Request an Application Package

Please contact the ECA/A/E/WHA, SA–5, 4th Floor, U.S. Department of State, 2200 C Street, NW., Washington, DC 20522–0504, (202) 632–6044, fax: (202) 632–9411, or *ingallstd@state.gov* to request a Solicitation Package. Please refer to the Funding Opportunity Number ECA/A/E/WHA–11–01 when making your request.

Alternatively, an electronic application package may be obtained from grants.gov. Please *see* section IV.3f for further information.

The Solicitation Package contains the Proposal Submission Instruction (PSI) document which consists of required application forms, and standard guidelines for proposal preparation.

It also contains the Project Objectives, Goals and Implementation (POGI) document, which provides specific information, award criteria and budget instructions tailored to this competition.

Please specify Program Officer Thomas Ingalls and refer to the Funding Opportunity Number ECA/A/E/WHA–11–01 on all other inquiries and correspondence.

IV.2. To Download a Solicitation Package Via Internet

The entire Solicitation Package may be downloaded from the Bureau's Web site at *http://exchanges.state.gov/grants/open2.html,* or from the Grants.gov Web site at *http://www.grants.gov.*

Please read all information before downloading.

IV.3. Content and Form of Submission

Applicants must follow all instructions in the Solicitation Package. The application should be submitted per the instructions under IV.3f. "Application Deadline and Methods of Submission" section below.

IV.3a. You are required to have a Dun and Bradstreet Data Universal Numbering System (DUNS) number to apply for a grant or cooperative agreement from the U.S. Government. This number is a nine-digit identification number, which uniquely identifies business entities. Obtaining a DUNS number is easy and there is no charge. To obtain a DUNS number, access *http://www.dunandbradstreet.com* or call 1–866–705–5711. Please ensure that your DUNS number is included in the appropriate box of the SF–424 which is part of the formal application package.

IV.3b. All proposals must contain an executive summary, proposal narrative and budget.

Please Refer to the Solicitation Package. It contains the mandatory Proposal Submission Instructions (PSI) document and the Project Objectives, Goals and Implementation (POGI) document for additional formatting and technical requirements.

IV.3c. You must have nonprofit status with the IRS at the time of application. **Please note:** Effective January 7, 2009, all applicants for ECA Federal assistance awards must include in their application the names of directors and/or senior executives (current officers, trustees, and key employees, regardless of amount of compensation). In fulfilling this requirement, applicants must submit information in one of the following ways:

(1) Those who file Internal Revenue Service Form 990, "Return of Organization Exempt From Income Tax," must include a copy of relevant portions of this form.

(2) Those who do not file IRS Form 990 must submit information above in the format of their choice.

In addition to final program reporting requirements, award recipients will also be required to submit a one-page document, derived from their program reports, listing and describing their

award activities. For award recipients, the names of directors and/or senior executives (current officers, trustees, and key employees), as well as the one-page description of award activities, will be transmitted by the State Department to OMB, along with other information required by the Federal Funding Accountability and Transparency Act (FFATA), and will be made available to the public by the Office of Management and Budget on its USASpending.gov Web site as part of ECA's FFATA reporting requirements.

If your organization is a private nonprofit which has not received a grant or cooperative agreement from ECA in the past three years, or if your organization received nonprofit status from the IRS within the past four years, you must submit the necessary documentation to verify nonprofit status as directed in the PSI document. Failure to do so will cause your proposal to be declared technically ineligible.

IV.3d. Please take into consideration the following information when preparing your proposal narrative:

IV.3d.1 Adherence to All Regulations Governing the J Visa. The Bureau of Educational and Cultural Affairs places critically important emphases on the security and proper administration of the Exchange Visitor (J visa) Programs and adherence by award recipients and sponsors to all regulations governing the J visa. Therefore, proposals should demonstrate the applicant's capacity to meet all requirements governing the administration of the Exchange Visitor Programs as set forth in 22 CFR part 62, including the oversight of Responsible Officers and Alternate Responsible Officers, screening and selection of program participants, provision of pre-arrival information and orientation to participants, monitoring of participants, proper maintenance and security of forms, record-keeping, reporting and other requirements.

The award recipient will be responsible for issuing DS–2019 forms to participants in this program.

A copy of the complete regulations governing the administration of Exchange Visitor (J) programs is available at *http://exchanges.state.gov* or from: Office of Designation, Private Sector Programs Division, U.S. Department of State, ECA/EC/D/PS, SA–5, 5th Floor, 2200 C Street, NW., Washington, DC 20522–0505.

Please refer to Solicitation Package for further information.

IV.3d.2 Diversity, Freedom and Democracy Guidelines. Pursuant to the Bureau's authorizing legislation, programs must maintain a non-political character and should be balanced and representative of the diversity of American political, social, and cultural life. "Diversity" should be interpreted in the broadest sense and encompass differences including, but not limited to ethnicity, race, gender, religion, geographic location, socio-economic status, and disabilities. Applicants are strongly encouraged to adhere to the advancement of this principle both in program administration and in program content. Please refer to the review criteria under the 'Support for Diversity' section for specific suggestions on incorporating diversity into your proposal. Public Law 104–319 provides that "in carrying out programs of educational and cultural exchange in countries whose people do not fully enjoy freedom and democracy," the Bureau "shall take appropriate steps to provide opportunities for participation in such programs to human rights and democracy leaders of such countries." Public Law 106–113 requires that the governments of the countries described above do not have inappropriate influence in the selection process. Proposals should reflect advancement of these goals in their program contents, to the full extent deemed feasible.

IV.3d.3 Program Monitoring and Evaluation. Proposals must include a plan to monitor and evaluate the project's success, both as the activities unfold and at the end of the program. The Bureau recommends that your proposal include a draft survey questionnaire or other technique plus a description of a methodology to use to link outcomes to original project objectives. The Bureau expects that the recipient organization will track participants or partners and be able to respond to key evaluation questions, including satisfaction with the program, learning as a result of the program, changes in behavior as a result of the program, and effects of the program on institutions (institutions in which participants work or partner institutions). The evaluation plan should include indicators that measure gains in mutual understanding as well as substantive knowledge.

Successful monitoring and evaluation depend heavily on setting clear goals and outcomes at the outset of a program. Your evaluation plan should include a description of your project's objectives, your anticipated project outcomes, and how and when you intend to measure these outcomes (performance indicators). The more that outcomes are "smart" (specific, measurable, attainable, results-oriented, and placed in a reasonable time frame), the easier it will be to conduct the evaluation. You should also show how your project objectives link to the goals of the program described in this RFGP.

Your monitoring and evaluation plan should clearly distinguish between program *outputs* and *outcomes. Outputs* are products and services delivered, often stated as an amount. Output information is important to show the scope or size of project activities, but it cannot substitute for information about progress towards outcomes or the results achieved. Examples of outputs include the number of people trained or the number of seminars conducted. *Outcomes,* in contrast, represent specific results a project is intended to achieve and is usually measured as an extent of change. Findings on outputs and outcomes should both be reported, but the focus should be on outcomes.

We encourage you to assess the following four levels of outcomes, as they relate to the program goals set out in the RFGP (listed here in increasing order of importance):

1. *Participant satisfaction* with the program and exchange experience.

2. *Participant learning,* such as increased knowledge, aptitude, skills, and changed understanding and attitude. Learning includes both substantive (subject-specific) learning and mutual understanding.

3. *Participant behavior,* concrete actions to apply knowledge in work or community; greater participation and responsibility in civic organizations; interpretation and explanation of experiences and new knowledge gained; continued contacts between participants, community members, and others.

4. *Institutional changes,* such as increased collaboration and partnerships, policy reforms, new programming, and organizational improvements.

Please note: Consideration should be given to the appropriate timing of data collection for each level of outcome. For example, satisfaction is usually captured as a short-term outcome, whereas behavior and institutional changes are normally considered longer-term outcomes.

Overall, the quality of your monitoring and evaluation plan will be judged on how well it (1) specifies intended outcomes; (2) gives clear descriptions of how each outcome will be measured; (3) identifies when particular outcomes will be measured; and (4) provides a clear description of the data collection strategies for each outcome (*i.e.,* surveys, interviews, or focus groups). (*Please note* that evaluation plans that deal only with the first level of outcomes [satisfaction] will

be deemed less competitive under the present evaluation criteria.)

Recipient organizations will be required to provide reports analyzing their evaluation findings to the Bureau in their regular program reports. All data collected, including survey responses and contact information, must be maintained for a minimum of three years and provided to the Bureau upon request.

IV.3e. Please take the following information into consideration when preparing your budget:

IV.3e.1 Applicants must submit SF–424A—"Budget Information—Non-Construction Programs" along with a comprehensive budget for the entire program. There must be a summary budget as well as breakdowns reflecting both administrative and program budgets. Applicants may provide separate sub-budgets for each program component, phase, location, or activity to provide clarification. A comprehensive narrative must accompany the budget, clearly explaining all proposed costs (staff salaries and time on task must be supported by appropriate documentation and certified as true and accurate representations of actual costs and percentage of task).

IV.3e.2 Allowable costs for the program include the following:

(1) Participant expenses.

(2) Administrative costs.

Please refer to the Solicitation Package for complete budget guidelines and formatting instructions.

IV.3f. Application Deadline And Methods of Submission

Application Deadline Date: November 1, 2010.

Reference Number: ECA/A/E/WHA–11–01.

Methods of Submission: Applications may be submitted in one of two ways:

(1) In hard-copy, via a nationally recognized overnight delivery service (*i.e.,* Federal Express, UPS, Airborne Express, or U.S. Postal Service Express Overnight Mail, *etc.*), or

(2) Electronically through *http://www.grants.gov.*

Along with the Project Title, all applicants must enter the above Reference Number in Box 11 on the SF–424 contained in the mandatory Proposal Submission Instructions (PSI) of the solicitation document.

IV.3f.1 Submitting Printed Applications

Applications must be shipped no later than the above deadline. Delivery services used by applicants must have in-place, centralized shipping identification and tracking systems that may be accessed via the Internet and delivery people who are identifiable by commonly recognized uniforms and delivery vehicles. Proposals shipped on or before the above deadline but received at ECA more than seven days after the deadline will be ineligible for further consideration under this competition. Proposals shipped after the established deadlines are ineligible for consideration under this competition. ECA will *not* notify you upon receipt of application. It is each applicant's responsibility to ensure that each package is marked with a legible tracking number and to monitor/confirm delivery to ECA via the Internet. Delivery of proposal packages *may not* be made via local courier service or in person for this competition. Faxed documents will not be accepted at any time. Only proposals submitted as stated above will be considered.

Important note: When preparing your submission please make sure to include one extra copy of the completed SF–424 form and place it in an envelope addressed to "ECA/EX/PM".

The original and six (6) copies of the application should be sent to: Program Management Division, ECA–IIP/EX/PM, Ref.: ECA/A/E/WHA–11–01, SA–5, Floor 4, Department of State, 2200 C Street, NW., Washington, DC 20522–0504.

Applicants submitting hard-copy applications must also submit the "Executive Summary" and "Proposal Narrative" sections of the proposal in text (.txt) or Microsoft Word format on CD–ROM. As appropriate, the Bureau will provide these files electronically to Public Affairs Section(s) at the U.S. embassies) for their review.

IV.3f.2 Submitting Electronic Applications

Applicants have the option of submitting proposals electronically through Grants.gov (*http://www.grants.gov*). Complete solicitation packages are available at Grants.gov in the "Find" portion of the system.

Please note: ECA bears no responsibility for applicant timeliness of submission or data errors resulting from transmission or conversion processes for proposals submitted via Grants.gov.

Please follow the instructions available in the 'Get Started' portion of the site (*http://www.grants.gov/GetStarted*).

Several of the steps in the Grants.gov registration process could take several weeks. Therefore, applicants should check with appropriate staff within their organizations immediately after reviewing this RFGP to confirm or determine their registration status with Grants.gov.

Once registered, the amount of time it can take to upload an application will vary depending on a variety of factors including the size of the application and the speed of your Internet connection. In addition, validation of an electronic submission via Grants.gov can take up to two business days.

Therefore, we strongly recommend that you not wait until the application deadline to begin the submission process through Grants.gov.

The Grants.gov Web site includes extensive information on all phases/aspects of the Grants.gov process, including an extensive section on frequently asked questions, located under the "For Applicants" section of the Web site. ECA strongly recommends that all potential applicants review thoroughly the Grants.gov Web site, well in advance of submitting a proposal through the Grants.gov system. ECA bears no responsibility for data errors resulting from transmission or conversion processes.

Direct all questions regarding Grants.gov registration and submission to:

Grants.gov Customer Support.

Contact Center Phone: 800–518–4726.

Business Hours: Monday–Friday, 7 a.m.–9 p.m. Eastern Time.

E-mail: support@grants.gov.

Applicants have until midnight (12 a.m.), Washington, DC time of the closing date to ensure that their entire application has been uploaded to the Grants.gov site. There are no exceptions to the above deadline. Applications uploaded to the site after midnight of the application deadline date will be automatically rejected by the grants.gov system, and will be technically ineligible.

Please refer to the Grants.gov Web site, for definitions of various "application statuses" and the difference between a submission receipt and a submission validation. Applicants will receive a validation e-mail from grants.gov upon the successful submission of an application. Again, validation of an electronic submission via Grants.gov can take up to two business days. Therefore, we strongly recommend that you not wait until the application deadline to begin the submission process through Grants.gov. ECA will *not* notify you upon receipt of electronic applications.

It is the responsibility of all applicants submitting proposals via the Grants.gov Web portal to ensure that proposals have been received by Grants.gov in their entirety, and ECA bears no responsibility for data errors resulting from transmission or conversion processes.

IV.3g. Intergovernmental Review of Applications Executive Order 12372 does not apply to this program.

V. Application Review Information

V.1. Review Process

The Bureau will review all proposals for technical eligibility. Proposals will be deemed ineligible if they do not fully adhere to the guidelines stated herein and in the Solicitation Package. All eligible proposals will be reviewed by the program office, as well as the Public Diplomacy section overseas, where appropriate. Eligible proposals will be subject to compliance with Federal and Bureau regulations and guidelines and forwarded to Bureau grant panels for advisory review. Proposals may also be reviewed by the Office of the Legal Adviser or by other Department elements. Final funding decisions are at the discretion of the Department of State's Assistant Secretary for Educational and Cultural Affairs. Final technical authority for cooperative agreements resides with the Bureau's Grants Officer.

Review Criteria

Technically eligible applications will be competitively reviewed according to the criteria stated below. These criteria are not rank ordered and all carry equal weight in the proposal evaluation:

1. *Quality of the program idea:* Proposals should exhibit originality, substance, precision, and relevance to the Bureau's mission.

2. *Ability to achieve program objectives:* Detailed agenda and relevant work plan should demonstrate substantive undertakings and logistical capacity. Agenda and plan should adhere to the program overview and guidelines described above. Objectives should be reasonable, feasible, and flexible. Proposals should clearly demonstrate how the award recipient will meet the program's objectives and plan.

3. *Multiplier effect/impact:* Proposed programs should strengthen long-term mutual understanding, including maximum sharing of information and establishment of long-term institutional and individual linkages.

4. *Support of Diversity:* Proposals should demonstrate substantive support of the Bureau's policy on diversity. Achievable and relevant features should be cited in both program administration (selection of participants, program venue and program evaluation) and program content (orientation and wrap-up sessions, program meetings, resource materials and follow-up activities).

5. *Institution's Record/Capacity:* Proposals should demonstrate an institutional record of successful exchange programs, including responsible fiscal management and full compliance with all reporting requirements for past Bureau awards as determined by Bureau Grants Staff. Proposals should demonstrate capacity to place students at geographically diverse, accredited small colleges and universities that can provide students personalized attention. Proposed personnel and institutional resources should be adequate and appropriate to achieve the program or project's goals. The Bureau will consider the past performance of prior recipients and the demonstrated potential of new applicants.

6. *Project Evaluation and Follow-on:* Proposals should include a plan to evaluate the activity's success, both as the activities unfold and at the end of the program. A draft survey questionnaire or other technique plus description of a methodology to use to link outcomes to original project objectives are recommended. Proposals should also provide a plan for continued follow-on activity (with minimal Bureau support) which insures that Bureau supported programs are not isolated events.

7. *Cost-effectiveness/Cost-sharing:* The overhead and administrative components of the proposal, including salaries and honoraria, should be kept as low as possible. All other items should be necessary and appropriate. Proposals should maximize cost-sharing through other private sector support as well as institutional direct funding contributions.

8. *Value to U.S.-Partner Country Relations:* Proposed projects should receive positive assessments by the U.S. Department of State's geographic area desk and overseas officers of program need, potential impact, and significance in the partner countries.

VI. Award Administration Information

VI.1a. Award Notices

Final awards cannot be made until funds have been appropriated by Congress, allocated and committed through internal Bureau procedures. Successful applicants will receive an Federal Assistance Award (FAA) from the Bureau's Grants Office. The FAA and the original proposal with subsequent modifications (if applicable) shall be the only binding authorizing document between the recipient and the U.S. Government. The FAA will be signed by an authorized Grants Officer, and mailed to the recipient's responsible officer identified in the application.

Unsuccessful applicants will receive notification of the results of the application review from the ECA program office coordinating this competition.

VI.2 Administrative and National Policy Requirements

Terms and Conditions for the Administration of ECA agreements include the following:

Office of Management and Budget Circular A–122, "Cost Principles for Nonprofit Organizations."

Office of Management and Budget Circular A–21, "Cost Principles for Educational Institutions."

OMB Circular A–87, "Cost Principles for State, Local and Indian Governments".

OMB Circular No. A–110 (Revised), Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Nonprofit Organizations.

OMB Circular No. A–102, Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments.

OMB Circular No. A–133, Audits of States, Local Government, and Non-profit Organizations

Please reference the following Web sites for additional information:

http://www.whitehouse.gov/omb/grants.
http://fa.statebuy.state.gov.

VI.3. Reporting Requirements

You must provide ECA with a hard copy original plus one copy of the following reports:

(1) A final program and financial report no more than 90 days after the expiration of the award;

(2) A concise, one-page final program report summarizing program outcomes no more than 90 days after the expiration of the award. This one-page report will will be transmitted to OMB, and be made available to the public via OMB's USAspending.gov Web site—as part of ECA's Federal Funding Accountability and Transparency Act (FFATA) reporting requirements.

(3) A SF–PPR, "Performance Progress Report" Cover Sheet with all program reports.

Award recipients will be required to provide reports analyzing their evaluation findings to the Bureau in their regular program reports. (Please refer to IV. Application and Submission Instructions (IV.3.d.3) above for Program Monitoring and Evaluation information.

All data collected, including survey responses and contact information, must be maintained for a minimum of three years and provided to the Bureau upon request.

All reports must be sent to the ECA Grants Officer and ECA Program Officer listed in the final assistance award document.

VII. Agency Contacts

For questions about this announcement, contact: Thomas Ingalls, Western Hemisphere Programs Branch, Office of Academic Exchange Programs, ECA/A/E/WHA, SA–5 Floor 4, U.S. Department of State, 2200 C Street, NW., Washington, DC 20522–0503, 202–632–6044 (phone), 202–632–9411 (fax), *http://exchanges.state.gov/*.

All correspondence with the Bureau concerning this RFGP should reference the above title and number ECA/A/E/WHA–11–01. Please read the complete announcement before sending inquiries or submitting proposals. Once the RFGP deadline has passed, Bureau staff may not discuss this competition with applicants until the proposal review process has been completed.

VIII. Other Information

Notice

The terms and conditions published in this RFGP are binding and may not be modified by any Bureau representative. Explanatory information provided by the Bureau that contradicts published language will not be binding. Issuance of the RFGP does not constitute an award commitment on the part of the Government. The Bureau reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the program and the availability of funds. Awards made will be subject to periodic reporting and evaluation requirements per section VI.3 above.

Dated: July 26, 2010.

Ann Stock,

Assistant Secretary for Educational and Cultural Affairs, Department of State.

[FR Doc. 2010–19300 Filed 8–4–10; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

[DOT Docket No. DOT–OST–2010–0074]

The Future of Aviation Advisory Committee (FAAC) Subcommittee on Financing; Notice of Meeting

AGENCY: U.S. Department of Transportation, Office of the Secretary of Transportation.

ACTION: Notice of meeting.

SUMMARY: The Department of Transportation, Office of the Secretary of Transportation, announces a meeting of the FAAC Subcommittee on Financing, which will be held at the offices of the General Aviation Manufacturers Association, in Washington, DC. This notice announces the date, time, and location of the meeting, which will be open to the public. The purpose of the FAAC is to provide advice and recommendations to the Secretary of Transportation to ensure the competitiveness of the U.S. aviation industry and its capability to manage effectively the evolving transportation needs, challenges, and opportunities of the global economy. The Subcommittee on Financing will address the need for a stable, secure, and sufficient level of funding for our aviation system and make recommendations to the Secretary for action. This is the second meeting of the subcommittee.

DATES: The meeting will be held on August 17, 2010, from 9 a.m. to 4 p.m. Eastern Daylight Time.

ADDRESSES: The meeting will be held at the offices of the General Aviation Manufacturers Association, 8th Floor, 1400 K Street, NW., Washington, DC 20533.

Public Access: The meeting is open to the public. (See below for registration instructions.)

Public Comments: Persons wishing to offer written comments and suggestions concerning the activities of the advisory committee or Subcommittee on Financing should file comments in the Public Docket (Docket Number DOT–OST–2010–0074 at *http://www.Regulations.Gov*) or alternatively through the *FAAC@dot.gov* e-mail. If comments and suggestions are intended specifically for the Subcommittee on Financing, the term "Finance" should be listed in the subject line of the message. To ensure such comments can be considered by the subcommittee before its August 17, 2010, meeting, public comments must be filed by 5 p.m. Eastern Daylight Time on Friday, August 6, 2010.

SUPPLEMENTARY INFORMATION:

Background

Under section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), we are giving notice of an FAAC Subcommittee on Financing meeting taking place on August 17, 2010, from 9 a.m. to 4 p.m. Eastern Daylight Time, at the offices of the General Aviation Manufacturers Association, 8th Floor, 1400 K Street, NW., Washington, DC 20533. The agenda includes—

1. Briefings on selected topics related to aviation financing and a discussion of the briefing topics, and
2. Preparation of the work plan template for the subcommittee's future work.

Registration

The meeting room can accommodate up to 20 members of the public. Persons desiring to attend in person must pre-register by August 6, 2010, through e-mail to *FAAC@dot.gov*. The term "Registration: Financing" should be listed in the subject line of the message, and admission will be limited to the first 20 persons to pre-register and receive a confirmation of their pre-registration. Persons wishing to attend via Webinar must pre-register by visiting *https://www2.gotomeeting.com/register/663158267*. Webinar attendance will be limited to the first 150 persons to pre-register and receive a confirmation of their pre-registration. Minutes of the meeting will be taken and will be made available to the public.

Request for Special Accommodation

The DOT is committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, please send a request to *FAAC@dot.gov* with the term "Special Accommodations" listed in the subject line of the message by close of business on August 6, 2010.

FOR FURTHER INFORMATION CONTACT: John Hennigan, Air Traffic Organization, Federal Aviation Administration, 800 Independence Avenue, SW., Room 409, Washington, DC, 20591; (202) 631–6644.

Issued in Washington, DC, on July 30, 2010.

Pamela Hamilton-Powell,

Designated Federal Official, Future of Aviation Advisory Committee.

[FR Doc. 2010–19261 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice to Manufacturers of Foreign Object Debris (FOD) Detection Equipment

AGENCY: Federal Aviation Administration (FAA), US DOT.

ACTION: Notice to manufacturers of Foreign Object Debris (FOD) detection equipment.

SUMMARY: Projects funded under the Airport Improvement Program (AIP)

must meet the requirements of 49 U.S.C. 50101, Buy American Preferences. The Federal Aviation Administration is considering issuing waivers to foreign manufacturers of FOD detection equipment that meet the requirements of FAA Advisory Circular 150/5220–24, Airport Foreign Object Debris (FOD) Detection Equipment. This notice requests information from manufacturers of equipment meeting the Advisory Circular requirements to determine whether a waiver of the Buy American Preferences should be issued.

FOR FURTHER INFORMATION CONTACT: Ms. Nancy S. Williams, Airports Financial Assistance, APP 501, Room 619, FAA, 800 Independence Avenue, SW., Washington, DC 20591, Telephone (202) 267–8822.

SUPPLEMENTARY INFORMATION: The Federal Aviation Administration manages a federal grant program for airports called the Airport Improvement Program (AIP). AIP grant recipients must follow 49 U.S.C. 50101, Buy American Preferences.

Under 49 U.S.C. 50101(b)(3), the Secretary of Transportation may waive the Buy American preference requirement if the goods are not produced in a sufficient and reasonably available amount or are not of a satisfactory quality.

On September 30, 2009, FAA published Advisory Circular (AC) 150/5220–24, Airport Foreign Object Debris (FOD) Detection Equipment. The AC specified the requirements for FOD detection equipment at airports. While developing this AC, FAA was unable to locate enough United States of America (USA) manufacturers of stationary FOD detection equipment to produce them in a sufficient and reasonably available amount.

If FAA cannot find that there are enough USA manufacturers of FOD detection equipment, it will issue a nationwide waiver to the foreign manufacturers of FOD detection that it has identified as being capable of meeting the AC requirements.

The purpose of this notice is to request manufacturers of FOD detection equipment, both domestic and foreign, to advise FAA of equipment that they manufacture that can meet the AC requirements. The detailed instructions for submitting the qualifications statement, including forms, may be found on the FAA Web site at: *http://www.faa.gov/airports/aip/procurement/federal_contract_provisions/* at the tab entitled, FOD Detection Equipment Request for Qualifications.

After review, FAA may issue a nationwide waiver to Buy American for the foreign manufacturers of FOD detection equipment. This "Nationwide Waiver" would allow the equipment to be used on airport projects without having to receive separate project waivers. Having a nationwide waiver would allow projects to start quickly without having to wait for the Buy American analysis to be completed for every project, while still assuring that the requirements of Buy American have been met.

The items that have been granted a "Nationwide Waiver" can be found on the FAA Web site at: *http://www.faa.gov/airports/aip/procurement/federal_contract_provisions/* at the tab entitled, Equipment Meeting Buy American Requirements.

Issued in Washington, DC, July 23, 2010.

Frank J. San Martin,

Manager, Airports Financial Assistance Division.

[FR Doc. 2010–19272 Filed 8–4–10; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

July 30, 2010.

The Department of the Treasury will submit the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. A copy of the submissions may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding these information collections should be addressed to the OMB reviewer listed and to the Treasury PRA Clearance Officer, Department of the Treasury, 1750 Pennsylvania Avenue, NW., Suite 11010, Washington, DC 20220.

DATES: Written comments should be received on or before September 7, 2010 to be assured of consideration.

Domestic Finance/Terrorism Risk Insurance Program (TRIP)

OMB Number: 1505–0197.

Type of Review: Extension without change of a currently approved collection.

Title: Recordkeeping Requirements for Insurers Compensated Under Terrorism Risk Insurance Program.

Abstract: Sections 103(a) and 104 of the Terrorism Risk Insurance Act of 2002 (Pub. L. 107–297) (as extended by the Terrorism Risk Insurance Extension Act of 2005, Pub. L. 109–144 and the Terrorism Risk Insurance Program Reauthorization Act of 2007, Pub. L. 110–160) authorize the Department of the Treasury to administer and implement the Terrorism Risk Insurance Program established by the Act. In 31 CFR part 50, subpart F (Sec. 50.50–50.55) Treasury established requirements and procedures for insurers that file claims for payment of the Federal share of compensation for insured losses resulting from a certified act of terrorism under the Act. Section 50.60 allows Treasury access to records of an insurer pertinent to amounts paid as the Federal share of compensation for insured losses in order to conduct investigations, confirmations and audits. Section 50.61 requires insurers to retain all records as are necessary to fully disclose all material matters pertaining to insured losses. This collection of information is the recordkeeping requirement in § 50.61.

Respondents: Private Sector: Businesses or other for-profits.

Estimated Total Burden Hours: 833 hours.

OMB Number: 1505–0196.

Type of Review: Extension without change of a currently approved collection.

Title: Litigation Management—Information Collection Regarding Proposed Settlements.

Form No.: TRIP 03.

Abstract: Section 103(a) and 104 of the Terrorism Risk Insurance Act of 2002 (Pub. L. 107–297) authorize the Department of the Treasury to administer and implement the temporary Terrorism Risk Insurance Program established by the Act. Section 107 contains specific provisions designed to manage litigation arising out of or resulting from a certified act of terrorism. The Terrorism Risk Insurance Extension Act of 2005, Public Law 109–144, added section 107(a)(6) to TRIA, which provides that procedures and requirements established by the Secretary under 31 CFR 50.82, as in effect on the date of issuance of that section in final form [July 28, 2004], shall apply to any Federal cause of action described in section 107(a)(1). Section 50.82 of the regulations requires insurers to submit to Treasury for advance approval certain proposed settlements involving an insured loss, any part of the payment of which the insurer intends to submit as part of its claim for Federal payment under the Program. The collection of information in the notice of proposed settlement in Section 50.83 that insurers must submit to implement the settlement approval process prescribed by Section 50.82.

Respondents: Private Sector: Businesses or other for-profits.

Estimated Total Burden Hours: 5,141 hours.

DO Clearance Officer: Sara Clary, Domestic Finance (TRIP), 1425 New York Avenue, NW., Room 2101, Washington, DC 20220; (202) 622–7814.

OMB Reviewer: Shagufta Ahmed, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503; (202) 395–7873.

Celina Elphage,

Treasury PRA Clearance Officer.

[FR Doc. 2010–19318 Filed 8–4–10; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE TREASURY

Draft Strategic Plan for FY 2010–2015

AGENCY: United States Department of the Treasury.

ACTION: Notice: Request for comments.

SUMMARY: This notice announces that the United States Department of the Treasury draft strategic plan for fiscal years 2010–2015 is available for public review and comment. The Government Performance and Results Act of 1993 (GPRA) requires Federal agencies to establish a strategic plan covering not less than five years, and to solicit the views and suggestions of those entities potentially affected by or interested in the plan. The plan identifies the Department's vision, mission, goals, outcomes, strategies, measures and priorities of the administration. The Treasury Department's current plan (fiscal years 2007–2012) may be viewed on the Treasury Web site at *http://www.treas.gov/offices/management/budget/strategic-plan/2007–2012/strategic-plan2007–2012.pdf.* The revised fiscal year 2010–2015 plan may be viewed at *http://www.ustreas.gov/offices/management/budget/strategic-plan/.*

DATES: Written comments are requested by close of business on August 13, 2010.

ADDRESSES: Written comments should be sent by electronic mail message over the Internet addressed to *http://www.ustreas.gov/offices/management/budget/strategic-plan/* and by clicking on the comment link. Comments may also be submitted by mail addressed to the Treasury Department. Please see the supplementary information below. Although comments may be submitted by mail, submission via e-mail to the above address is preferable. The written comments will be available for public inspection at the address shown in the supplementary information, and will be available via the Treasury Internet Web site (address: *http://www.treas.gov*). Because comments will be made available for public inspection, information that is not desired to be made public, such as an address or phone number or other personally identifiable information, should not be included.

FOR FURTHER INFORMATION CONTACT: Maylin Jue, United States Department of the Treasury, by telephone at 202–622–6697.

SUPPLEMENTARY INFORMATION: The Government Performance and Results Act requires Federal agencies to establish a strategic plan covering not less than a five-year period, and to solicit the views and suggestions of those entities potentially affected by or interested in the plan. This notice is to alert the Treasury Department's stakeholders and the public as to how they can provide input on the draft strategic plan. The draft strategic plan for fiscal years 2010– 2015 is available on the Treasury Web site at *http://www.treas.gov.* Written comments may be sent to:

The Department of the Treasury, Metropolitan Square Building, Room 6B301, 655 15th Street, Washington, DC 20220, *Attention:* Maylin Jue.

The Treasury Department would like to receive input from a wide range of organizations (both national and international), public bodies, and other stakeholders. The Department of the Treasury anticipates posting the final strategic plan for FY 2010–2015 on our Web site by the end of fiscal year 2010.

Dated: July 30, 2010.

Martin R. Melone,

Director, Strategic Planning and Performance Management, United States Department of the Treasury.

[FR Doc. 2010–19192 Filed 8–4–10; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Proposed Collection; Comment Request for Regulation 209619–93; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to a notice and request for comments.

SUMMARY: This document contains corrections to a notice and request for comments on an existing proposed rulemaking, REG–209619–03, that was published in the **Federal Register** on Thursday, July 22, 2010 (75 FR 42827).

FOR FURTHER INFORMATION CONTACT: Elaine Christophe, or 202–622–3179 (not a toll free number).

SUPPLEMENTARY INFORMATION:

Background

The notice and request for comments that is the subject of this correction is required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

Need for Correction

As published, the notice and request for comments on regulation 209619–93 contains an error that may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the notice and request for comments on regulation 209619–93, that was the subject of FR Doc. 2010–17870, is corrected as follows:

On Page 42827, column 1, under the caption **DATES**, lines 2 and 3, the language "received on or before November 16, 2007 to be assured for consideration." is corrected to read "received on or before September 20, 2010 to be assured for consideration."

LaNita VanDyke,

Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. 2010–19171 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

Proposed Renewal Without Change; Comment Request; Anti-Money Laundering Programs; Special Due Diligence Programs for Certain Foreign Accounts

AGENCY: Financial Crimes Enforcement Network, Treasury.

ACTION: Notice and request for comments.

SUMMARY: As part of our continuing effort to reduce paperwork and respondent burden, we invite comment on a proposed renewal, without change, to an information collection found in existing regulations requiring U.S. financial institutions to establish due diligence policies, procedures, and controls reasonably designed to detect and report money laundering through correspondent accounts and private banking accounts that U.S. financial institutions establish or maintain for non-U.S. persons. This request for comments is being made pursuant to the

Paperwork Reduction Act of 1995, Public Law 104–13, 44 U.S.C. 3506(c)(2)(A).

DATES: Written comments are welcome and must be received on or before October 4, 2010.

ADDRESSES: Written comments should be submitted to: Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183, Attention: Comments on Anti-Money Laundering Program and Special Due Diligence Programs for Certain Foreign Accounts. Comments also may be submitted by electronic mail to the following Internet address: *regcomments@fincen.gov,* again with a caption, in the body of the text, "Attention: Comments on Anti-Money Laundering Program and Special Due Diligence Programs for Certain Foreign Accounts."

FOR FURTHER INFORMATION CONTACT: Financial Crimes Enforcement Network, Regulatory Policy and Programs Division at (800) 949–2732, option 6.

SUPPLEMENTARY INFORMATION: *Abstract:* The Director of the Financial Crimes Enforcement Network is the delegated administrator of the Bank Secrecy Act. The Act authorizes the Director to issue regulations to require all financial institutions defined as such in the Act to maintain or file certain reports or records that have been determined to have a high degree of usefulness in criminal, tax, or regulatory investigations or proceedings, or in the conduct of intelligence or counter-intelligence activities, including analysis, to protect against international terrorism, and to implement anti-money laundering programs and compliance procedures.[1]

The regulations implementing section 5318(i)(2) of the Act are found in part at 31 CFR 103.176 . In general, the regulations require financial institutions, as defined in 31 U.S.C. 5312(a)(2) and 31 CFR 103.11, to establish, document, and maintain anti-money laundering programs as an aid in protecting and securing the U.S. financial system.

Title: Anti-money laundering programs and Special Due Diligence Programs for Certain Foreign Accounts (31 CFR 103.176).

Office of Management and Budget Control Number: 1506–0046.

Abstract The Financial Crimes Enforcement Network is renewing, without change, the Bank Secrecy Act regulation (31 CFR 103.176) that implements section 5318(i)(2) of title 31, United States Code, as added by section 312 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, which requires U.S. financial institutions to conduct enhanced due diligence with regard to correspondent accounts established, maintained, administered, or managed for certain types of foreign banks.

Current Action: Renewal without change to existing regulations.

Type of Review: Extension of a currently approved information collection.

Affected Public: Business and other for-profit institutions.

Burden: Estimated Number of Respondents: 28,163.

Estimated Number of Responses: 28,163

Estimated Number of Hours: 56,326. (Two hours per response).

Request for Comments:

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected: (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance and purchase of services to provide information.

Dated: July 23, 2010.

James H. Freis, Jr.,

Director, Financial Crimes Enforcement Network.

[FR Doc. 2010–19197 Filed 8–4–10; 8:45 am]

BILLING CODE 4810–02–P

[1] Public Law 91–508, as amended and codified at 12 U.S.C. 1829b, 12 U.S.C. 1951–1959 and 31 U.S.C. 5311–5332. Language expanding the scope of the Bank Secrecy Act to intelligence or counter-intelligence activities to protect against international terrorism was added by section 358 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, Public Law 107–56.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Tax Forms and Publications/MLI Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Tax Forms and Publications/MLI Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Thursday, September 9, 2010.

FOR FURTHER INFORMATION CONTACT: Marisa Knispel at 1–888–912–1227 or 718–488–3557.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Tax Forms and Publications/MLI Project Committee will be held Thursday, September 9, 2010, at 1 p.m., Eastern Time via telephone conference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Marisa Knispel. For more information, please contact Ms. Knispel at 1–888–912–1227 or 718–488–3557, or write TAP Office, 10 MetroTech Center, 625 Fulton Street, Brooklyn, NY 11201, or post comments to the Web site: *http://www.improveirs.org.*

The agenda will include various IRS issues.

Dated: July 30, 2010.

Shawn F. Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2010–19174 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Joint Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Joint

Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comment, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, September 28, 2010.

FOR FURTHER INFORMATION CONTACT: Susan Gilbert at 1–888–912–1227 or (515) 564–6638.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Joint Committee will be held Tuesday, September 28, 2010, at 3 p.m. Eastern Time via telephone conference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Susan Gilbert. For more information please contact Ms. Gilbert at 1–888–912–1227 or (515) 564–6638 or write: TAP Office, 210 Walnut Street, Stop 5115, Des Moines, IA 50309 or contact us at the Web site: *http://www.improveirs.org.*

The agenda will include various IRS issues.

Dated: July 30, 2010.

Shawn F. Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2010–19182 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Volunteer Income Tax Assistance Issue Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Volunteer Income Tax Issue Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comment, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, September 14, 2010.

FOR FURTHER INFORMATION CONTACT: Donna Powers at 1–888–912–1227 or 954–423–7977.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that a meeting of the Taxpayer Advocacy Panel Volunteer Income Tax Issue Committee will be held Tuesday, September 14, 2010, at 2 p.m. Eastern Time via telephone conference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Donna Powers. For more information, please contact Ms. Powers at 1–888–912–1227 or 954–423–7977, or write TAP Office, 1000 South Pine Island Road, Suite 340, Plantation, FL 33324, or contact us at the Web site: *http://www.improveirs.org.*

The agenda will include various IRS Issues.

Dated: July 30, 2010.

Shawn F. Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2010–19184 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Small Business/Self Employed Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Small Business/Self Employed Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Thursday, September 23, 2010.

FOR FURTHER INFORMATION CONTACT: Janice Spinks at 1–888–912–1227 or 206–220–6098.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Small Business/Self Employed Project Committee will be held Thursday, September 23, 2010, at 9 a.m. Pacific Time via telephone conference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Janice Spinks. For more information please contact Ms. Spinks at 1–888–912–1227 or 206–220–6098, or write TAP Office, 915 2nd Avenue, MS W–406, Seattle, WA 98174 or post comments to the Web site: *http://www.improveirs.org.*

The agenda will include various IRS issues.

Dated: July 30, 2010.

Shawn F. Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2010–19187 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of Taxpayer Advocacy Panel Notice Improvement Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Notice Improvement Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Wednesday, September 8, 2010.

FOR FURTHER INFORMATION CONTACT: Audrey Y. Jenkins at 1–888–912–1227 or 718–488–2085.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Notice Improvement Project Committee will be held Wednesday, September 8, 2010, at 2 p.m. Eastern Time via telephone conference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Audrey Y. Jenkins. For more information, please contact Ms. Jenkins at 1–888–912–1227 or 718–488–2085, or write TAP Office, 10 MetroTech Center, 625 Fulton Street, Brooklyn, NY 11201, or post comments to the Web site: *http://www.improveirs.org.*

The agenda will include various IRS issues.

Dated: July 30, 2010.

Shawn F. Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2010–19188 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Taxpayer Advocacy Panel Earned Income Tax Credit Project Committee

AGENCY: Internal Revenue Service (IRS), Treasury

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Taxpayer Advocacy Panel Earned Income Tax Credit Project Committee will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be Wednesday, September 22, 2010.

FOR FURTHER INFORMATION CONTACT: Marianne Ayala at 1–888–912–1227 or 954–423–7978.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Taxpayer Advocacy Panel Earned Income Tax Credit Project Committee will be held Wednesday, September 22, 2010, at 1 p.m. Eastern Time, via telephone conference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Marianne Ayala. For more information, please contact Ms. Ayala at 1–888–912–1227 or 954–423–7978, or write TAP Office, 1000 South Pine Island Road, Suite 340, Plantation, FL 33324, or contact us at the Web site: *http://www.improveirs.org.*

The agenda will include various IRS issues.

Dated: July 30, 2010.

Shawn F. Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2010–19189 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Area 6 Taxpayer Advocacy Panel (Including the States of Arizona, Colorado, Idaho, Montana, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Area 6 Taxpayer Advocacy Panel will be conducted. The Taxpayer Advocacy Panel is soliciting public comment, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Wednesday, September 8, 2010.

FOR FURTHER INFORMATION CONTACT: Timothy Shepard at 1–888–912–1227 or 206–220–6095.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that an open meeting of the Area 6 Taxpayer Advocacy Panel will be held Wednesday, September 8, 2010, at 1 p.m. Pacific Time via telephone conference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Timothy Shepard. For more information, please contact Mr. Shepard at 1–888–912–1227 or 206–220–6095, or write TAP Office, 915 2nd Avenue, MS W–406, Seattle, WA 98174 or post comments to the Web site: *http://www.improveirs.org.*

The agenda will include various IRS issues.

Dated: July 30, 2010.

Shawn F. Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2010–19190 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Open Meeting of the Area 4 Taxpayer Advocacy Panel (Including the States of Illinois, Indiana, Kentucky, Michigan, Ohio, Tennessee, and Wisconsin)

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of meeting.

SUMMARY: An open meeting of the Area 4 Taxpayer Advocacy Panel will be conducted. The Taxpayer Advocacy Panel is soliciting public comments, ideas, and suggestions on improving customer service at the Internal Revenue Service.

DATES: The meeting will be held Tuesday, September 21, 2010.

FOR FURTHER INFORMATION CONTACT: Ellen Smiley at 1–888–912–1227 or 414–231–2360.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1988) that a meeting of the Area 4 Taxpayer Advocacy Panel will be held Tuesday, September 21, 2010, at 1 p.m. Central Time via telephone conference. The public is invited to make oral comments or submit written statements for consideration. Due to limited conference lines, notification of intent to participate must be made with Ellen Smiley. For more information please contact Ms. Smiley at 1–888–912–1227 or 414–231–2360, or write TAP Office Stop 1006MIL, 211 West Wisconsin Avenue, Milwaukee, WI 53203–2221, or post comments to the Web site: *http://www.improveirs.org.*

The agenda will include various IRS issues.

Dated: July 30, 2010.

Shawn F. Collins,

Director, Taxpayer Advocacy Panel.

[FR Doc. 2010–19173 Filed 8–4–10; 8:45 am]

BILLING CODE 4830–01–P

Federal Register

Thursday,
August 5, 2010

Part II

Office of Personnel Management

SES Positions That Were Career Reserved During CY 2009; Notice

OFFICE OF PERSONNEL MANAGEMENT

SES Positions That Were Career Reserved During CY 2009

AGENCY: U.S. Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: As required by section 3132(b)(4) of title 5, United States Code, this gives notice of all positions in the Senior Executive Service (SES) that were career reserved during calendar year 2009.

FOR FURTHER INFORMATION CONTACT: Roland Edwards, Senior Executive Resource Services, (202) 606–2246.

SUPPLEMENTARY INFORMATION: Below is a list of titles of SES positions that were career reserved at any time during calendar year 2009, regardless of whether those positions were still career reserved as of December 31, 2009. Section 3132(b)(4) of title 5, United States Code, requires that the head of each agency publish such lists by March 1 of the following year. The Office of Personnel Management is publishing a consolidated list for all agencies.

Agency and organization	Career reserved positions
Advisory Council On Historic Preservation:	
Office Of The Executive Director	Executive Director
American Battle Monuments Commission:	
Director, European Region	Director, European Region
Executive Director	Executive Director
United States Access Board:	
Architectural And Transportation Barriers Compliance Board	Director Office Of Technical And Information Services
	Executive Director
Broadcasting Board Of Governors:	
International Broadcasting Bureau	Associate Director For Management
	Deputy For Engineering Resource Control
	Deputy For Network Operations
	Director Engineering And Technical Operations
Chemical Safety And Hazard Investigation Board:	
Office Of The Chief Operating Officer	Chief Operating Officer
Consumer Product Safety Commission:	
Office Of Executive Director	Assistant Executive Director For Compliance And Administrative Litigation
	Assistant Executive Director For Information And Tech Services
	Director, Office Of International Programs And Intergovernmental Affairs
Office Of Hazard Identification And Reduction	Assistant Executive Director For Hazard Identification And Reduction
	Associate Executive Director For Economic Analysis
	Associate Executive Director For Engineering Sciences
	Associate Executive Director For Epidemiology
	Deputy Assistant Executive Director For Hazard Identification And Reduction
Court Services And Offender Supervision Agency For The District Of Columbia:	
Court Services And Offender Supervision Agency For The District Of Columbia.	Director Of Human Resources
	Associate Director For Management And Administration
	Associate Director For Community Justice Programs
	Associate Director For Community Supervision
	Associate Director For Research And Evaluation
	Attorney (General Counsel)
	Chief Financial Officer
	Chief Information Officer
	Deputy Director
	Director, Legislative, Intergovernmental And Public Affairs
Pretrial Services Agency	Deputy Director
	Director
	Director Of Finance And Administration
	Operations Director
Defense Nuclear Facilities Safety Board:	
Defense Nuclear Facilities Safety Board	Deputy General Counsel
	Deputy General Manager
	Deputy Technical Director
	Group Lead For Nuclear Facility Design And Infrastructure
	Group Lead For Nuclear Materials Processing And Stabilization
	Group Lead For Nuclear Programs And Analysis
	Group Lead For Nuclear Weapon Programs
	Technical Advisor For Engineering Studies
	Technical Director
Department Of Agriculture:	
Agricultural Marketing Service	Deputy Administrator, Livestock And Seed Programs
	Deputy Administrator For National Organic Programs
	Deputy Administrator, Compliance And Analysis
	Deputy Administrator, Cotton And Tobacco Programs
	Deputy Administrator, Dairy Programs
	Deputy Administrator, Fruit And Vegetable Programs

Agency and organization	Career reserved positions
Agricultural Research Service	Deputy Administrator, Information Technology Services Deputy Administrator, Poultry Programs Deputy Administrator, Science And Technology Programs Deputy Administrator, Transportation And Marketing Programs Director, National Organic Program Director, National Organic Programs Assistant Administrator For Technology Transfer Associate Administrator, Research Operations And Management Associate Deputy Administrator For Administrative And Financial Management Chief Budget Officer Deputy Administrator For Administrative And Financial Management
Animal And Plant Health Inspection Service	Deputy Administrator, Animal Production And Protection Deputy Administrator, Food Nutrition, Safety And Quality Director, National Animal Disease Center Director, Office Of International Research Programs Director, Office Of Pest Management Policy Assistant Deputy Administrator, Emergency And Domestic Programs Associate Deputy Administrator For Animal Care Associate Deputy Administrator For Marketing And Regulatory Programs—Business Services Associate Deputy Administrator, Emerging And International Programs Associate Deputy Administrator, Veterinary Services, Emergency Programs Associate Deputy Administrator, Wildlife Services Chief Operating Officer Deputy Administrator For Marketing And Regulatory Programs-Business Services Deputy Administrator, Animal Care Deputy Administrator, Biotechnology Regulatory Programs Deputy Administrator, Legislative And Public Affairs Director, Center For Plant Health Science And Technology Director, Center For Veterinary Biologics Director, Eastern Region, Wildlife Services Director, Information Technology Division Director, Investigative And Enforcement Services Director, National Wildlife Research Center Director, Western Region, Wildlife Services Executive Associate Deputy Administrator Human Resources Officer International Services Area Director (Trade) Senior Animal And Plant Health Inspection Service International Organization Coordinator
Beltsville Area Office	Associate Director Beltsville Area Chief Information Officer Director Beltsville Area Office Director Plant Sciences Institute Director United States National Arboretum Director, Animal And Natural Resources Institute Director, Beltsville Human Nutrition Research Center
Cooperative State Research, Education And Extension Service	Deputy Administrator, Economic And Community Systems Deputy Administrator, Information Systems And Technology Management Deputy Administrator, Office Of Extramural Programs
Economic Research Service	Administrator, Economic Research Service Associate Administrator, Economic Research Service Budget Coordinator And Strategic Planner Director, Food And Rural Economics Division Director, Information Services Division Director, Market And Trade Economics Division Director, Resource Economics Division
Farm Service Agency	Assistant Deputy Administrator Farm Programs Deputy Administrator For Farm Loan Programs Deputy Director, Office Of Budget And Finance Director, Conservation Environment Programs Division Director, Office Of Budget And Finance
Field Units	Director, Forest Products Laboratory (Madison) Director, Pacific Northwest Research Station Director, Pacific Southwest Forest And Range Experiment Station (Vallejo) Director, Rocky Mountain Forest And Range Experiment Station (Fort Collins) Director, Southern Research Station (Asheville) Northeast Area Director, State And Private Forestry

Agency and organization	Career reserved positions
	Station Director, North Eastern Forest Experiment Station (Newtown Square)
Food And Nutrition Service	Associate Administrator For Management And Finance
	Associate Administrator For Program Service And Support
	Deputy Administrator For Financial Management
	Deputy Administrator For Management
	Director, Office Of Research, Nutrition And Analysis
Food Safety And Inspection Service	Assistant Administrator
	Assistant Administrator, Office Of Catfish Inspection Programs
	Assistant Administrator, Office Of Field Operations
	Assistant Administrator, Office Of International Affairs
	Assistant Administrator, Office Of Management
	Assistant Administrator, Office Of Policy, Program And Employee Development
	Assistant Administrator, Office Of Program Evaluation Enforcement And Review
	Assistant Administrator, Office Of Public Affairs, Education And Outreach
	Chief Financial Officer
	Chief Information Officer
	Chief Operating Officer
	Deputy Administrator
	Deputy Assistant Administrator, Office Of Field Operations
	Deputy Assistant Administrator, Office Of Food Safety And Emergency
	Deputy Assistant Administrator, Office Of International Affairs
	Deputy Assistant Administrator, Office Of Management
	Deputy Assistant Administrator, Office Of Program Evaluation Enforcement And Review
	Deputy Assistant Administrator, Office Of Public Health Science
	Executive Associate For Laboratory Services, Office Of Public Health Science
	Executive Associate For Policy Analysis And Formulations
	Executive Associate For Public Health
	Executive Associate For Regulatory Operations, Office Of Field Operations
Foreign Agricultural Service	Deputy Administrator, Office Of Scientific And Technical Affairs
	Director, Grain And Feed Division
Forest Service	Associate Deputy Chief For Business Operations
	Associate Deputy Chief, Business Operations/Chief Financial Officer
	Deputy Chief, Business Operations
	Director, Acquisition Management
	Director, Fire And Aviation Staff
	Director, Law Enforcement And Investigations
Grain Inspection, Packers And Stockyards Administration	Director Field Management Division
International Forest System	Director International Institute Of Tropical Forest (Rio Piedras)
Midsouth Area Office	Associate Director, Mid South Area
	Director, Mid-South Area
	Director, Southern Regional Research Center
Midwest Area Office	Associate Director, Midwest Area
	Director, Midwest Area
	Director, National Center For Agriculture Utilization
National Agricultural Statistics Service	Administrator, National Agricultural Statistics Service
	Associate Administrator
	Associate Deputy Administrator (Western United States)
	Associate Deputy Administrator (Eastern United States)
	Deputy Administrator For Field Operations
	Deputy Administrator For Programs And Products
	Director, Census And Survey Division
	Director, Information Technology Division
	Director, Research And Development Division
	Director, Statistics Division
National Finance Center	Deputy Director
	Director, Financial Services Division
	Director, Information Resources Management Division
National Forest System	Director, Ecosystem Management Coordination
	Director, Engineering Staff
	Director, Forest Management Staff
	Director, Lands Management Staff
	Director, Minerals And Geology Management Staff
	Director, Rangeland Management Staff
	Director, Water, Fish, Wasteland, Air And Rare Plants
National Program Staff Office	Associate Administrator, National Programs
	Deputy Administrator For Natural Resources And Sustainable Agriculture Systems

Agency and organization	Career reserved positions
	Deputy Administrator, Crop Production And Protection
Natural Resources Conservation Service	Associate Deputy Chief For Science And Technology
	Deputy Chief For Management
	Deputy Chief For Strategic Planning And Accountability
	Director Ecological Sciences Division
	Director, Animal Husbandry And Clean Water Programs Division
	Director, Conservation Engineering Division
	Director, Conservation Planning And Technical Assistance Division
	Director, Easement Programs Division
	Director, Operations Management And Oversight
	Director, Resource Conservation And Rural Lands Division
	Director, Resource Economics And Social Sciences Division
	Director, Resource Inventory And Assessment Division
	Director, Soil Survey Division
	Financial Manager
	Senior Advisor, Chesapeake Bay Watershed
North Atlantic Area Office	Associate Director, North Atlantic Area
	Director, Eastern Regional Research Center
	Director, North Atlantic Area
Northern Plains Area Office	Associate Director, Northern Plains Area Office
	Director, Northern Plains Area
	Director, United States Meat Animal Research Center
Office Of Operations	Director Office Of Operations
Office Of The Chief Economist	Chairperson
	Director Global Change Program Office
	Director, Office Of Energy Policy And New Uses
	Director, Office Of Risk Assessment And Cost-Benefit Analysis
Office Of The Chief Financial Officer	Associate Chief Financial Officer, Financial Systems Planning And Management
	Deputy Chief Financial Officer
Office Of The Chief Information Officer	Associate Chief Information Officer
	Deputy Chief Information Officer
Office Of The General Counsel	Assistant General Counsel, Legislation, Litigation And General Law
Office Of The Under Secretary For Food Safety Pacific West Area Office.	United States Manager For Codex
	Associate Director, Pacific West Area Office
	Director, Pacific West Area Office
	Director, Western Human Nutrition Research Center
	Director, Western Regional Research Center
Plant Protection And Quarantine Service	Director, Eastern Region, Plant Protection And Quarantine
	Director, Plant Health Programs, Plant Protection And Quarantine
	Director, Western Region, Plant Protection And Quarantine
Procurement And Property Management Research	Director, Procurement And Property Management
	Director, Resource Valuation And Use Research Staff
	Director, Science Policy, Planning, And Information Staff
	Director, Vegetation Management And Protection Research Staff
	Director, Wildlife, Fish And Watershed Research Staff
Risk Management Agency	Deputy Administrator For Insurance Services Division
	Deputy Administrator For Research And Development
Rural Housing Service	Administrator, Operations And Management
	Budget Officer
	Chief Financial Officer
	Deputy Administrator For Operations And Management
	Deputy Administrator, Multi-Family Housing
	Director Centralized Servicing Center
South Atlantic Area Office	Associate Director South Atlantic Area
	Director, South Atlantic Area
Southern Plains Area Office	Associate Director, Southern Plains Area
	Director Southern Plains Area
State And Private Forestry	Director Cooperative Forestry
	Director, Forest Health Protection
Veterinary Services	Associate Deputy Administrator, National Animal Health Policy Programs
	Deputy Administrator, Wildlife Services
	Director, Center For Epidemiology And Animal Health
	Director, Eastern Region, Veterinary Services
	Director, Western Region, Veterinary Services
Department Of Agriculture Office Of The Inspector General:	
Assistant Inspector General For Audit	Assistant Inspector General For Audit
	Deputy Assistant Inspector General For Audit
Assistant Inspector General For Investigations	Assistant Inspector General For Investigations
	Deputy Assistant Inspector General For Investigations
Assistant Inspector General For Management	Assistant Inspector General For Management
Department Of Agriculture Office Of The Inspector General	Counsel To The Inspector General

Agency and organization	Career reserved positions
	Deputy Inspector General
Department Of Commerce:	
Administrative And Customer Services Division	Chief Administrative And Customer Services Division
Administrator For External Affairs	Associate Director, Education And Training
	Deputy Director For Intellectual Property Policy And Enforcement
	Director, Intellectual Property Policy And Enforcement
Advanced Network Technologies Division	Chief Advanced Network Technologies Division
Aeronomy Laboratory	Director, Chemical Science Division
Agriculture And Financial Statistics Division	Chief Company Statistics Division
Air Resources Laboratory	Director Air Resources Laboratory
Alaska Fisheries Science Center	Science And Research Director
Alaska Region	Director, Alaska Region, Anchorage
Analytical Chemistry Division	Chief, Analytical Chemistry Division
Associate Director For Decennial Census	Assistant Director For Decennial Census
	Assistant To The Associate Director For Decennial Census
	Associate Director For Decennial Census
	Chief, American Community Survey Office
Associate Director For Demographic Programs	Associate Director For Demographic Programs
	Chief Demographic Surveys Division
	Chief, Population Division
Associate Director For Economic Programs	Assistant Director For Economic Programs
	Associate Director For Economic Programs
Associate Director For Finance And Administration	Chief, Acquisition Division
Associate Director For Information Technology	Assistant To The Associate Director For Information Technology
	Associate Director For Information Technology
Associate Director For International Economics	Associate Director For International Economics
Associate Director For Methodology And Standards	Chief, Planning, Research, And Evaluation Division
Associate Director For National Income, Expenditure And Wealth Accounts.	Associate Director For National Income, Expenditure And Wealth Accounts
	Chief National Income And Wealth Division
	Chief, Computer Systems And Services Division
Associate Director For Regional Economics	Associate Director For Regional Economics
Atlantic Ocean And Meteorology Laboratory	Director, Atlantic Oceanographic And Meteorological
Atomic Physics Division	Chief, Atomic Physics Division
	Chief, Quantum Metrology Division
Board Of Patent Appeals And Interferences	Chief Administrative Patent Judge
	Vice Chief Administrative Patent Judge
Building And Fire Research Laboratory	Chief, Fire Safety Engineering Division
	Deputy Director, Building And Fire Research Laboratory
	Director, Building And Fire Research Laboratory
Building Environment Division	Chief, Building Environment Division
Building Materials Division	Chief, Building Materials Division
Bureau Of Economic Analysis	Associate Director For Industry Accounts
	Chief Information Officer
	Chief, Balance Of Payments Division
Bureau Of Industry And Security	Chief Financial Officer And Director Of Administration
	Director, Office of Enforcement Analysis
Bureau Of The Census	Assistant Director For American Community Survey And Decennial Census
	Assistant Director For Decennial Information Technology And Geographic Systems
	Assistant Director For Marketing And Customer Liaison
	Associate Director For Administration And Chief Financial Officer
	Associate Director For Information Technology And Chief Information Officer
	Associate Director For Strategic Planning And Innovation
	Chief Technology Officer
	Chief, Budget Division
	Chief, Center For Economic Studies And Chief Economist
	Chief, Field Division
	Chief, Human Resources Division
	Comptroller
	Policy Advisor To The Associate Director For Economic Programs
	Senior Advisor For Project Management
Central Region	Director Central Region
Ceramics Division	Chief, Ceramics Division
	Deputy Director, Materials Science And Engineering Laboratory
Chemical Science And Technology Laboratory Office	Chief Process Measurements Division
	Deputy Director, Chemical Scientist And Technology Laboratory
	Director, Chemical Science And Technology Laboratory
Climate Monitoring And Diagnostics Laboratory	Director, Global Monitoring Division
Climate Prediction Center	Director, Climate Prediction Center
Coastal Monitoring And Bioeffects Assessment Division	Chief Coastal Monitoring Bioeffects Assessment Division
Computer Systems Laboratory Office	Associate Director For Program Implementation

Agency and organization	Career reserved positions
Computing And Applied Mathematics Laboratory Office	Associate Director For Computing
	Chief High Performance Systems And Services Division
Data Preparation Division	Chief National Processing Center
Decennial Management Division	Chief Decennial Management Division
Decennial Statistical Studies Division	Chief, Decennial Statistical Studies Division
Demographic Statistical Methods Division	Chief, Demographic Statistical Methods Division
Department Of Commerce	Deputy Assistant Inspector General For Auditing
	Deputy Chief Financial Officer/Deputy Chief Administrative Officer
Deputy Assistant Secretary For Agreement Compliance	Associate Director For Management
Deputy Assistant Secretary For Market Access And Compliance	Director Trade Compliance Center
Director For Executive Budgeting And Assistance Management	Director For Federal Assistant And Management Support
Director For Financial Management	Director For Financial Management And Deputy Chief Financial Officer
Director For Human Resources Management	Deputy Director Of Human Resources Management
	Director For Human Resources Management
Director National Polar-Orbiting Operational Environmental Satellite System Integrated Program.	Systems Program Director
Directors Office, Advanced Technology Program	Associate Director For Policy And Operations
	Deputy Director, Advanced Technology Program
	Director Information Technology Laboratory
	Director, Electronics And Photonics Technology Office
	Director, Materials And Manufacturing Technology Office
Directors Office, Technology Innovation	Director, Office Of Technology Evaluation And Assessment
Eastern Region	Director Eastern Region National Weather Service
Economic Development Administration	Chief Financial Officer/Director Of Administration
Economic Planning And Coordination Division	Chief, Economic Planning And Coordination Division
Economic Statistical Methods And Programming Division	Chief, Economic Statistical Methods And Programming Division
Economics And Statistics Administration	Chief Financial Officer And Director For Administration
	Deputy Director, Office Of Policy Development
	Director, Statistics—United States Of America
Electron And Optical Physics Division	Chief Electron And Optical Physics Division
Electronics And Electrical Engineering Laboratory	Chief Optoelectronics Division
	Deputy Director, Electronics And Electrical Engineering Laboratory
	Director, Electronics And Electrical Engineering Laboratory
	Director, Office Of Microelectronics Programs
Environmental Technology Laboratory	Director, Physical Science Division
Examining Group Directors	Group Director
Field Systems Operations Center	Director, Field Systems Operations Center
Fire Science Division	Chief, Fire Science Division
Forecast Systems Laboratory	Director, Global Systems Division
Foreign Trade Division	Chief, Foreign Trade Division
Geography Division	Chief, Geography Division
Geophysical Fluid Dynamics Laboratory	Director, Office Of Geophysical Fluid Dynamics Laboratory
Governments Division	Chief, Governments Division
Great Lake Environmental Research Laboratory	Director, Office Of Great Lakes Environmental Research Laboratory
Hazardous Materials Response And Assessment Division	Director, Office Of Response And Restoration
Housing And Household Economic Statistics Division	Chief, Housing And Household Economics Statistics Division
Hydrology Laboratory	Chief, Hydrology Laboratory
Hydrometeorological Prediction Center	Chief, Meteorological Operations Division
Information Technology Laboratory	Deputy Director, Information Technology Laboratory
	Director, Information Technology Laboratory
Institute For Telecommunication Sciences	Associate Administrator For Telecommunications Science
Institute For Telecommunication Sciences, Systems And Networks Division.	Deputy Director For Systems And Networks
Intelligent Systems Division	Chief, Intelligent Systems Division
International Trade Administration	Director, Office Of Environmental Technologies Industries
	Executive Director For Antidumping And Countervailing Duty Operations
	Senior Director, China/Non-Market Economy Compliance Unit
Maintenance, Logistics, And Acquisition Division	Chief, Operations Division
Manufacturing And Construction Division	Chief, Manufacturing And Construction Division
Manufacturing Engineering Laboratory	Chief, Office Of Manufacturing Programs
	Deputy Director, Manufacturing Engineering Laboratory
Manufacturing Extension Partner Ship Program	Associate Director For National Programs
	Deputy Director, Manufacturing Extension Partnership Program
	Director, Manufacturing Extension Partnership Programs
Market Access And Compliance	Director, Office Of China Economic Area
	Director, Office Of Multilateral Affairs
Materials Reliability Division	Chief Materials Reliability Division
Materials Science And Engineering Laboratory Office	Director, Materials Scientist And Engineering Laboratory
Meteorological Development Laboratory	Director, Meteorological Development Laboratory
National Centers For Environmental Prediction	Director National Center For Environmental Prediction
	Director National Severe Storms Laboratory
	Director, Aviation Weather Center
	Director, Environmental Modeling Center

Agency and organization	Career reserved positions
National Centers For Environmental Prediction Central Operations	Director, Central Operations
National Climatic Data Center	Director, National Climatic Data Center
National Data Buoy Center	Director, National Data Buoy Center
National Geophysical Data Center	Director, National Geophysical Data Center
National Institute Of Standards And Technology	Boulder Laboratories Site Manager
	Chief Cybersecurity Advisor
	Chief Facilities Management Officer
	Chief Of Staff For National Institute For Standards And Technology
	Chief Scientist
	Chief, Human Capital Officer For National Institute Of Standards And Technology
	Chief, Optical Technology Division
	Deputy Director, Center For Nanoscale Science And Technology
	Deputy Director, National Institute Of Standards And Technology Center For Neutron Research
	Director, Center For Nanoscale Science And Technology
	Director, Impact Analysis Office
	Director, Information Technology And Applications Office
	Director, Manufacturing Engineering Laboratory
	Director, National Institute Of Standards And Technology Center For Neutron Research
	Director, Office Of Law Enforcement Standards
	Director, Technology Innovation Program
	Executive Director For Business Services And Deputy Chief Financial Officer
	National Coordinator For Smart Grid Interoperability
	Program Manager, Coordinated National Security Standards Program
	Special Assistant For Environment, Safety And Health
	Special Assistant For International Metrology
National Marine Fisheries Service	Deputy Assistant Administrator For Regulatory Programs
	Director For Habitat Conservation
	Director Office Of Sustainable Fisheries
	Director Seafood Inspection Program
	Director, International Affairs
	Science And Research Director Southwest Region
	Science And Research Director, Pacific Island Region
	Senior Advisor For Intergovernmental Programs
National Ocean Service	Associate Assistant Administrator For Management And Chief Financial Officer/Chief Administrative Officer
	Deputy Director, National Centers For Coastal Ocean Science
	Director, National Centers For Coastal Ocean Science And Scientist For National Ocean Service
	Director, Office Of National Geodetic Survey
	Technical Director
National Oceanic And Atmospheric Administration	Chief Administrative Officer
	Chief Financial Officer
	Chief Financial Officer/Chief Administrator Officer
	Chief Information Officer And Director For High Performance Computing And Communications
	Chief Information Officer For Nesdis
	Deputy Assistant Administrator For Systems
	Deputy Chief Administrative Officer
	Deputy Chief Information Officer
	Deputy Director For Workforce Management
	Deputy Director, Acquisition And Grants Office
	Deputy Director, Office Of Marine And Aviation Operations
	Director For International Oceans Programs
	Director Staff Office For International Programs
	Director, Acquisition And Grants Office
	Director, Integrated Ocean Observing System
	Director, Ocean Prediction Center
	Director, Office Of Education
	Director, Office Of Ocean Exploration And Research
	Director, Office Of Operations, Management And Information
	Director, Space Environment Center
	Program Executive Officer, National Polar-Orbiting Operational Environmental Satellite System
	System Program Director, National Polar-Orbiting Operational Environmental Satellite System
National Oceanic And Atmospheric Administration Coastal Ocean Program Office.	Director, Budget Office
National Oceanic And Atmospheric Administration Coastal Services Center.	Director, National Centers For Coastal Ocean Science
National Oceanographic Data Center	Director, National Oceanographic Data Center

Agency and organization	Career reserved positions
National Sea Grant College Program	Director, National Sea Grant College Program
National Technical Information Service	Deputy Director, National Technical Information Service
Northeast Fisheries Science Center	Science And Research Director Northeast Region
Northwest Fisheries Science Center	Science And Research Director, Northwest Region
Office—Federal Coordinator—Meteorology	Director, Office Of The Federal Coordinator For Meteorology
Office Assistant Director For Financial And Administrative Management.	Associate Director For Finance And Administration
Office Of Assistant Administrator For Fisheries	Director, Office Of Management And Budget
Office Of Assistant Administrator Satellite, Data Information Service.	Chief Financial Officer/Chief Administrative Officer
	Senior Scientist For Environmental Satellite, Data And Information Services (National Environmental Satellite, Data And Information Services)
	System Program Director For Goes-R Program
Office Of Assistant Administrator, Ocean And Atmospheric Research.	Chief Financial Officer/Chief Administrative Officer
	Deputy Assistant Administrator For Extramural Research
	Deputy Assistant Administrator, Laboratories And Cooperative Institutes And Director
	Director, Climate Program Office
	Program Director For Weather Research
Office Of Audits	Assistant Inspector General For Auditing
Office Of Budget Management And Information And Chief Information Officer.	Director, Office Of Budget
Office Of Climate, Water, And Weather Services	Chief, Meteorological Services Division
	Director, Office Of Climate, Water, And Weather Services
Office Of Consumer Goods	Director Office Of Consumer Goods
Office Of Counsel To The Inspector General	Counsel To The Inspector General
Office Of Finance And Administration	Director For Workforce Management
	Director, Budget Office
	Director, Finance Office/Comptroller
	Director, Real Property, Facilities And Logistics Office
Office Of Fisheries Conservation And Management	Director, Office Of Enforcement
	Director, Scientific Programs And Chief Science Advisor
Office Of High Performance Computing And Communications	Director For High Performance Computing And Communications
Office Of Hydrologic Development	Director, Office Of Hydrologic Development
Office Of Inspections And Program Evaluation	Assistant Inspector General For Inspections And Program Evaluation
Office Of Inspector General	Assistant Inspector General For Administration
	Assistant Inspector General For Systems Evaluation
Office Of International Affairs	Chief Financial Officer/Administrator Officer
Office Of International And Academic Affairs	Chief Financial Officer
	Director International And Academic Affairs
Office Of Investigations	Assistant Inspector General For Investigations
Office Of Oceanic Research Programs	Director, Atlantic Oceanographic And Meteorological Laboratory
Office Of Operational Systems	Director, Office Of Operational Systems
Office Of Policy Development	Senior Executive For Research
Office Of Protected Resources	Director Office Of Science And Technology
Office Of Quality Programs	Deputy Director, Office Of Quality Programs
	Director For Quality Programs
Office Of Science And Technology	Chief, Programs And Plans Division
	Director, Office Of Science And Technology
Office Of Security And Administrative Services	Deputy Director For Security
	Director, Office Of Security
Office Of Systems Development	Director Office Of Systems Development
	Director, Requirements, Planning And System Integration Division
	Director, Satellite And Ground Systems Program
Office Of The Assistant Administrator For Weather Services	Director Office Of Aeronautical Charting\Cartography
	Director, Strategic Planning And Policy Office
	Senior Advisor
Office Of The Assistant Secretary For Administration	Deputy Assistant Secretary And Director For Security
	Deputy Director For Acquisition Management
	Director For Technology Management
	Director, Office Of Security
Office Of The Assistant Secretary For Economic Development	Chief Financial Officer/Chief Administrative Officer (Chief Financial Officer/Chief Administrative Officer)
Office Of The Assistant Secretary For Export Enforcement	Deputy Assistant Secretary For Export Enforcement
	Director Office Of Export Enforcement
Office Of The Chief Administrative Officer	Director, Human Capital Management
Office Of The Chief Financial Officer	Chief Financial Officer
	Deputy Chief Financial Officer
Office Of The Chief Financial Officer And Assistant Secretary For Administration.	Deputy Chief Information Officer
	Deputy Director For Administrative Services
	Deputy Director For Financial Management

Agency and organization	Career reserved positions
	Deputy Director, Office Of Budget
	Director For Administrative Services
	Director For Y2k Outreach
	Director, Human Resources Operations Center
	Director, Office Of Acquisition Management
Office Of The Chief Information Officer	Chief Information Officer For Weather Service
	Chief Technology Officer
	Special Assistant For Program Management
Office Of The Commissioner For Patents	Administrator, Search And Information Resources Administration
	Deputy Commissioner For Patent Operations
	Director, Office Of Patent Training
Office Of The Commissioner For Trademarks	Deputy Commissioner For Trademark Examination Policy
	Deputy Commissioner For Trademark Operations
	Group Director, Trademark Law Offices
Office Of The Director	Associate Director For Field Operations
	Associate Director For Management And Chief Administrative Officer
	Chief Decennial Systems And Contracts Management Office
	Chief Economist
	Chief Statistician
	Chief, Policy And Strategic Planning Division
	Deputy Director, Bureau Of Economic Analysis
	Director, Bureau Of Economic Analysis
	Principal Associate Director For Programs
	Special Advisor To The Deputy Director
Office Of The Director For Technology Services	Deputy Director, Technology Services
Office Of The Director Of Administration	Human Resources Manager
Office Of The Director, National Institute Of Standards And Technology.	Chief Financial Officer For Nist
	Chief Information Officer For National Institute Of Standards And Technology
	Deputy Director For Safety And Facilities
	Director For Administration And Chief Financial Officer
	Director, Boulder Laboratories
	Executive Director, Visiting Committee On Advanced Technology Program
Office Of The General Counsel	Assistant General Counsel For Finance And Litigation
	Chief, Ethics Division
	Deputy General Counsel For Intellectual Property Law And Solicitor
	Director, Office Of Executive Support
Office Of The Inspector General	Deputy Assistant Inspector General For Economic And Statistical Program Assessment
Office Of The Secretary	Director, Office Information Technology Security, Infrastructure And Technology
	Director, Office Of Information Technology Policy, And Planning
Office Of The Under Secretary	Chief, Financial Officer And Director Of Administration
Pacific Marine Environmental Research Laboratory	Director, Office Of Pacific Marine Environmental Laboratory
Patent And Trademark Office	Associate Commissioner For Patent Recourses And Planning
Physical And Chemical Properties Division	Chief, Physical And Chemical Properties Division
Physics Laboratory Office	Deputy Director, Physics Laboratory
	Director, Physics Laboratory
	Manager, Fundamental Constants Data Center
Precision Engineering Division	Chief, Precision Engineering Division
Program Office	Deputy Director, Information Technology Laboratory
	Director, Program Office
Quantum Physics Division	Chief, Quantum Physics Division
	Senior Scientist And Fellow Of Joint Institute For Laboratory Astrophysics
Radar Operations Center	Director, Radar Operations Center
Reactor Radiation Division	Chief, National Institute Of Standards And Technology Center For Neutron Research
	Chief, Reactor Operations And Engineering
Services Division	Chief Service Sector Statistics Division
Southeast Fisheries Science Center	Science And Research Director, Southeast Region
Southern Region	Director, Southern Region
Statistical Research Division	Chief Statistical Research Division
Storm Prediction Center	Director, Storm Prediction Center
Strategic Environmental Assessments Division	Chief, Strategic Environmental Assessments Division
Systems Acquisition Office	Chief Information Officer And Information Technology Acquisition Manager
Systems Engineering Center	Director, Systems Engineering Center
Telecommunications Operations Center	Chief, Telecommunications Operations Center
Time And Frequency Division	Chief, Time And Frequency Division
Trademark Trial And Appeal Board	Chairman, Trademark Trial And Appeal Board
Tropical Prediction Center	Director Tropical Prediction Center/National Hurricane Center

Agency and organization	Career reserved positions
Western Region	Director, Western Region
Department Of Commerce Office Of The Inspector General:	
Immediate Office	Deputy Inspector General
Office Of Audit	Assistant Inspector General For Audit
Office Of Audit And Evaluation	Principal Assistant Inspector General For Audit And Evaluation
Office Of Counsel	Counsel To The Inspector General
Office Of Economic And Statistical Program Assessment	Assistant Inspector General For Economic And Statistical Program Assessment
Office Of Investigations	Assistant Inspector General For Investigations
Office Of Program Assessment	Deputy Assistant Inspector General For Program Assessment
Office Of Systems Acquisitions And It Security	Assistant Inspector General For Systems Acquisitions And It Security
Department Of Education:	
Federal Student Aid	Chief Financial Officer
Institute Of Education Sciences	Associate Commissioner For Assessment
Office Of Management	Chairperson, Education Appeal Board
	Director, Human Resources Services
Office Of The Chief Financial Officer	Deputy Chief Financial Officer
	Director, Contracts And Acquisitions Management
	Director, Financial Improvement And Post Audit Operations
	Executive Assistant To The Chief Financial Officer
	Senior Procurement Executive
Office Of The Chief Information Officer	Chief Information Officer
Office Of The General Counsel	Assistant General Counsel For Business And Administration Law
	Assistant General Counsel For Educational Equity
	Assistant General Counsel For Postsecondary Education And Education Research Division
Department Of Education Office Of The Inspector General:	
Office Of The Inspector General	Assistant Inspector General For Audit Services
	Assistant Inspector General For Evaluation, Inspection And Management Services
	Assistant Inspector General For Information Technology Audits And Computer Crime Investigations
	Assistant Inspector General For Investigative Services
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Audit Services
	Deputy Inspector General
Department Of Energy:	
Albuquerque Operations Office	Assistant Manager For Management And Administration
	Carlsbad Area Office Manager
	Director Transportation Safeguards Division
	Director, Weapons Programs Division
Assistant Secretary For Energy Efficiency And Renewable Energy	Director, Regional Office And Deployment Operations
	Manager, Golden Field Office
	Program Manager
Assistant Secretary For Environment, Safety And Health	Director Office Of Nuclear Safety, Policy And Standards
	Director Office Of Regulatory Liaison
Chicago Operations Office	Assistant Manager, Acquisition And Assistance
	Deputy Manager, Chicago Office
	Director, New Brunswick Laboratory
Department Of Energy	Assistant Manager For Science
	Associate Chief Information Officer For Operations
Deputy Administrator For Defense Nuclear Nonproliferation	Director, Office Of International Cooperation
Deputy Administrator For Defense Programs	Deputy For Site Operations Support
	Deputy Manager, Pantex Site Office
	Deputy Manager, Technical Programs
	Director, Office Of Stockpile Assessments And Certification
	Manager, Livermore Site Office
	Manager, Nevada Site Office
	Manager, Sandia Site Office
	Manager, Savannah River Site Office
	Senior Advisor For Complex 2030 Implementation
Deputy Administrator For Naval Reactors	Chief Information Officer
	Deputy Director For Naval Reactors
	Deputy Director, Nuclear Technology Division
	Director Advanced Submarine Systems Division
	Director For Submarine Refueling
	Director Reactor Engineering Division
	Director Regulatory Affairs
	Director, Instrumentation And Control Division
	Manager, Naval Reactors Laboratory Field Office
	Program Manager For Surface Ship Nuclear Propulsion
	Program Manager Prototype And Moored Training Ship Operations/Inactivation Programs
	Senior Naval Reactors Representative

Agency and organization	Career reserved positions
	Senior Naval Reactors Representative (Pearl Harbor)
	Senior Naval Reactors Representative (Puget Sound Naval Ship
	Senior Naval Reactors Representative (Yokosuka, Japan)
Energy Information Administration	Director, Coal And Electric Power Division
	Director, Coal, Nuclear And Renewables Division
	Director, Electrical Power Division
	Director, Energy Markets And Contingency Information Division
	Director, Natural Gas Division
	Director, Office Of Integration Analysis And Forecasting
	Director, Office Of Oil And Gas
	Director, Petroleum Division
Environmental Management Consolidated Business Center	Deputy Manager
Idaho Operations Office	Chief Financial Officer/Chief Operating Officer
National Nuclear Security Administration	Chief Of Defense Nuclear Counterintelligence
	Deputy Chief Information Officer For Information Technology
	Director Of Congressional Intergovernmental And Public Affairs
National Nuclear Security Administration Field Site Offices	Chief Counsel
National Nuclear Security Administration Service Center	Director, Office Of Field Financial Management
Oak Ridge Operations Office	Assistant Manager For Administration
	Chief Financial Officer
Oakland Operations Office	Associate Manager For Site Management
Office Of Electricity Delivery And Energy Reliability	Director, Office Of Energy Assurance
Office Of Environmental Management	Director, Office Of Safeguard And Security/Emergency Management
	Science Advisor
Office Of Fossil Energy	Director, Materials Partnerships Research Center
Office Of General Counsel	Assistant General Counsel For General Law
Office Of Hearings And Appeals	Deputy Director For Economic Analysis
	Deputy Director For Financial Analysis
	Deputy Director For Legal Analysis
	Director Hearings Appeals
Office Of Human Capital Management	Director, Office Of Headquarters And Executive Human Resources
	Director, Office Of Headquarters And Executive Personnel Services
Office Of Independent Oversight And Performance Assurance	Director, Office Of Security Oversight
Office Of Infrastructure And Environment	Director, Office Of Infrastructure And Environment
Office Of Inspector General	Assistant Inspector General For Financial, Technology And Corporate Audits
	Assistant Inspector General For Inspections And Special Inquiries
	Assistant Inspector General For Investigations
	Assistant Inspector General For Performance Audits
	Assistant Inspector General For Resource Management
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Audit Services
	Deputy Inspector General For Audit Services
	Deputy Inspector General For Inspections
	Deputy Inspector General For Investigations And Inspections
	Director, Energy Audits Division
	Director, Energy, Science And Environmental Audits Division
	Director, National Nuclear Security Administration Audits Division
	Manager, Capital Regional Audit Office
	Principal Deputy Inspector General
Office Of Management	Deputy Director, Office Of Management, Budget And Evaluation/Deputy Chief Finance Officer
	Director, Office Of Administration
Office Of Management And Administration	Director, Diskless Workstation Task Force Office
	Director, Office Of Acquisition And Supply Management
	Director, Office Of Human Capital Management Programs
Office Of Nuclear Energy, Science And Technology	Associate Director For Nuclear Facilities Management
	Director Office Of Light Water Reactor Deployment
Office Of Safeguards And Security Evaluations	Deputy Director, Office Of Independent Oversight And Performance
Office Of Science	Associate Director, Office Of Resource Management
	Director High Energy Physics Division
	Director, Facilities Division
	Director, Financial Management Division
	Director, Health Effects And Life Scientist Research Division
	Site Office Manager, Fermi
Office Of Security	Deputy Director, Office Of Security Affairs
Office Of Security And Safety Performance Assurance	Deputy Director, Office Of Headquarters Security Operations
	Director, Office Of Headquarters Security Operations
	Director, Office Of Independent Oversight And Performance
	Director, Office Of Safeguards And Security Evaluations
	Director, Office Of Safeguards And Security Training
	Director, Office Of Security And Safety Performance
Office Of The Chief Financial Officer	Deputy Chief Financial Officer
	Director Office Of Budget

Agency and organization	Career reserved positions
	Director, Financial Policy
Ohio Field Office	Deputy Manager, Ohio Field Office
	Manager Ohio Field Office
Rocky Flats Office	Assistant Manager For Administration And Transition
Western Area Power Administration	Chief Financial Officer
	Chief Operating Officer
	Transmission Infrastructure Program Manager
Department Of Energy Office Of The Inspector General:	Assistant Inspector General For Financial, Technology And Corporate Audits
	Assistant Inspector General For Inspections
	Assistant Inspector General For Investigations
	Assistant Inspector General For Performance Audits
	Assistant Inspector General For Resource Management
	Counsel To The Inspector General
	Deputy Inspector General For Audit Services
	Deputy Inspector General For Investigations And Inspections
	Director, Energy Audits Division
	Director, National Nuclear Security Administration Audits Division
	Director, Science And Environmental Audits Division
	Principal Deputy Inspector General
Department Of Health And Human Services:	
Agency For Healthcare Research And Quality	Executive Officer
Associate General Counsel Divisions	Associate General Counsel, General Law Division
	Deputy Associate General Counsel For Claims And Employment Law
	Deputy Associate General Counsel, Business And Administrative Law Division
Center For Biologics Evaluation And Research	Associate Director For Compliance And Biologic Quality
	Director, Office Of Compliance And Biologics Quality
Center For Devices And Radiological Health	Director Office Of Compliance
	Director Office Of System And Management
	Director, Office Of Device Evaluation
	Director, Office Of Science And Technology
Center For Drug Evaluation And Research	Director, Division Of Medical Imaging Surgical And Dental Products
	Director, Office Of Compliance
	Director, Office Of Epidemiology And Biostatistics
	Director, Office Of Generic Drugs
	Director, Office Of Management
	Director, Office Of New Drug Quality Assessment
	Senior Advisor For Policy
Center For Food Safety And Applied Nutrition	Director Office Of Field Programs
	Director Office Of Premarket Approval
	Director, Office Of Plant And Dairy Foods And Beverages
	Director, Office Of Regulations And Policy
	Director, Office Of Seafood
Center For Information Technology	Associate Director Office Of Computing Resources Services
	Chief, Computer Center Branch
	Deputy Director
	Director, Division Of Computer System Services
	Senior Advisor To Director, Center For Information Technology
Center For Medicaid And State Operations	Director, Medicaid Integrity Group
Center For Medicare Management	Director, Medicare Contractor Management Group
Center For Mental Health Services	Director Center For Mental Health Services
	Director Division Of State And Community Systems Development
Center For Scientific Review	Associate Director For Referral And Review
	Associate Director For Statistics And Analysis
	Director, Division Of Biologic Basis Of Disease
	Director, Division Of Clinical And Population-Based Studies
	Director, Division Of Molecular And Cellular Mechanisms
	Director, Division Of Physiological Systems
	Senior Scientific Advisor
Center For Veterinary Medicine	Director, Office Of Science
	Director, Office Of Surveillance And Compliance
Centers For Disease Control And Prevention	Chief Financial Officer
	Chief Learning Officer
	Chief Management Officer, Coordinating Office For Terrorism Preparedness And Emergency Response
	Chief Management Officer, Information Resources Management Office
	Chief Management Officer, Office Of Terrorism Preparedness And Emergency Response
	Chief Management Officer, Office Of The Director
	Chief Policy Officer
	Director, Buildings And Facilities Office
	Director, Financial Management Office
	Director, Information Technology Services Office

Agency and organization	Career reserved positions
	Director, Procurement And Grants Office
	Issues Analysis And Coordination Officer
Coordinating Center For Environmental Health, Injury Prevention, And Occupational Health.	Chief Management Officer, Coordinating Center For Environmental Health, Injury Prevention, And Occupational Health
Coordinating Center For Health Information And Service	Chief Management Officer, Coordinating Center For Health Information And Services
Coordinating Center For Health Promotion	Chief Management Officer, Coordinating Center For Health Promotion
Coordinating Center For Infectious Diseases	Chief Management Officer, Coordinating Center For Infectious Diseases
Division Of Cancer Biology, Diagnosis And Centers	Associate Director, Centers Training And Resources Program
	Associate Director, Extramural Research Program
	Chief Dermatology Branch, Intramural Research Program
	Chief, Cell Mediated Immunity Section
	Chief, Laboratory Of Biochememistry Intramural Research Program
	Chief, Laboratory Of Tumor And Biological Immunology, Intramural Research Programs
	Chief, Microbial Genetics And Biochemistry Section, Laboratory Of Biochemistry
	Deputy Director, Division Of Cancer Biology Diagnosis And Centers
	Director, Division Of Cancer Biology Diagnosis And Centers
Division Of Cancer Etiology	Chief Laboratory Of Biology
	Chief Laboratory Of Experimental Pathology
	Chief Laboratory Of Molecular Carcinogenesis
	Director, Division Of Cancer Etiology
Division Of Cancer Prevention And Control	Associate Director, Early Development And Concology Program
	Associate Director, Surveillance Research Program
	Deputy Director, Division Of Cancer Prevention And Control
Division Of Cancer Treatment	Associate Director, Cancer Therapy Evaluation Program
	Chief-Radiation Concology Branch
Division Of Extramural Activities	Deputy Director, Division Of Extramural Activities
	Director, Division Of Extramural Activities
HIV/AIDS Bureau	Director, Office Of Science And Epidemiology
Indian Health Service	Director Office Of Environmental Health And Engineering
Intramural Research	Chief Brain Structural Plasticity Section
	Chief Laboratory Of Biochemical Genetics
	Chief Laboratory Of Biochemistry
	Chief Laboratory Of Biochemistry And Metabolism
	Chief Laboratory Of Biophysical Chemistry
	Chief Laboratory Of Cardiac Energetics
	Chief Laboratory Of Central Nervous System Studies
	Chief Macromolecules Section
	Chief Oxidation Mechanisms Section Laboratory Of Bioorganic Biochemistry
	Chief Section On Biochemical Mechanisms
	Chief Section On Metabolic Enzymes
	Chief Section On Physical Chemistry
	Chief Stroke Branch
	Chief Theoretical Biophysics Section
	Chief, Development And Metabolic Neurology Branch
	Chief, Intermediary Metabolism And Bioenergetics Section
	Chief, Laboratory Of Bio-Organic Chemistry
	Chief, Laboratory Of Kidney And Electrolyte Metabolism
	Chief, Laboratory Of Medicinal Chemistry
	Chief, Laboratory Of Neura Control
	Chief, Laboratory Of Neuroscience, National Institute Of Diabetes And Digestive And Kidney Diseases
	Chief, Laboratory Of Neurobiology
	Chief, Metabolic Regulation Section
	Chief, Morphogenesis Section
	Chief, Neuroimaging Branch
	Chief, Section Carbohydrates Laboratory Of Chemistry/National Institute Of Diabetes And Digestive And Kidney Diseases
	Chief, Section On Molecular Biophysics
	Chief, Section On Molecular Structure
	Clinical Director And Chief, Kidney Disease Section
	Deputy Chief, Laboratory Of Central Nervous System Studies
John E Fogarty International Center	Associate Director For International Advanced Studies
	Deputy Director Fogarty International Center
National Cancer Institute	Associate Director For Budget And Financial Management
	Associate Director For Extramural Management
	Associate Director For Intramural Management
	Associate Director, Cancer Diagnosis Program
	Associate Director, Referral Review And Program Coordination
	Deputy Director For Administrative Operations

Agency and organization	Career reserved positions
	Deputy Director For Management
National Center For Chronic Disease Prevention And Health Promotion.	Director, Division Of Adult And Community Health
	Director, Office On Smoking And Health
National Center For Research Resources	Associate Director For Biomedical Technology
	Associate Director For Comparative Medicine
	Associate Director For Research Infrastructure
	Deputy Director, National Center For Research Resources
	Director, General Clinical Research Center For Research Resources
	Director, National Center For Research Resources
National Eye Institute	Chief Laboratory Of Retinal Cell And Molecular Biology
	Chief, Laboratory Of Molecular And Development Biology
	Chief, Laboratory Of Sensorimotor Research
National Heart, Lung And Blood Institute	Associate Director For International Programs
	Deputy Director Division Of Epidemiology And Clinical Application
	Deputy Director Division Of Heart Vascular Diseases
	Director Office Of Biostatics Research
	Director, Division Of Blood Diseases And Resources
	Director, Division Of Extramural Affairs
	Director, Division Of Heart And Vascular Diseases
	Director, Division Of Lung Diseases
	Director, Epidemiology And Biometry Program
	Director, National Center For Sleep Disorders
National Human Genome Research Institute	Associate Director For Management
	Chief Diagnosis Development Branch National Center Human Genome Research Institute
	Chief, Laboratory Of Genetic Disease Research National Center For Human Genome Research Institute
	Deputy Director
	Director Division Of Intramural Research National Center Human Genome Research
	Director, Office Of Population Genomics
National Institute For Occupational Safety And Health	Deputy Director For Management
National Institute Of Arthritis And Musculoskeletal And Skin Diseases.	Associate Director For Management And Operations
	Deputy Director
	Director, Extramural Program
National Institute Of Dental And Craniofacial Research	Associate Director For International Health
	Associate Director For Management
	Associate Director For Program Development
	Chief, Laboratory Of Immunology
	Director, Extramural Program
National Institute Of Diabetes And Digestive And Kidney Diseases	Associate Director For Management
	Chief, Laboratory Of Molecular And Cellular Biology
	Deputy Director For Management And Operations
	Director Division Of Extramural Activities
	Director, Division Kidney Urologic And Hematological Diseases
National Institute Of Mental Health	Associate Director For Prevention
	Associate Director For Special Populations
	Chief, Biological Psychiatry Branch
	Chief, Child Psychiatry Branch
	Chief, Laboratory Of Clinical Science
	Chief, Neuropsychiatry Branch
	Chief, Section On Clinical And Experimental Neurophysiology
	Chief, Section On Cognitive Neuroscience
	Chief, Section On Histopharmacology
	Deputy Director, National Institute Of Mental Health
	Director, Division Of Mental Disorders, Behavioral Research And Acquired Immunodeficiency Syndrome
	Director, Division Of Neuroscience And Behavioral Scientist
	Director, Division Of Services And Intervention Research
	Director, Office Of Legislative Analysis And Coordinator
	Director, Office On Acquired Immunodeficiency Syndrome
	Executive Officer, National Institute Of Mental Health
National Institute Of Nursing Research	Deputy Director/Director, Division Of Extramural Activities
	Director National Center For Nursing Research
National Institute On Aging	Associate Director Biology Of Aging Program
	Associate Director, Epidemiology, Demography, And Biometry Program
	Associate Director, Office Of Planning, Analysis And International Activities
	Clinical Director And Chief Clinical Physiology Branch
	Director Of Behavioral And Social Research Program
	Director Of Management
	Director Of Neuroscience And Neuropsychology Of Aging Program

Agency and organization	Career reserved positions
	Director Of Office Of Extramural Affairs
	Scientific Director Gerontology Research Center
National Institute On Alcohol Abuse And Alcoholism	Associate Director For Administration
	Director, Division Of Basic Research
National Institute On Drug Abuse	Associate Director For Clinical Neuroscience And Medical Affairs, Division Of Treatment Research And Development
	Associate Director For Management And Operations
	Chief, Neuroscience Research Branch
	Director Division Of Clinical Research
	Director, Medications Development Division
	Director, Office Of Extramural Program Review
	Senior Advisor And Counselor For Special Initiatives
National Institutes Of Allergy And Infectious Diseases	Chief Laboratory Of Molecular Microbiology
	Chief, Biological Resources Branch
	Chief, Laboratory Of Immunogenetics
	Chief, Laboratory Of Infectious Diseases
	Chief, Laboratory Of Malaria Research
	Chief, Laboratory Of Microbial Structure And Function
	Chief, Laboratory Of Parasitic Diseases
	Deputy Chief Laboratory Of Immunology And Head Lymphocyte Biology Section
	Deputy Director Division Of Acquired Immunodeficiency
	Director Division Of Intramural Research
	Director, Division Acquired Immunodeficiency Syndrome
	Director, Division Of Allergy/Immunology/Transplantation
	Director, Division Of Microbiology/Infectious Diseases
	Director, Division Of Extramural Activities
	Director, Office If Communications And Government Relations
	Head Epidemiology Section
	Head, Lymphocyte Biology Section
National Institutes Of Child Health And Human Development	Associate Director For Administration
	Associate Director For Prevention Research
	Chief Laboratory Of Mammalian Genes And Development
	Chief Section Neuroendocrinology
	Chief Section On Microbial Genetics
	Chief, Endocrinology And Reproduction Research Branch
	Chief, Laboratory Of Comparative Ethnology
	Chief, Laboratory Of Molecular Genetics
	Chief, Section On Growth Factors
	Chief, Section On Molecular Endocrinology
	Director Center For Population Research
	Director Center For Research For Mothers And Children
	Director, National Center For Medical Rehabilitation Research
National Institutes Of Environmental Health Sciences	Associate Director For Management
	Chief Laboratory Of Molecular Carcinogenesis
	Chief Laboratory Of Pulmonary Pathobiology
	Director Environmental Toxicology Program
	Director National Institute Of Environmental Health Science
	Head Mammalian Mutagenesis Section
	Head Mutagenesis Section
	Senior Scientific Advisor
National Institutes Of General Medical Sciences	Associate Director For Administration And Operations
	Associate Director For Extramural Activities
	Deputy Director National Institute Of General Medical Sciences
	Director Biophysics Physiological Sciences Program Branch
	Director Genetics Program
	Director, Division Of Pharmacology, Physiology, And Biological Chemistry
	Director, Minority Opportunities In Research Program Branch
National Institutes Of Health	Associate Director For Administrative Management
	Associate Director For Management
	Director
National Institutes Of Health Clinical Center	Associate Chief, Positron Emission Tomography And Radiochemistry
	Associate Director For Planning
	Chief Financial Officer
	Chief Operating Officer
	Deputy Director For Management And Operations
National Institutes Of Neurological Disorders And Stroke	Associate Director For Administration
	Chief, Laboratory Of Molecular And Cellular Neurobiology
	Director, Basic Neuroscientist Program/Chief/Laboratory Of Neurochemist
	Director, Division Of Fundamental Neurosciences
National Institutes On Deafness And Other Communication Disorders.	Associate Director For Administration

Agency and organization	Career reserved positions
National Library Of Medicine	Chief Laboratory Of Cellular Biology
	Director, Division Of Extramural Research
	Director, Division Of Human Communication
	Associate Director For Administrative Management
	Associate Director For Extramural Programs
	Associate Director For Health And Information Programs Development
	Associate Director For Library Operations
	Deputy Director For Research And Education
	Deputy Director Lister Hill National Center For Biomedical Commissioners
	Deputy Director, National Library Of Medicine
	Director National Center For Biotechnology Information
	Director, Information Systems
	Director, Lister Hill National Center For Biomedical Community
Office Of Acquisitions And Grants Management	Deputy Director For Operations
	Deputy Director For Policy
	Director, Office Of Acquisitions And Grants Management
Office Of Chief Counsel	Associate Deputy Chief Counsel For Drugs And Biologics
	Associate Deputy Chief Counsel For Devices, Foods And Veterinary Medicine
	Deputy Chief Counsel For Program Review
Office Of External Affairs	Deputy Director, Office Of External Affairs
Office Of Financial Management	Deputy Director Office Of Financial Management
	Director Office Of Financial Management
	Director Program Integrity Group
	Director, Accounting Management Group
	Director, Financial Services Group
Office Of Financial Management Service	Director, Financial Management Service
Office Of Global Health	Chief Management Officer, Office Of Global Health
Office Of Information Services	Deputy Director, Office Of Information Services
	Director, Office Of Information Services (Chief Information Officer)
Office Of Management	Director, Office Of Acquisitions And Grants Services
Office Of Policy, Planning, And Budget	Associate Administrator For Policy And Programs Coordinator
Office Of Program Support	Director Office Of Financial Management
Office Of Regulatory Affairs	Associate Commissioner For Regulatory Affairs
	Associate Director Investigations
	Deputy Associate Commissioner For Regulatory Affairs
	Deputy Director For Investigations
	Director Office Of Criminal Investigations
	District Food And Drug Director, Los Angeles District
	District Food And Drug Director, New York District
	Regional Food And Drug Director, Central Region
	Regional Food And Drug Director, Northeast Region
	Regional Food And Drug Director, Southeast Region
	Regional Food And Drug Director, Southwest Region
Office Of Security And Strategic Information	Associate Director For Personnel And Classified Information Security
	Associate Director For Strategic Information
	Director, Division Of Physical Security
Office Of The Actuary	Director, National Health Statistics Group
	Director, Office Of Medicare And Medicaid Cost Estimates
	Director, Office Of The Actuary (Chief Actuary)
	Director, Parts C And D Actuarial Group
Office Of The Assistant Secretary For Administration And Management.	Director, Atlanta Human Resources Center
	Director, Small Business And Disadvantaged Utilization
Office Of The Assistant Secretary For Planning And Evaluation	Associate Deputy Assistant Secretary For Planning And Evaluation (Health Services Policy)
Office Of The Assistant Secretary For Public Health And Science	Director, Office Of Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome Policy
	Director, Office Of Research Integrity
Office Of The Deputy Assistant Secretary For Finance	Deputy Assistant Secretary, Finance
	Director, Office Of Financial Policy And Reporting
Office Of The Deputy Assistant Secretary For Information Resources Management.	Deputy Chief Information Officer
Office Of The Deputy Inspector General For Audit Services	Assistant Inspector General For Audit Management And Policy
	Assistant Inspector General For Financial Management And Regional Operations
	Assistant Inspector General For Grants And Internal Activities
	Assistant Inspector General For Medicare And Medicaid Service Audits
	Deputy Inspector General For Audit Services
Office Of The Deputy Inspector General For Evaluation And Inspections.	Deputy Inspector General For Evaluation And Inspections
Office Of The Deputy Inspector General For Investigations	Assistant Inspector General For Investigations
	Assistant Inspector General For Investigative Operations

Agency and organization	Career reserved positions
	Deputy Inspector General For Investigations
Office Of The Director	Associate Director For Administration
	Associate Director For Disease Prevention
	Associate Director For Extramural Affairs
	Associate Director For Security And Emergency Response
	Director, Office of Medical Applications Of Research
	Director, Office Of Contracts Management
	Director, Office Of Financial Management
	Director, Office Of Policy For Extramural Research Administration
	Director, Office Of Reports And Analysis
	Director, Office Of Research Facilities Development And Operations
	Director, Office Of Strategic Planning For Administration
	Scientific Advisor For Capacity Development
	Senior Advisor For Policy
	Senior Policy Officer (Ethics)
	Special Advisor To The Director
Office Of The Inspector General	Deputy Inspector General For Legal Affairs
	Deputy Inspector General For Management And Policy
	Principal Deputy Inspector General
Office Of Workforce And Career Development	Chief Management Officer, Office Of Workforce And Career Development
Program Support Center	Deputy Assistant Secretary For Program Support
Special Programs Bureau	Associate Administrator, Special Programs Bureau
Department Of Health And Human Services Office Of The Inspector General:	
Department Of Health And Human Services Office Of The Inspector General.	Principal Deputy Inspector General
Office Of Audit Services	Assistant Inspector General For Audit Management And Policy
	Assistant Inspector General For Financial Management And Regional Operations
	Assistant Inspector General For Grants And Internal Activities
	Assistant Inspector General For Medicare And Medicaid Service Audits
	Deputy Inspector General For Audit Services
Office Of Counsel To The Inspector General	Assistant Inspector General For Legal Affairs
	Chief Counsel To The Inspector General
Office Of Evaluation And Inspections	Assistant Inspector General For Evaluation And Inspections
	Deputy Inspector General For Evaluation And Inspections
Office Of Investigations	Assistant Inspector General For Investigations
	Assistant Inspector General For Investigative Operations
	Deputy Inspector General For Investigations
Office Of Management And Policy	Assistant Inspector General For Management And Policy
	Deputy Inspector General For Management And Policy
Department Of Homeland Security:	
Assistant Secretary For Health Affairs And Chief Medical Officer	Principal Deputy Assistant Secretary For Health Affairs/Deputy Chief Medical Officer
Department Of Homeland Security	Director Of Transition
	Director, Innovation/Homeland Security Advanced Research Projects Agency (Hsarpa)
	Director, Interagency And First Responder Programs Division
	Division Head Infrastructure/Geophysical Division
	Division Head, Chemical And Biological Division
	Division Head, Command, Control And Interoperability Division
	Division Head, Explosives Division
	Division Head, Human Factors/Behavioral Science Division
Domestic Nuclear Detection Office	Assistant Director, Mission Management Directorate
	Assistant Director, National Technical Nuclear Forensics Center
	Assistant Director, Product Acquisition And Deployment Directorate
	Assistant Director, Transformational And Applied Research Directorate
	Chief Of Staff
	Deputy Director
Federal Emergency Management Agency	Acquisition Business Center Director
	Assistant Administrator, Management Directorate
	Assistant Administrator, National Integration Center
	Chief Financial Officer
	Chief, Acquisition Operations Branch
	Deputy Assistant Administrator, Mitigation Division
	Deputy Assistant Administrator, Office Of Grants Program
	Deputy Chief Counsel
	Deputy Chief Financial Officer
	Deputy Director For Insurance
	Deputy Director, External Affairs
	Deputy Director, Policy And Program Analysis
	Director Of Business Operations
	Director, Disaster Emergency Communication Division

Agency and organization	Career reserved positions
	Director, Disaster Emergency Communications Division
	Director, Disaster Reserve Workforce
	Director, Federal Coordinating Officer Operations
	Director, Financial Management
	Director, National Exercise Division
	Director, Office Of Acquisition Management
	Director, Operations Management Division, Disaster Operations
	Director, Preparedness Coordination Division
	Director, Preparedness Policy, Planning And Analysis Division
	Director, Support Services And Facilities Management
	Director, Technological Hazards Division
	Superintendent, Center For Domestic Preparedness
Federal Law Enforcement Training Center	Assistant Director (Training Directorate)
	Assistant Director, Administration
	Assistant Director, Chief Information Officer
	Assistant Director, Field Training
	Assistant Director, Training Innovation And Management Directorate
	Assistant Director, Washington Office
	Deputy Assistant Director, Office Of Artesia Operations
	Deputy Director, Federal Law Enforcement Training Center
	Director, Federal Law Enforcement Training Center
	Senior Associate Director
National Cybersecurity Center	Chief Technology Officer
	Deputy Director, National Cybersecurity Center
Office Of Administration	Deputy, Chief Administrative Services Officer
	Director Of Asset And Logistics Management
	Director, Administrative Operations
	Director, Safety And Environmental Programs
Office Of Civil Rights And Civil Liberties	Deputy Officer For Programs And Compliance
	Deputy Officer, Equal Employment Opportunity Programs
Office Of Operations Coordination And Planning Directorate	Senior Department Of Homeland Security Advisor To The Commander, U.S. Northern Command/North American Aerospace Defense Command
Office Of Procurement	Chief Procurement Officer
	Deputy Chief Procurement Officer
	Director, Acquisition Program Management
	Director, Office Of Procurement Operations
	Director, Oversight And Strategic Support
	Director, Procurement Oversight Program
	Director, Strategic Initiatives (Acquisition)
	Senior Counselor
Office Of Security	Chief Security Officer
	Chief, Counterintelligence And Investigations
	Deputy Chief Security Officer
Office Of The Assistant Secretary For Policy	Associate Director For Vetting
	Associate Director, Identity Management
	Department Of Homeland Security (DHS) Attache To Mexico
Office Of The Chief Financial Officer	Deputy Director, Financial Management
	Director, Financial Management
	Director, Office Of Budget
	Director, Program Analysis And Evaluation
	Director, Resource Management Transformation Office
Office Of The Chief Human Capital Officer	Deputy Chief Human Capital Officer
	Director, Human Capital Services And Accountability
	Director, Workforce Relations And Performance Culture
	Executive Director, Diversity, Recruitment And Veteran's Outreach
	Executive Director, Policy And Programs
Office Of The Chief Information Officer	Deputy Chief Information Officer
	Deputy Director, Information Technology Services Office
	Director, Enterprise Business Management Office
	Director, Information Security
	Director, Office Of Applied Technology
	Executive Director, Information Technology Services Office
Office Of The Executive Secretary For Operations And Administration.	Deputy Executive Secretary, Operations And Administration
Office Of The General Counsel	Deputy Associate General Counsel For General Law
	Designated Agency Ethics Official
Office Of The Inspector General	Assistant Deputy Inspector General For Disaster Assistance Oversight
	Assistant Inspector General For Information Technology
	Assistant Inspector General For Inspections And Special Reviews
	Assistant Inspector General, Administrative Services
	Assistant Inspector General, Audits
	Assistant Inspector General, Counsel
	Assistant Inspector General, Investigations

Agency and organization	Career reserved positions
	Chief (Audit Planning, Execution, And Review)
	Deputy Assistant Inspector General For Audits
	Deputy Assistant Inspector General, Investigations
	Deputy Inspector General
	Deputy Inspector General For Disaster Assistance Oversight
Office Of The Under Secretary For Intelligence And Analysis—IA ..	Assistant Deputy Under Secretary For External Communication
	Chief Of Staff
	Deputy Director, Homeland Infrastructure Threat And Risk Assessment Center
	Director, Collection And Requirements Division
	Director, Plans And Integration
	Director, Production Management Division
	Director, State And Local Fusion Center Division
	Principal Deputy Director, Terrorist Screening Center
Office Of The Under Secretary For National Protection And Programs Directorate.	Chief Operating Officer
	Deputy Assistant Secretary For Cyber Security And Communications
	Deputy Assistant Secretary For Infrastructure Protection
	Deputy Director, Federal Protective Service
	Deputy Director, Infrastructure Security Compliance Division
	Deputy Director, National Cyber Security Division
	Deputy Director, U.S.—Visit Program
	Deputy Manager, National Communications System
	Director, Budget And Financial Administration
	Director, Critical Infrastructure Cyber Protection And Awareness
	Director, Federal Network Security
	Director, Federal Protective Service
	Director, Global Cyber Security Management
	Director, Infrastructure Partnerships Division
	Director, Infrastructure Security Compliance Division
	Director, Mission Operations Management
	Director, National Communications System
	Director, National Cyber Security Division
	Director, Office Of Emergency Communications
	Director, Professional Development And Training
	Director, Resource Administration
	Director, Risk Management Division
	Director, Sector Specific Agency Executive Management Office
	National Protection And Programs Directorate (NPPD) Chief Information Officer
Office Of The Under Secretary For Science And Technology	Director Of Innovation/Homeland Security Advanced Research Projects Agency
	Director Of Transition
	Director, Interagency Science And Technology Programs Division
	Director, Program Analysis And Evaluation
	Director, Strategy, Policy, And Budget Division
	Director, Test And Evaluation And Standards
	Division Head, Borders And Maritime Security Division
	Division Head, Command, Control, And Interoperability Division
	Division Head, Explosives Divisions
	Division Head, Human Factors Division
	Division Head, Infrastructure And Geophysical Division
	Head, Chemical And Biological Division
U.S. Citizenship And Immigration Services	Associate Director, Field Operations
	Associate Director, Fraud Detection And National Security
	Associate Director, Office Of Management
	Associate Director, Refugee, Asylum And International Operations
	Associate Director, Service Center Operations
	Central Regional Director (Dallas, Texas)
	Chief Information Officer
	Chief, Administrative Appeals
	Chief, Asylum
	Chief, International Operations
	Chief, Office Of Administration
	Chief, Office Of Security And Integrity
	Chief, Records And Information Management
	Chief, Transformation Program Office
	Chief, Verification
	Deputy Associate Director, Enterprise Services Division
	Deputy Associate Director, National Security And Records Verification
	Deputy Associate Director, Office Of Field Operations
	Deputy Associate Director, Refugee, Asylum, And International Operations
	Deputy Associate Director, Service Center Operations

Agency and organization	Career reserved positions
	Deputy Chief Of Policy And Strategy
	Deputy Director, Office Of Security And Integrity
	Deputy Director, Service Center, Dallas, Texas
	Deputy Director, Service Center, Laguna Niguel, California
	Deputy Director, Service Center, Lincoln, Nebraska
	Deputy Director, Service Center, Saint Albans, Vermont
	Deputy General Counsel
	Director, Los Angeles Asylum Office
	Director, National Benefits Center
	Director, National Records Center
	Director, Office Of Refugee Affairs
	Director, Service Center, Dallas, Texas
	Director, Service Center, Laguna Niguel, California
	Director, Service Center, Lincoln, Nebraska
	Director, Service Center, Saint Albans, Vermont
	District Director, Field Services, Atlanta, Georgia
	District Director, Field Services, Boston, Massachusetts
	District Director, Field Services, Chicago, Illinois
	District Director, Field Services, Los Angeles California
	District Director, Field Services, Miami, Florida
	District Director, Field Services, New York, New York
	District Director, Field Services, Newark, New Jersey
	District Director, Field Services, San Francisco California
	District Director, Field Services, Tampa, Florida
	Eastern Regional Director (Burlington, Vermont)
	Regional Director, Southeast Region
	Senior Advisor
	Western Regional Director (Laguna Niguel, California)
U.S. Customs And Border Protection	Area Director, Newark
	Assistant Commissioner, Customs And Border Protection Air And Marine
	Assistant Commissioner, Field Operations
	Assistant Commissioner, Finance
	Assistant Commissioner, Human Resources Management
	Assistant Commissioner, Information And Technology
	Assistant Commissioner, Internal Affairs
	Assistant Commissioner, Trade
	Assistant Commissioner, Training And Development
	Associate Chief Counsel—Administration
	Associate Chief Counsel—Enforcement
	Associate Chief Counsel—Los Angeles
	Associate Chief Counsel—New York
	Associate Chief Counsel—Southeast
	Associate Chief Counsel—Trade, Tariffs And Legislation
	Associate Chief Counsel (Houston)
	Associate Chief Counsel, Chicago
	Chief Patrol Agent—Laredo Sector
	Chief Patrol Agent (Del Rio)
	Chief Patrol Agent (El Paso)
	Chief Patrol Agent (San Diego)
	Chief Patrol Agent (Tucson)
	Chief Patrol Agent, El Centro, California
	Chief Patrol Agent, Rio Grande Valley
	Chief Patrol Agent, Yuma, Arizona
	Chief Procurement Officer
	Chief, Border Patrol
	Chief, Northern Border And Coastal Division
	Chief, Operations Planning And Analysis Division
	Chief, Southwest Border Division
	Deputy Assistant Commissioner, Customs And Border Protection Air And Marine
	Deputy Assistant Commissioner, Field Operations
	Deputy Assistant Commissioner, Human Resources Management
	Deputy Assistant Commissioner, Information And Technology
	Deputy Assistant Commissioner, Intelligence And Operations Coordination
	Deputy Assistant Commissioner, Internal Affairs
	Deputy Assistant Commissioner, International Affairs
	Deputy Assistant Commissioner, Office Of Training And Development
	Deputy Chief Counsel
	Deputy Chief Financial Officer
	Deputy Chief Patrol Agent, San Diego
	Deputy Chief Patrol Agent, Tucson
	Deputy Chief, Border Patrol

Agency and organization	Career reserved positions
	Deputy Commissioner
	Deputy Director, El Paso Intelligence Center
	Deputy Director, Secure Border Initiative Program Office
	Director Of Operations, Northern Border, Detroit, Michigan, Office Of Customs And Border Protection (CBP) Air And Marine
	Director Of Operations, Southeastern Border, Miami, Florida, Office Of Customs And Border Protection (CBP) Air And Marine
	Director Of Operations, Southwest Border, Office Of Customs And Border Protection (CBP) Air And Marine
	Director, Air And Marine Operations Center, Office Of Customs And Border Protection (CBP) Air And Marine
	Director, Border Enforcement Coordination Cell, El Paso
	Director, Field Operations (Atlanta)
	Director, Field Operations (Boston)
	Director, Field Operations (Buffalo)
	Director, Field Operations (Chicago)
	Director, Field Operations (Detroit)
	Director, Field Operations (Houston)
	Director, Field Operations (Laredo)
	Director, Field Operations (Los Angeles)
	Director, Field Operations (Miami)
	Director, Field Operations (New York)
	Director, Field Operations (San Diego)
	Director, Field Operations (San Francisco)
	Director, Field Operations (Seattle)
	Director, Field Operations (Tucson)
	Director, Field Operations, El Paso
	Director, Secure Borders Initiative
	Executive Director, Operations, Customs And Border Protection Air And Marine
	Executive Director, Admissibility And Passenger Programs
	Executive Director, Agriculture Programs And Trade Liaison
	Executive Director, Budget
	Executive Director, Cargo And Conveyance Security
	Executive Director, Cargo Systems Programs Office
	Executive Director, Commercial Targeting And Enforcement
	Executive Director, Enterprise Data Management And Engineering
	Executive Director, Enterprise Networks And Technology Support
	Executive Director, Equal Opportunity
	Executive Director, Facilities Management And Engineering
	Executive Director, Financial Operations
	Executive Director, Human Resources Programs And Operations
	Executive Director, Intelligence And Targeting
	Executive Director, Labor And Employee Relations
	Executive Director, Laboratories And Scientific Services
	Executive Director, Mission Support
	Executive Director, Mission Support, Office Of Customs And Border Protection (CBP) Air And Marine
	Executive Director, National Air Security Operations, Office Of Customs And Border Protection (CBP) Air And Marine
	Executive Director, Operations
	Executive Director, Passenger Systems Program Office
	Executive Director, Planning, Program Analysis And Evaluation
	Executive Director, Regulations And Rulings
	Executive Director, Regulatory Audit
	Executive Director, Trade Policy And Programs
	Executive Director, Training, Safety And Standards, Office Of Customs And Border Protection (CBP) Air And Marine
	Executive Program Director, Secure Border Initiative Network
	Port Director (El Paso)
	Port Director, JFK Airport
	Port Director, Laredo
	Port Director, Los Angeles Airport
	Port Director, Los Angeles/Long Beach Seaport
	Port Director, Miami International Airport
	Port Director, San Sedro
U.S. Immigration And Customs Enforcement	Assistant Director For Enforcement, Detention And Removal Operations
	Assistant Director For Management, Detention And Removal Operations
	Assistant Director For Operations, Detention, And Removal Operations
	Assistant Director, Operations
	Chief Financial Officer
	Chief Information Officer

Agency and organization	Career reserved positions
	Deputy Assistant Director (National Security Investigations)
	Deputy Assistant Director, Criminal Alien Division, Office Of Detention And Removal Operations
	Deputy Assistant Director, Critical Infrastructure, Protection, And Fraud
	Deputy Assistant Director, Financial, Narcotics And Public Safety
	Deputy Assistant Director, Investigative Services
	Deputy Assistant Director, Mission Support
	Deputy Assistant Director, Mission Support, Office Of Detention And Removal Operations
	Deputy Assistant Director, Removal Management, Office Of Detention And Removal Management
	Deputy Assistant Secretary For Management
	Deputy Assistant Secretary, Operations
	Deputy Chief Financial Officer
	Deputy Chief Information Officer
	Deputy Director, Detention And Removal Operations
	Deputy Director, International Affairs
	Deputy Director, Office Of Investigation
	Deputy Director, Office Of Professional Responsibility
	Deputy Principal Legal Advisor
	Deputy Principal Legal Advisor For Field Operations
	Deputy Principal Legal Advisor For Litigation
	Deputy Principal Legal Advisor For Management
	Deputy Principal Legal Advisor For Headquarters
	Director, Detention And Removal Operations
	Director, Financial Management
	Director, Intelligence
	Director, International Affairs
	Director, Office Of Budget And Program Performance
	Director, Office Of Investigations
	Director, Office Of Procurement
	Director, Office Of Professional Responsibility
	Director, Office Of Training And Career Development
	Executive Director, Border Security Initiatives
	Executive Director, Law Enforcement Information Sharing Initiative
	Executive Director, State And Local Coordination
	Field Office Director, Office Of Detention And Removal Operations, San Antonio, Texas
	Field Office Director, Office Of Detention And Removal Operations, San Diego, California
	Regional Special Agent In Charge, El Paso
	Senior Advisor, Intellectual Property Rights
	Senior Management Counsel
	Special Agent In Charge (Miami)
	Special Agent In Charge (New York)
	Special Agent In Charge (Seattle)
	Special Agent In Charge, Atlanta
	Special Agent In Charge, Chicago
	Special Agent In Charge, Dallas
	Special Agent In Charge, Denver
	Special Agent In Charge, Detroit
	Special Agent In Charge, El Paso
	Special Agent In Charge, Houston
	Special Agent In Charge, Los Angeles
	Special Agent In Charge, New Orleans
	Special Agent In Charge, Phoenix
	Special Agent In Charge, San Antonio
	Special Agent In Charge, San Diego
	Special Agent In Charge, San Francisco
	Special Agent In Charge, Washington, Dc
	Special Agent In Charge-East, Office Of Professional Responsibility
United States Coast Guard	Deputy Assistant Commandant For Acquisition/Director Of Acquisition Services
	Deputy Assistant Commandant For Intelligence And Criminal Investigations
	Deputy Chief Financial Officer
	Deputy Director Of Acquisition Programs
	Director, Command, Control, Communications, Computers (C4) And Information Technology Service Center
	Director, Global Maritime Operational Threat Response Coordination Center
	Director, National Pollution Funds Center
	Senior Procurement Executive/Head Of Contracting Activity
United States Secret Service	Assistant Director—Human Resources And Training

Agency and organization	Career reserved positions
	Assistant Director—Office Of Government And Public Affairs
	Assistant Director, Investigations
	Assistant Director, Office Of Administration
	Assistant Director, Office Of Professional Responsibility
	Assistant Director, Protective Operations
	Assistant Director, Protective Research
	Chief Counsel
	Chief Financial Officer
	Chief Information Officer
	Chief Of Staff
	Chief, Management Office
	Deputy Assistant Director—Administration
	Deputy Assistant Director—Human Resources And Training
	Deputy Assistant Director—Investigations
	Deputy Assistant Director—Office Of Investigations
	Deputy Assistant Director—Rowley Training Center
	Deputy Assistant Director—Technology (Chief Technology Officer)/Protective Research
	Deputy Assistant Director, Office Of Investigations
	Deputy Assistant Director, Office Of Protective Operations
	Deputy Assistant Director, Policy Development/Homeland Security
	Deputy Assistant Director, Protective Operations
	Deputy Assistant Director, Protective Research
	Deputy Chief Counsel
	Deputy Director, United States Secret Service
	Deputy Special Agent In Charge—Presidential Protective Division
	Deputy Special Agent In Charge—Vice Presidential Protective Division
	Director, United States Secret Service
	Special Agent In Charge—Atlanta Field Office
	Special Agent In Charge—Criminal Investigative Division
	Special Agent In Charge—Dallas Field Office
	Special Agent In Charge—Honolulu Field Office
	Special Agent In Charge—Houston Field Office
	Special Agent In Charge—Los Angeles Field Office
	Special Agent In Charge—Miami Field Office
	Special Agent In Charge—New York Field Office
	Special Agent In Charge—Philadelphia Field Office
	Special Agent In Charge—Presidential Protective Division
	Special Agent In Charge—Rome Field Office
	Special Agent In Charge—Rowley Training Center
	Special Agent In Charge—San Francisco Field Office
	Special Agent In Charge—Technical Security Division
	Special Agent In Charge—Vice Presidential Protective Division
	Special Agent In Charge—Washington Field Office
	Special Agent In Charge (Dignitary Protective Division)
	Special Agent In Charge, Chicago Field Office
	Special Agent In Charge, Protective Intelligence And Assessment Division
	Special Agent In Charge, Special Operations Division
Department Of Homeland Security Office Of The Inspector General:	Assistant Deputy Inspector General, Emergency Management Oversight
	Assistant Inspector General, Audits
	Assistant Inspector General For Administration
	Assistant Inspector General, Information Technology Audits
	Assistant Inspector General, Inspections
	Assistant Inspector General, Investigations
	Counsel To The Inspector General
	Deputy Assistant Inspector General, Audits
	Deputy Assistant Inspector General, Investigations
	Deputy Assistant Inspector General, Planning And Oversight
	Deputy Inspector General
	Deputy Inspector General For Emergency Management Oversight
Department Of Housing And Urban Development:	
Assistant Secretary For Administration	Deputy Chief Procurement Officer
	Director, Grants Management Center
Assistant Secretary For Community Planning And Development	Deputy Assistant Secretary For Special Needs Programs
	Director, Office Of Community Viability
Assistant Secretary For Housing	Associate Deputy Assistant Secretary For Single Family Housing
	Deputy Assistant Secretary For Finance And Budget
	Deputy Housing—Federal Housing Administration Comptroller
	Director, Office Of Program Systems Management
	Housing/Federal Housing Administration Comptroller
Assistant Secretary For Public And Indian Housing	Director, Office Of Housing Voucher Programs
	General Deputy Assistant Secretary For Public And Indian Housing

Agency and organization	Career reserved positions
Government National Mortgage Association	Senior Vice President For Mortgage-Backed Securities
	Senior Vice President, Office Of Finance
	Senior Vice President, Office Of Management Operations
	Senior Vice President, Office Of Program Operations
Office Of Departmental Equal Employment Opportunity	Director, Office Of Departmental Equal Employment Opportunity
Office Of Departmental Operations And Coordination	Deputy Assistant Secretary For The Real Estate Assessment Center
Office Of The Chief Financial Officer	Assistant Chief Financial Officer For Accounting
	Assistant Chief Financial Officer For Budget
	Assistant Chief Financial Officer For Financial Management
	Deputy Chief Financial Officer
Office Of The Deputy Secretary	Chief Disaster And Emergency Operations Officer
Office Of The General Counsel	Associate General Counsel For Program Enforcement
	Deputy Director, Operations And Compliance
	Senior Counsel (Appeals, Odeeo Advice And Special Projects)
Office Of The Inspector General	Assistant Inspector General For Audit
	Assistant Inspector General For Investigations
	Assistant Inspector General For Management And Policy
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Audit (Field Operations)
	Deputy Assistant Inspector General For Audit (Headquarters Operation)
	Deputy Assistant Inspector General For Investigation (Field Operations)
	Deputy Assistant Inspector General For Investigation (Headquarters Operation)
	Deputy Assistant Inspector General For Management And Policy
	Deputy Inspector General
Office Of The Secretary	Director, Office Of Hearings And Appeals
Department Of Housing And Urban Development Office Of The Inspector General:	Assistant Inspector General For Audit
	Assistant Inspector General For Investigation
	Assistant Inspector General For Management And Policy
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Audit (Field Operations)
	Deputy Assistant Inspector General For Audit (Headquarters Operations)
	Deputy Assistant Inspector General For Investigation (Field Operations)
	Deputy Assistant Inspector General For Investigation (Headquarters Operations)
	Deputy Assistant Inspector General For Management And Policy
	Deputy Inspector General
Department Of Justice:	
Antitrust Division	Chief, Telecommunications And Media Section
	Director, Economic Enforcement
	Executive Officer
Appellate Staff	Deputy Director, Appellate Staff
	Special Appellate Litigation Counsel
Civil Division	Deputy Branch Director
Civil Rights Division	Executive Officer
Commercial Litigation Branch, Civil Fraud Section	Deputy Director, Civil Fraud Section
Commercial Litigation Branch, Corporate/Financial Section	Deputy Director, Corporate/Financial Section
	Special Litigation Counsel, Corporate/Financial Section
Commercial Litigation Branch, Foreign Litigation Section	Director, Foreign Litigation Section
Criminal Division	Chief Fraud Section
	Chief Narcotic And Dangerous Drug Section
	Chief Public Integrity Section
	Chief, Appellate Section
	Chief, Asset Forfeiture And Money Laundering Section
	Chief, Child Exploitation And Obscenity Section
	Chief, Computer Crime And Intellectual Property Section
	Chief, Domestic Security Section
	Chief, Organized Crime And Racketeering Section
	Deputy Chief For Litigation
	Deputy Chief For Public Integrity Section
	Deputy Chief Public Integrity Section
	Deputy Chief, Asset Forfeiture And Money Laundering Section
	Deputy Chief, Computer Crime And Intellectual Property Section
	Deputy Chief, Narcotic And Dangerous Drug Section
	Director, International Criminal Investigative Training Assistance Program
	Director, Office Of Overseas Prosecutorial Development, Assistance, And Training
	Director, Organized Crime Drug Enforcement Task Forces
	Executive Officer
	Senior Appellate Counsel

Agency and organization	Career reserved positions
Environment And Natural Resources Division	Senior Counsel To The Assistant Attorney General
	Chief Environmental Crimes Section
	Chief Environmental Enforcement Section
	Chief, Environmental Defense Section
	Chief, General Litigation Section
	Chief, Indian Resources Section
	Chief, Land Acquisition Section
	Chief, Wildlife And Marine Resources Section
	Chief-Appellate Section
	Deputy Chief, Environmental Enforcement Section
	Deputy Chief, Natural Resources Section
	Deputy Section Chief, Environmental Defense Section
	Deputy Section Chief, Natural Resources Section
	Executive Officer
	Senior Litigation Counsel Attorney-Examiner
	Senior Litigation Counsel
Executive Office For Immigration Review	Associate Director
	Chairman, Board Of Immigration Appeals
	Chief Administrator Hearing Officer
	Chief Immigration Judge
	General Counsel
	Vice Chairman, Board Of Immigration Appeals
Executive Office For United States Attorneys	Chief, Information Officer
	Counsel, Legal Programs And Policy
	Deputy Director
	Deputy Director For Administration And Management
	Deputy Director For Operations
	Deputy Director, Financial Management Staff
	Director, Office Of Legal Education
	General Counsel
Federal Bureau Of Prisons	Assistant Director Correctional Programs Division
	Assistant Director For Administration
	Assistant Director For Human Resources Management
	Assistant Director, Industries, Education, And Vocational Training Division
	Assistant Director, Information, Policy, And Public Affairs Division
	Assistant Director, Office Of General Counsel
	Deputy Assistant Director For Administration
	Regional Director Middle Atlantic Region
	Regional Director, North Central Region
	Regional Director, Northeast Region
	Regional Director, South Central Region
	Regional Director, Southeast Region
	Regional Director, Western Region
	Senior Counsel, Office Of General Counsel
	Senior Deputy Assistant Director, Administration
	Senior Deputy Assistant Director, Correctional Programs Division
	Senior Deputy Assistant Director, Program Review Division
	Warden Federal Correctional Complex, Butner, North Carolina
	Warden Federal Correctional Complex, Terre Haute, Indiana
	Warden, Federal Correction Complex, Petersburg, Virginia
	Warden, Federal Correctional Complex, Allenwood, Pennsylvania
	Warden, Federal Correctional Complex, Beaumont, Texas
	Warden, Federal Correctional Complex, Coleman, Florida
	Warden, Federal Correctional Complex, Florence, Colorado
	Warden, Federal Correctional Complex, Forrest City, Arkansas
	Warden, Federal Correctional Complex, Lompoc, California
	Warden, Federal Correctional Complex, Oakdale, Louisiana
	Warden, Federal Correctional Complex, Victorville, California
	Warden, Federal Correctional Complex, Yazoo City, Mississippi
	Warden, Federal Correctional Institution Medium-I, Butner, North Carolina
	Warden, Federal Correctional Institution, Beckley, West Virginia
	Warden, Federal Correctional Institution, Bennettsville, South Carolina
	Warden, Federal Correctional Institution, Cumberland, Maryland
	Warden, Federal Correctional Institution, Edgefield, South Carolina
	Warden, Federal Correctional Institution, El Reno, Oklahoma
	Warden, Federal Correctional Institution, Estill, South Carolina
	Warden, Federal Correctional Institution, Fairton, New Jersey
	Warden, Federal Correctional Institution, Fort Dix, New Jersey
	Warden, Federal Correctional Institution, Gilmer, West Virginia
	Warden, Federal Correctional Institution, Greenville, Illinois
	Warden, Federal Correctional Institution, Herlong, California
	Warden, Federal Correctional Institution, Jessup, Georgia

Agency and organization	Career reserved positions
	Warden, Federal Correctional Institution, Manchester, Kentucky
	Warden, Federal Correctional Institution, Marianna, Florida
	Warden, Federal Correctional Institution, McKean, Pennsylvania
	Warden, Federal Correctional Institution, Memphis, Tennessee
	Warden, Federal Correctional Institution, Otisville, New York
	Warden, Federal Correctional Institution, Oxford, Wisconsin
	Warden, Federal Correctional Institution, Pekin, Illinois
	Warden, Federal Correctional Institution, Phoenix, Arizona
	Warden, Federal Correctional Institution, Ray Brook, New York
	Warden, Federal Correctional Institution, Schuylkill, Pennsylvania
	Warden, Federal Correctional Institution, Sheridan, Oregon
	Warden, Federal Correctional Institution, Talladega, Alabama
	Warden, Federal Correctional Institution, Three Rivers, Texas
	Warden, Federal Correctional Institution, Williamsburg, South Carolina
	Warden, Federal Detention Center, Miami, Florida
	Warden, Federal Medical Center, Carswell, Texas
	Warden, Federal Medical Center, Devens, Massachusetts
	Warden, Federal Medical Center, Lexington, Kentucky
	Warden, Federal Medical Center, Rochester, Minnesota
	Warden, Federal Transfer Center, Oklahoma City, Oklahoma
	Warden, Metropolitan Correctional Center, New York, New York
	Warden, Metropolitan Detention Center, Brooklyn, New York
	Warden, Metropolitan Detention Center, Guaynabo, Puerto Rico
	Warden, Metropolitan Detention Center, Los Angeles, California
	Warden, United States Medical Center Federal Prisoners, Springfield, Missouri
	Warden, United States Penitentiary Coleman-I, Coleman, Florida
	Warden, United States Penitentiary, Atlanta, Georgia
	Warden, United States Penitentiary, Atwater, California
	Warden, United States Penitentiary, Big Sandy, Kentucky
	Warden, United States Penitentiary, Canaan, Pennsylvania
	Warden, United States Penitentiary, Hazelton, West Virginia
	Warden, United States Penitentiary, Leavenworth, Kansas
	Warden, United States Penitentiary, Lee, Virginia
	Warden, United States Penitentiary, Lewisburg, Pennsylvania
	Warden, United States Penitentiary, Marion Illinois
	Warden, United States Penitentiary, McCrery, Kentucky
	Warden, United States Penitentiary, Pollock, Louisiana
	Warden, United States Penitentiary, Tucson, Arizona
	Warden, United States Penitentiary-High, Florence, Colorado
Federal Programs Branch	Deputy Branch Director, Federal Programs
Justice Management Division	Assistant Attorney General For Administration
	Chief Information Officer
	Chief, Technology Officer
	Deputy Assistant Attorney General (Controller)
	Deputy Assistant Attorney General For Human Resources And Administration
	Deputy Assistant Attorney General, Policy, Management, And Planning
	Deputy Chief Information Officer For It Security
	Deputy Director, Auditing
	Deputy Director, Budget Staff, Operations And Funds Control
	Deputy Director, Budget Staff, Programs And Performance
	Deputy Director, Human Resources
	Deputy, Chief Information Officer For E–Government Services Staff
	Director Finance Staff
	Director Library Staff
	Director Management And Planning Staff
	Director Procurement Services Staff
	Director, Asset Forfeiture Management Staff
	Director, Budget Staff
	Director, Debt Collection Management Staff
	Director, Departmental Ethics Office
	Director, Enterprise Solutions Staff
	Director, Equal Employment Opportunity Staff
	Director, Facilities And Administrative Services Staff
	Director, Human Resources
	Director, Information Technology Policy And Planning Staff
	Director, Office Of Attorney Recruitment And Management
	Director, Operations Services Staff
	Director, Security And Emergency Planning Staff
	General Counsel
	Senior Policy Advisor
National Institute Of Justice	Assistant Director, National Institute Of Justice, Office Of Science And Technology

Agency and organization	Career reserved positions
National Security Division	Chief, Operations Section
	Chief, Oversight Section
	Deputy Assistant Attorney General, Fisa Operations And Intelligence Oversight
	Deputy Assistant Attorney General, Foreign Intelligence Surveillance Act Operations And Intelligence Oversight
	Deputy Chief Terrorism And Violent Crime, Counterterrorism Section
	Deputy Chief, Counterespionage Section
	Deputy Chief, Counterterrorism Section
	Deputy Chief, Operations Section
	Deputy Counsel For Intelligence Law
Office Of Consumer Litigation	Director, Office Of Consumer Litigation
Office Of Dispute Resolution	Senior Counsel For Alternative Dispute Resolution
Office Of Federal Detention Trustee	Director, JPATS
	Federal Detention Trustee
Office Of Immigration Litigation, Appellate Section	Deputy Director, Appellate Section
Office Of Justice Programs	Chief Financial Officer
	Deputy Chief Financial Officer
	Director, Office Of Administration
	Director, Office Of Audit, Assessment And Management
Office Of Professional Responsibility	Counsel On Professional Responsibility
	Deputy Counsel On Professional Responsibility
Office Of The Alcohol, Tobacco, Firearms And Explosives	Assistant Director, Enforcement Programs And Services
	Assistant Director, Field Operations
	Assistant Director, Management And Chief Financial Officer
	Assistant Director, Office Of Professional Responsibility And Security Operations
	Assistant Director, Office Of Public And Governmental Affairs
	Assistant Director, Office Of Strategic Intelligence And Information
	Assistant Director, Science And Technology
	Assistant Director, Training And Professional Development
	Associate Chief Counsel, Administration And Ethics
	Deputy Assistant Director, Enforcement Programs And Services
	Deputy Assistant Director, Field Operations—West
	Deputy Assistant Director, Field Operations—Central
	Deputy Assistant Director, Field Operations—East
	Deputy Assistant Director, Industry Operations
	Deputy Assistant Director, Management
	Deputy Assistant Director, Office Of Professional Responsibility And Security Operations
	Deputy Assistant Director, Office Of Public And Governmental Affairs
	Deputy Assistant Director, Office Of Strategic Intelligence And Information
	Deputy Assistant Director, Science And Technology
	Deputy Assistant Director, Training And Professional Development
	Deputy Director
	Director, Laboratory Services
	Division Director, Special Agent In Charge, Atlanta
	Division Director, Special Agent In Charge, Baltimore
	Division Director, Special Agent In Charge, Boston
	Division Director, Special Agent In Charge, Charlotte
	Division Director, Special Agent In Charge, Chicago
	Division Director, Special Agent In Charge, Columbus
	Division Director, Special Agent In Charge, Dallas
	Division Director, Special Agent In Charge, Denver
	Division Director, Special Agent In Charge, Detroit
	Division Director, Special Agent In Charge, Houston
	Division Director, Special Agent In Charge, Kansas City
	Division Director, Special Agent In Charge, Los Angeles
	Division Director, Special Agent In Charge, Louisville
	Division Director, Special Agent In Charge, Miami
	Division Director, Special Agent In Charge, Nashville
	Division Director, Special Agent In Charge, New Orleans
	Division Director, Special Agent In Charge, New York
	Division Director, Special Agent In Charge, Newark
	Division Director, Special Agent In Charge, Philadelphia
	Division Director, Special Agent In Charge, Phoenix
	Division Director, Special Agent In Charge, Saint Paul
	Division Director, Special Agent In Charge, San Francisco
	Division Director, Special Agent In Charge, Seattle
	Division Director, Special Agent In Charge, Washington Dc
	Division Director, Special Agent In Charge, Tampa
	Senior Advisor To The Director
Office Of The Assistant Attorney General	Director, Office Of Management Programs

Agency and organization	Career reserved positions
Office Of The Inspector General	Assistant Inspector General For Audit
	Assistant Inspector General For Investigation
	Assistant Inspector General For Management And Planning
	Assistant Inspector General, Evaluation And Inspections Division
	Deputy Assistant Inspector General For Audit
	Deputy Assistant Inspector General For Investigation
	Deputy Inspector General
	Director, Office Of Oversight And Review
	General Counsel
Office Of The Legal Counsel	Special Counsel
Professional Responsibility Advisory Office	Director, Professional Responsibility Advisory Office
Tax Division	Chief Civil Trial Section (Southern Region)
	Chief Civil Trial Section Eastern Region
	Chief Civil Trial Section Northern
	Chief Civil Trial Section Southwestern Region
	Chief Civil Trial Section, Western Region
	Chief Office Of Review
	Chief, Appellate Section
	Chief, Civil Trial Section, Central Region
	Chief, Claims Court Section
	Chief, Criminal Appeals And Tax Enforcement Policy Section
	Chief, Criminal Enforcement Section, North Region
	Chief, Criminal Enforcement Section, South Region
	Executive Officer
	Regional Chief, Western Region
	Senior Litigation Counsel
	Special Litigation Counsel
Torts Branch, Aviation And Admiralty Section	Special Litigation Counsel, Aviation And Admiralty Section
United States Marshals Service	Assistant Director For Prisoner Operations
	Assistant Director, Asset Forfeiture
	Assistant Director, Financial Services
	Assistant Director, Human Resources
	Assistant Director, Information Technology
	Assistant Director, Investigative Operations
	Assistant Director, Judicial Security
	Assistant Director, Justice Prisoner And Alien Transportation System
	Assistant Director, Management Support
	Assistant Director, Tactical Operations
	Assistant Director, Training
	Assistant Director, Witness Security
	Associate Director, Administration
	Associate Director, Operations
	Deputy Director
Department Of Labor:	
Bureau Of International Labor Affairs	Director, Office Of Trade And Labor Affairs
Bureau Of Labor Statistics	Assistant Commissioner For Compensation Levels And Trends
	Assistant Commissioner For Consumer Prices And Prices Indexes
	Assistant Commissioner For Current Employment Analysis
	Assistant Commissioner For Federal/State Cooperative Statistics Programs
	Assistant Commissioner For Industrial Prices And Price Indexes
	Assistant Commissioner For International Prices
	Assistant Commissioner For Occupational Statistics And Employment Projections
	Assistant Commissioner For Safety, Health And Working Conditions
	Associate Commissioner For Administration
	Associate Commissioner For Compensation And Working Conditions
	Associate Commissioner For Employment And Unemployment Statistics
	Associate Commissioner For Field Operations
	Associate Commissioner For Prices And Living Conditions
	Associate Commissioner For Publications And Special Studies
	Associate Commissioner For Survey Methods Research
	Associate Commissioner For Technology And Survey Processing
	Associate Commissioner Productivity And Technology
	Deputy Commissioner For Labor Statistics
	Director Of Survey Processing
	Director Of Technology And Computing Services
Employee Benefits Security Administration	Chief Accountant
	Deputy Assistant Secretary For Program Operations
	Director Of Enforcement
	Director Of Exemption Determinations
	Director Of Health Plan Standards Compliance And Assistance
	Director Of Information Management

Agency and organization	Career reserved positions
	Director Of Participant Assistance And Communications
	Director Of Regulations And Interpretations
	Regional Director—Atlanta
	Regional Director—Boston
	Regional Director—Kansas City
	Regional Director—New York
	Regional Director—San Francisco
	Senior Policy Advisor
Employment And Training Administration	Administrator, Office Of Financial And Administrative Management
	Administrator, Office Of Performance And Technology
Employment Standards Administration	Deputy Assistant Secretary For Operations
	Director Office Of Management, Administration And Planning
Mine Safety And Health Administration	Director Of Administration And Management
	Director Of Assessments
	Director Of Program Evaluation And Information Resources
	Director Of Technical Support
	Director, Office Of Accountability, Audit, And Program Policy Evaluation
Occupational Safety And Health Administration	Director, Administrative Programs
	Director, Directorate Of Cooperative And State Programs
	Director, Directorate Of Evaluation And Analysis
	Director, Directorate Of Standards And Guidance
	Directorate Of Technical Support And Emergency Management
Office Of Chief Financial Officer	Associate Deputy Chief Financial Officer For Financial Systems
	Deputy Chief Financial Officer
Office Of Disability Employment Policy	Director, Office Of Operations
Office Of Labor-Management Standards	Deputy Director, Office Of Labor Management Standards
	Director, Office Of Policy, Reports And Disclosure
Office Of Public Affairs	Director, Division Of Enterprise Communications
Office Of The Assistant Secretary For Administration And Management.	Deputy Assistant Secretary For Budget And Performance Planning
	Deputy Assistant Secretary For Operations
	Deputy Assistant Secretary For Security And Emergency Management
	Deputy Director, Information Technology Center
	Director Business Operations Center
	Director Of Civil Rights
	Director Of Human Resources
	Director Office Of Budget
	Director, Program Planning And Results Center
Office Of The Assistant Secretary For Policy	Director, Office Of Regulatory And Programmatic Policy
Office Of The Inspector General	Assistant Inspector General For Audit
	Assistant Inspector General For Investigations
	Assistant Inspector General For Management And Policy
	Assistant Inspector General For Inspections And Special Investigations
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Audit
	Deputy Assistant Inspector General For Labor Racketeering
	Deputy Inspector General
Office Of The Secretary	Deputy National Director Regional Operations
Office Of The Solicitor	Acting Deputy Assistant Secretary
	Associate Solicitor For Black Lung And Alongshore Legal Services
	Associate Solicitor For Civil Rights And Labor Management
	Associate Solicitor For Fair Labor Standards
	Associate Solicitor For Federal Employees' And Energy Workers' Compensation
	Associate Solicitor For Legal Counsel
	Associate Solicitor For Management And Administrative Legal Services
	Associate Solicitor For Mine Safety And Health
	Associate Solicitor For Occupational Safety And Health
	Associate Solicitor For Plan Benefits Security
	Deputy Solicitor (National Operations)
	Deputy Solicitor (Regional Operations)
	Regional Solicitor—Boston
	Regional Solicitor—Chicago
	Regional Solicitor—Atlanta
	Regional Solicitor—Dallas
	Regional Solicitor—Kansas City
	Regional Solicitor—New York
	Regional Solicitor—Philadelphia
	Regional Solicitor—San Francisco
Office Of Workers Compensation Programs	Director For Federal Employees' Compensation
	Director Of Coal Mine Workers' Compensation
	Director, Energy Employees' Occupational Illness Compensation
	Director, Office Of Enforcement And International Union Audits
Veterans Employment And Training Service	Deputy Assistant Secretary For Operations And Management

Agency and organization	Career reserved positions
	Director Of Operations And Programs
	Director, Department Of Labor Homeless Assistance Program
Wage And Hour Division	Deputy Wage And Hour Administrator (Operations)
Department Of Labor Office Of The Inspector General:	Assistant Inspector General For Audit
	Assistant Inspector General For Inspections And Special Investigations
	Assistant Inspector General For Labor Racketeering
	Assistant Inspector General For Management And Policy
	Counsel
	Deputy Assistant Inspector General For Audit
	Deputy Assistant Inspector General For Labor Racketeering
	Deputy Inspector General
Department Of State:	
Bureau Of Administration	Director, Office Of Acquisitions
Bureau Of Consular Affairs	Director For Consular Technology
Bureau Of Human Resources	Human Resources Officer
	Principal Deputy Assistant Secretary
Bureau Of Intelligence And Research	Executive Director
Bureau Of International Security And Nonproliferation	Deputy Assistant Secretary
	Office Director
Bureau Of Political And Military Affairs	Managing Director
	Political Advisor
Bureau Of Verification, Compliance And Implementation	Director, Office Of Strategic Negotiations And Implementation
Office Of The Coordinator For Counterterrorism	Deputy Director
Office Of The Inspector General	Assistant Inspector General For Audits
	Assistant Inspector General For Investigations
	Assistant Inspector General For Security Oversight
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Audits
	Deputy Assistant Inspector General For Inspections
	Deputy Inspector General
	Senior Inspector—Thematic Review
Office Of The Legal Adviser	Assistant Legal Adviser
Department Of The Air Force:	
Aeronautical Systems Center	Director Financial Management And Comptroller
	Director, Contracting
	Director, Mobility Systems Wing
Air Armament Center	Director, Air-To-Ground Munitions Systems Wing
	Executive Director
Air Combat Command	Deputy Director Of Logistics
	Director, Acquisition Management And Integration Center
Air Education And Training Command	Director, Center For Systems Engineering
	Director, International Training And Education
	Director, Logistics, Installations And Mission Support
Air Force Audit Agency (Field Operating Agency)	Assistant Auditor General (Acquisition And Logistics Audits)
	Assistant Auditor General (Financial And Systems Audits)
	Assistant Auditor General (Support And Personnel Audits)
	Deputy Auditor General For Audit Operations And Logistics Audits
Air Force Base Conversion Agency (Field Operating Agency)	Director Air Force Real Property Agency
Air Force Center For Environmental Excellence (Field Operating Agency).	Director Of The Air Force Center For Engineering And The Environment
Air Force Flight Test Center	Executive Director
Air Force Materiel Command	Deputy Director, Manpower, Personnel And Services
	Deputy Director, National Museum Of The United States Air Force
	Director Of Engineering
	Director, 653rd Electronic Systems Wing
	Director, Communications, Installations, And Mission Support
	Director, National Museum Of The United States Air Force
	Executive Director
Air Force Materiel Command Law Office	Director, Air Force Materiel Command Law Office
Air Force Office Of Safety And Air Force Safety Center (Field Operating Agency).	Director Of The Air Force Center For Engineering And The Environment
Air Force Office Of Scientific Research	Director Air Force Office Of Scientific Research
	Director Of Chemistry And Life Sciences
	Director Of Mathematics And Space Sciences
	Director Of Physics And Electronics Sciences
Air Force Office Of Special Investigations (Field Operating Agency)	Executive Director
	Executive Director, Defense Cyber Crime Center (Defense Cyber Crime Center)
Air Force Operational Test And Evaluation Center (Direct Reporting Unit).	Executive Director
Air Force Personnel Center (Field Operating Agency)	Executive Director
Air Force Research Laboratory	Director, Human Performance Wing
	Director, Plans And Programs
	Executive Director, Air Force Research Laboratory

Agency and organization	Career reserved positions
Air Force Research Laboratory- Munitions Directorate	Associate Director For Weapons
Air Force Reserve Command	Air Commander 10th Air Force
	Air Commander 22nd Air Force
	Air Commander 4th Air Force
	Assistant Vice Commander
	Director Of Operations
	Director, Plans
	Vice Commander, Air Force Reserve Command
Air Force Review Boards Agency (Air Force Review Boards Agency)—Field Operating Agency.	Deputy For Air Force Review Boards
Air Force Space Command	Director Of Installations And Logistics
	Director, Milsatcom Systems Wing
Air Force Special Operations Command	Deputy Director, Center For Special Operations Acquisition And Logistics
	Director Of Financial Management And Comptroller
Air Force Studies And Analyses Agency (Direct Reporting Unit (Drug)).	Director, Air Force Studies And Analyses, Assessments And Lessons Learned
	Principle Deputy Director, Studies And Analyses, Assessments And Lessons Learned
Air Logistics Center, Ogden	Deputy Director, 309th Maintenance Wing
	Director, Engineering
	Executive Director
Air Logistics Center, Oklahoma City	Deputy Director, 76th Maintenance Wing
	Director, 448th Combat Sustainment Wing
	Director, Contracting
	Director, Engineering And Technical Management
	Executive Director
Air Logistics Center, Warner Robins	Deputy Director, 402nd Maintenance Wing
	Director, Contracting
	Director, Engineering And Afso21 Advisor
	Executive Director
Air Mobility Command	Deputy Director Of Logistics
	Deputy Director, Installations And Mission Support
Air Vehicles Directorate	Associate Director For Air Platforms
Auditor General	Auditor General Of The Air Force
Civil Engineer	Deputy Civil Engineer
Contracting	Director, Contracting
Department Of The Air Force	Director Of Air Operations And Executive Director Of The Department Of Defense Policy Board On Federal Aviation And Deputy Director Of Operations
	Director Of Communications And Information
	Director, Air Force Culture, Region And Language Program Office
	Director, Installations, Logistics And Mission Support
Deputy Chief Of Staff For Intelligence, Surveillance And Reconnaissance.	Director Of Intelligence, Surveillance, And Reconnaissance (ISR) Innovations And Unmanned Aerial Systems (UAS) Task Force
Deputy Chief Of Staff, Air And Space Operations	Associate Deputy Chief Of Staff Operations, Plans And Requirements
	Deputy Director Of Operational Planning, Policy, And Strategy
	Deputy For Operations And Training, Airspace, Ranges And Airfield Operations
	Director Of Weather
Deputy Chief Of Staff, Installations And Logistics	Assistant Deputy Chief Of Staff, Installation And Logistics
	Deputy Director, Security Forces
Deputy Chief Of Staff, Personnel	Assistant Deputy Chief Of Staff Personnel
	Deputy Director, Force Management Policy
	Deputy Director Of Services
	Deputy Director, Air Force Manpower, Organization And Resources
	Director Of Services
	Director, Airman Development And Sustainment
	Director, Plans And Integration
Deputy Chief Of Staff, Plans And Programs	Assistant Deputy Chief Of Staff, Strategic Plans And Programs
	Associate Director, Programs
	Deputy Director Of Strategic Planning
Deputy Chief Of Staff, Warfighting Integration	Assistant Deputy Chief Of Staff For Warfighting Integration
	Deputy Director, Information Services And Integration
	Director, Air Force Global Cyberspace Integration Center
	Director, Architecture And Operational Support Modernization
	Special Assistant, Chief Warfighting Integration And Chief Information Officer
Deputy Under Secretary (International Affairs)	Deputy Under Secretary (International Affairs)
	Director Of Policy, International Affairs
Directed Energy Directorate	Director, Directed Energy
Directorate Of Space And Nuclear Deterrence	Associate Director, Nuclear Weapons And Counter proliferation
	Deputy Assistant Chief Of Staff, Strategic Deterrence And Nuclear Integration

Agency and organization	Career reserved positions
Electronic Systems Center	Director, Engineering
	Director, Network Centric Operations And Integration Systems Wing
	Executive Director
Engineering And Technical Management	Director, Engineering And Technical Management
Engineering Directorate	Director, Engineering
Financial Management And Comptroller	Deputy Director, Financial Management And Comptroller
Human Effectiveness Directorate	Director, Human Effectiveness Directorate
Information Directorate	Director Information
Innovation And Transformation	Director, Innovation And Transformation
Joint Staff	President, Joint Special Operations University
Judge Advocate General	Director, Administrative Law
Logistics	Deputy Director For Depot Maintenance
Logistics Readiness	Deputy Director Of Logistics Readiness
Maintenance	Deputy Director Of Maintenance
Materials And Manufacturing Directorate	Director, Materials And Manufacturing
Office Deputy Assistant Secretary Budget	Deputy For Budget
	Director, Budget Investment
	Director, Budget Management And Execution
Office Deputy Assistant Secretary Contracting	Associate Deputy Assistant Secretary (Contracting)
Office Deputy Assistant Secretary Cost And Economics	Associate Deputy Assistant Secretary (Cost And Economics)
	Deputy Assistant Secretary (Cost And Economics)
Office Deputy Assistant Secretary Financial Operations	Associate Deputy Assistant Secretary (Financial Operations And Technology)
	Deputy Assistant Secretary (Financial Operations)
Office Deputy Assistant Secretary Installations	Deputy Assistant Secretary (Installations)
Office Of Administrative Assistant To The Secretary	Administrative Assistant
	Deputy Administrator Assistant
	Director, Headquarters Air Force Information Management
Office Of Assistant Secretary Air Force For Acquisition	Associate Deputy Assistant Secretary (Contracting)
	Associated Deputy Assistant Secretary (Acquisition Integration)
	Deputy Air Force Program Executive Officer (Combat And Mission Support)
	Deputy Assistant Secretary (Management Policy And Program Integration)
	Deputy Assistant Secretary (Science, Technology And Engineering)
	Director, Information Dominance Programs
Office Of Assistant Secretary Air Force For Financial Management And Comptroller.	Director, Air Force Financial Services Center
Office Of Assistant Secretary Air Force, Installations, Environment, And Logistics.	Deputy Assistant Secretary (Logistics)
Office Of Small And Disadvantaged Business Utilization	Director, Office Of Small And Disadvantaged Business Utilization
Office Of The Chief Of Staff	Deputy Director Of Staff
	Director, Air Force History And Museums Policy And Programs
	Director, Quadrennial Defense Review Organization
Office Of The General Counsel	Deputy General Counsel (Acquisition)
	Deputy General Counsel (Installations And Environmental Law)
	Deputy General Counsel (International Affairs)
Office Of The Secretary	Deputy And Technical Director, Rapid Capabilities Office
	Director Of Staff, Legislative Liaison
	Director, Air Force Rapid Capabilities Office
Office Of The Under Secretary	Deputy Under Secretary Of The Air Force (Space Programs)
	Special Assistant To The Administrative Assistant To The Secretary
Operations Directorate	Deputy Director Of Operations
Requirements	Deputy Director Capabilities Integration
Resources	Chief, Weapon Systems Sustainment Division
	Deputy Director Of Resources
Sensors Directorate	Director Sensors
Space Vehicles Directorate	Associate Director For Space Technology
Staff Judge Advocate	Principal Deputy Staff Judge Advocate
Standard Systems Center	Director Headquarters 754th Electronic Systems Group
Test And Evaluation	Deputy Director, Test And Evaluation
	Director, Test And Evaluation
United States Africa Command	Director For Resources
United States Central Command	Deputy Director Of Operations Interagency Action Group (IAG)
	Deputy Director, Logistics And Engineering
	Director Of Resources, Requirements, Budget And Assessment
	Director, Interagency Task Force—Irregular Warfare
United States Northern Command	Deputy Commander, Joint Forces Headquarters—National Capital Region
	Director, Interagency Coordination
	Director, Joint Exercises And Training
	Director, Programs And Resources
United States Special Operations Command	Deputy For Acquisition

Agency and organization	Career reserved positions
	Director And Chief Information Officer For Special Operations Networks And Communications Center
	Director Of Acquisitions
	Director, Financial Management And Comptroller
	Director, Plans, Policy And Strategy
	Program Executive Officer For Mobility
United States Strategic Command	Associate Director Capability And Resource Integration
	Deputy Director, Plans And Policy
	Director, Capability And Resource Integration
	Director, Global Innovation Strategy Center
	Director, Joint Exercises And Training
United States Transportation Command	Deputy Director Of Command, Control Communications, And Computer Systems
	Deputy Director, Command, Control, Communications, And Computer Systems Directorate
	Deputy Director, Strategies And Policy
	Deputy For Military Surface Deployment And Distribution Command
	Director, Acquisition
	Director, Program Analysis And Financial Management
Department Of The Army:	
Army Acquisition Executive	Deputy Joint Program Executive Office, Joint Tactical Radio System
	Deputy Program Executive Officer Ammunition
	Deputy Program Executive Officer For Soldier
	Deputy Program Executive Officer Missiles And Space
	Deputy Program Executive Officer, Air And Missile Defense
	Deputy Program Executive Officer, Combat Support And Combat Service Support
	Deputy Program Executive Officer, Command Control And Communications Tactical
	Deputy Program Executive Officer, Ground Combat Systems
	Deputy Program Executive Officer, Tactical Missiles
	Deputy Program Manager (Operations) Program Manager Unit Of Action
	Director, Combined Test Organization, Program Manager, Future Combat System (Brigade Combat Team)
	Program Executive Officer Aviation
	Program Executive Officer Enterprise Information Systems
	Program Executive Officer Simulation, Training And Instrumentation
	Program Executive Officer, Ammunition
	Program Executive Officer, Ground Combat Systems
	Program Executive Officer, Intelligence, Electronic Warfare And Sensors
Army Audit Agency	Deputy Auditor General, Acquisition And Logistics Audits
	Deputy Auditor General, Forces And Financial Audits
	Deputy Auditor General, Policy And Operations Management
	Principal Deputy Auditor General
	The Auditor General
Army Contracting Agency	Deputy Director Army Contracting Command
	Director, Information Technology, Electronic Commerce And Contracting Center
	Director, Northern Region, United States Army Contracting Agency
	Director, Southern Region, United States Army Contracting Agency
Army Research Institute (Deputy Chief Of Staff For Personnel, Field Operating Agency).	Technical Director
Army Research Office	Director, Army Research Office
	Director, Engineering Sciences Directorate
	Director, Physical Sciences Directorate
Aviation Research, Development And Engineering Center	Associate Director For Technical Applied/Director Of Special Program
	Director Of Advanced Systems/Associate Director For Technology
	Director Of Aero flight Dynamics
	Director Of Aviation Engineering
Chief Information Officer/G–6	Deputy Chief Information Officer/G–6
	Director For Army Architecture Integration Cell
	Director, Governance, Acquisition/Chief Knowledge Officer
Cold Regions Research And Engineering Laboratory Hanover, New Hampshire.	Director, Cold Regions Research And Engineering Laboratory
Communications Electronics Command Research, Development And Engineering Center.	Director Research, Development And Engineering/Army Systems Engineer
	Director, Command, Control And System Integration Directorate
	Director, Intelligence And Information Warfare Directorate
	Director, Software Engineering Directorate
	Director, Space And Terrestrial Committee Directorate
	Director-Night Vision/Electromagnetic Sensors Directorate
Computational And Information Sciences Directorate	Deputy Director

Agency and organization	Career reserved positions
Construction Engineering Research Laboratory Champaign, Illinois	Director, Construction Engineering Research Laboratories
Department Of The Army	Assistant Deputy Chief Of Staff, G–6
	Deputy G–5/7 For Operations And Plans
	Deputy Joint Program Executive Officer For Chemical And Biological Defense
	Deputy Program Executive Officer (Simulation, Training And Instrumentation)
	Deputy Program Executive Officer, Enterprise Information Systems
	Deputy Program Executive Officer, Intelligence, Electronic Warfare And Sensors
	Deputy To The Commanding General Of The Family, Morale, Welfare And Recreation Command
	Director Of Resource Integration
	Director, Soldier and Family Legal Services
	Executive Director Us Army Information Technology Agency
	Executive Director, U.S. Army Headquarters Services
Directorate Of Civil Works	Chief, Engineering And Construction Community Of Practice
	Chief, Operations Division And Regulatory Community Of Practice
	Chief, Planning And Policy Division/Community Of Practice
	Chief, Programs Management Division
	Director Of Civil Works
Directorate Of Military Programs	Chief, Environmental Community Of Practice
	Chief, Installation Support Division
	Chief, Interagency And International Services Division
	Director Of Military Programs
Directorate Of Research And Development	Deputy Director
Directors Of Engineering And Technical Services	Regional Business Director
Directors Of Programs Management	Division Programs Director
Engineer Research And Development Center	Deputy Director Engineer Research And Development Center
	Director Geotechnical And Structures Laboratory
	Director, Coastal And Hydraulics Laboratory
	Director, Environmental Laboratory
Engineer Topographic Laboratories, Center Of Engineers	Director
Headquarters, United States Army, Europe	Assistant Deputy Chief Of Staff Engineer For Engineering And Housing
	Deputy Chief Of Staff G–8
	Deputy Chief Of Staff, G1
	Deputy Director, Logistics And Security Assistance
	Director European Security And Defense Policy Defense Advisor To US Mission EU
Military Surface Deployment Distribution Command	Deputy To The Commander, Surface Deployment And Distribution Command
	Executive Director, Transportation Engineering Agency/Director Joint Distribution Process Analysis Center
Missile Research Development And Engineering Center (Research Development And Engineering Center).	Associate Director For Aviation And Missile Systems
	Director For Aviation Development
	Director For Missile Guidance
	Director For Systems Simulation And Development
	Technology Director For Missiles And Development, Research, Development And Engineering Center
Natick Soldier Center	Director, Natick Soldier Center
Office Administrative Assistant To The Secretary Of Army	Administrative Assistant To The Secretary Of The Army
	Deputy Administrative Assistant To The Secretary Of The Army/Director For Shared Services
	Executive Director, Us Army Resources And Program Agency
Office Assistant Secretary Army (Acquisition, Logistics And Technology).	Deputy Assistant Secretary For Research And Technology/Chief Scientist
	Deputy Assistant Secretary Of The Army (Elimination Of Chemical Weapons)
	Deputy Assistant Secretary Of The Army (Policy And Procurement)
	Deputy Assistant Secretary Of The Army For Integrated Logistics Support
	Deputy Assistant Secretary Of The Army For Plans, Programs And Resources
	Deputy Program Executive Officer, Missiles And Space (Fires)
	Deputy Program Manager (Platform) Program Manager Future Combat System (Brigade Combat Team)
	Director For Research And Laboratory Management
	Director For Technology
	Director, Army Contracting Agency
	Special Assistant To The Assistant Secretary Of Army (Acquisition, Logistics And Technology)
Office Assistant Secretary Army (Civil Works)	Deputy Assistant Secretary Of The Army (Management And Budget)

Agency and organization	Career reserved positions
Office Assistant Secretary Army (Financial Management And Comptroller).	Deputy Assistant Secretary Of The Army (Cost And Economics)
	Deputy Assistant Secretary Of The Army (Financial Operations)
	Deputy Director And Senior Advisor For Army Budget (DDSA (Budget))
	Director For Business Resources
	Director Of Investment
	Director Of Management And Control
	Director Of Operations And Support
	Director, Financial Information Management
	Director, Programs And Strategy
Office Assistant Secretary Army (Installations And Environment)	Deputy Assistant Secretary Of The Army (Strategic Infrastructure)
Office Assistant Secretary Army (Manpower And Reserve Affairs)	Deputy Assistant Secretary Of The Army (Army Review Boards Agency)
	Deputy Assistant Secretary Of The Army (Civilian Personnel/Quality Of Life)
	Deputy Assistant Secretary Of The Army (Equal Employment Opportunity And Civil Rights
	Deputy Assistant Secretary Of The Army (Personnel Strategy Planning)
	Deputy Assistant Secretary Of The Army Personnel Oversight
	Director, Reserve Affairs Integration Office
Office Deputy Commanding General	Executive Deputy To The Commanding General
Office Deputy Under Secretary Of Army (Operations Research)	Assistant Deputy Under Secretary Of The Army For Operations Research
	Director Civilian Senior Leader Management Office
Office Of Deputy Chief Of Staff For Logistics And Operations	Deputy Chief Of Staff G–5 For Strategy And Concepts
	Deputy G–3 For Enterprise Integration
	Director Army Single Stock Fund/Director Army Materiel Command Logistics Systems And Processes
	Principal Deputy G–3 For Operations/Executive Deputy, Supply Chain And Industrial Operations
Office Of Deputy Chief Of Staff For Personnel	Deputy Chief Of Staff For Personnel
Office Of The Deputy Chief Of Staff For Resource Management	Assistant Deputy Chief Of Staff For Resource Management/Executive Director For Business
	Deputy Chief Of Staff For Resource Management
Office Of The General Counsel	Deputy General Counsel (Ethics And Fiscal)
Office Of The Inspector General	Principal Director For Inspections
Office Of The Secretary	Director, Human Capital Strategy/Deputy To Deputy Under Secretary Of The Army
	Director, Test And Evaluation Office
Office Of The Surgeon General	Chief Of Staff, Health System Admin
Office Of The Under Secretary	Special Assistant To The Under Secretary Of The Army
Office, Assistant Chief Of Staff For Installation Management	Chief Information Technology Officer (Oacsim/Imcom)
	Deputy Assistant Chief Of Staff For Installation Management
	Director Installation Services
	Directors Of Logistics
	Executive Director/Director Of Services
	Regional Director (Europe)
	Regional Director (Northeast)
	Regional Director (Pacific)
	Regional Director (Southeast)
	Regional Director (West)
Office, Chief Army Reserve	Assistant Chief Of The Army Reserve
	Director Of Resource Management
Office, Chief Of Public Affairs	Principal Deputy Chief Of Public Affairs/Director, Soldiers Media Center
Office, Chief Of Staff	Director, Enterprise Systems Technology Activity
Office, Deputy Chief Of Staff, G–4	Director, Logistics Innovation Agency
	Assistant Deputy Chief Of Staff, G–4
	Director For Maintenance Policy, Programs And Processes
	Director For Supply Policy, Programs And Processes
	Director, Force Projection And Distribution
Office, Deputy Chief Of Staff, G–1	Assistant Deputy Chief Of Staff, G–1
	Assistant Deputy Chief Of Staff, G–1 (Advisory)
	Assistant G–1 (Civilian Personnel Policy)
	Deputy Assistant G–1 (Civilian Personnel Policy)
	Director For Manprint Directorate
	Director Of Army Personnel Transformation
	Director Of Plans, Resources And Operations
	Director, Military Human Resources Integration
	Director, United States Army Research Institute And Chief Psychologist
Office, Deputy Chief Of Staff, G–3	Assistant Deputy Chief Of Staff For Operations
	Deputy Director For Force Management
	Deputy Director For Plans And Policy
	Director, Army Model And Simulation Office
	Director, Human Resources Policies (Military)

Agency and organization	Career reserved positions
	Technical Advisor To The Deputy Chief Of Staff, G–3
Office, Deputy Chief Of Staff, G–8	Assistant Deputy Chief Of Staff, G–8
	Director Of Modernization
Research, Development And Engineering Command	Deputy To The Commander
Sensors And Electron Devices Directorate	Director
Survivability/Lethality Analysis Directorate	Director, Survivability/Lethality Analysis Directorate
Tank-Automotive And Armaments Command (Tank-Automotive And Armaments Command).	Deputy To The Commander
	Director Of Acquisition Center
	Director, Integrated Logistics Support Center
Tank-Automotive Research, Development And Engineering Center (Tank-Automotive Research, Development And Engineering Center).	Director
	Executive Director For Engineering
	Executive Director For Product Development
	Executive Director For Research And Technical Director
Training And Doctrine Command Analysis Center	Director
	Director Of Operations
U.S. Army Test And Evaluation Command	Director Of Test Management, Developmental Test Command
	Director, Army Evaluation Center
	Executive Director, Operational Test Command
	Executive Director—White Sands
U.S. Army Training And Doctrine Command (Tradoc)	Assistant Deputy Chief Of Staff For Combat Development
	Assistant Deputy Chief Of Staff G–3/5/7, Tradoc/Dep G–3 For Training
	Deputy Chief Of Staff G–1/4 (Personnel And Logistics)
	Deputy To The Commanding General Fires/Director, Capabilities, Development And Integration
	Deputy To The Commanding General, Combined Arms Center
	Deputy To The Commanding General, Combined Arms Support Command
	Deputy To The Commanding General, Signal Center Of Excellence
	Director, Capabilities Development And Integration
	President, Army Civilian University
United States Army Armament Research, Development And Engineering Center (Armament Research, Development And Engineering Center).	Director For Armament Research, Development And Engineering
	Executive Director, Enterprise And Systems Integration Center
United States Army Aviation And Missile Command (Army Materiel Command).	Deputy To The Commander
	Director For Engineering
	Director For Test Measurement Diagnostic Equipment Activity
	Executive Director Acquisition Center
	Executive Director Integrated Material Management Center
	Executive Director, Acquisition Center
	Executive Director, Aviation And Missile Command G–3 (Operations)
	Executive Director, Integrated Materiel Management Center
United States Army Communications Election Command (Communications Election Command).	Deputy To The Commander
	Director, Communications Election Command Acquisition Center
United States Army Corps Of Engineers	Chief Military Programs Integration Division
	Director Of Contracting
	Director Of Corporate Information
	Director Of Human Resources
	Director Of Resource Management
	Director, Information Technology Laboratory
	Director, Real Estate
	Director, Research And Development And Director, Engineering Research And Development Center
	Director, Task Force Hope
	Division Programs Director
	Regional Business Director
United States Army Forces Command	Assistant Deputy Chief Of Staff For Logistics And Readiness
	Assistant Deputy Chief Of Staff G–3/5/7
	Assistant Deputy Chief Of Staff, G1
	Chief Executive Officer
	Deputy Chief Of Staff For Resource Management
United States Army Materiel Command	Deputy Chief Of Staff For Business Transformation, G–7
	Deputy Chief Of Staff For Corporate Information/Chief Information Officer
	Deputy G–3 For Current Operations
	Deputy G–3 For Support Operations
	Deputy To The Commanding General/Director Logistics And Readiness Center
	Director For Contracting

Agency and organization	Career reserved positions
	Director, Chemical Materials Agency
	Director, Communications-Electronics Life Cycle Management Command Logistics And Readiness Center
	Executive Director, Munitions Engineering Technology Center, ARDEC
	Executive Director, Weapons And Software Engineer Center
United States Army Materiel Systems Analysis Activity	Chief, Combat Integration Division
	Director, Army Materiel Systems Analysis Activity
United States Army Medical Research And Materiel Command	Principal Assistant For Acquisition
	Principal Assistant For Research And Technology
United States Army Military District Of Washington	Director Of Cemetery Operations
United States Army Network Enterprise Technology Command/9th Army Signal Command.	Deputy To Commander/Senior Technical Director/Chief Engineer
United States Army Research Laboratory	Director United States Army Research Laboratory
	Director, Computational And Information Sciences Directorate
United States Army Security Assistance Command	Deputy
United States Army Simulation, Training And Instrumentation Command.	Deputy To The Commander
United States Army Soldier And Biological Command (Soldier And Biological Command).	Director For Programs Integration
	Director, Engineering Directorate
	Director, Research And Technology Directorate
	Executive Director, Research Development And Engineering Command, Acquisition Center
	Technical Director
United States Army Space And Missile Defense Command	Deputy To The Commander, Research, Development And Acquisition
	Director, Advanced Technology Directorate
	Director, Space And Missile Defense Battle Laboratory
	Director, Technology Integration And Interoperability For Space And Missile Defense
	Principal Assistant Responsible For Contracting
	Special Assistant To Commander United States Army Space And Missile Defense Command
United States Army Sustainment Command	Deputy To The Commander
	Director Of Acquisition Center
	Executive Director For Ammunition
	Executive Director For Logcap
United States European Command	Director, Joint Interagency Coordination Group
United States Southern Command	Deputy Director Strategy And Policy
	Director Enterprise Support (ESD)
	Executive Director For Resources And Assessments
US Army Medical Department Center And School	Deputy To The Commanding General
Weapons And Material Research Directorate	Director
Department Of The Interior:	
Assistant Secretary—Indian Affairs	Director Of Human Capital Management
Assistant Secretary—Policy, Management And Budget	Assistant Director For Economics
	Associate Director For Financial Policy And Operations
	Associate Director For Financial Reporting And Systems
	Chief Division Of Budget And Program Review
	Deputy Assistant Secretary—Budget And Business Management
	Deputy Assistant Secretary—Law Enforcement, Security And Emergency Management
	Deputy Chief Human Capital Officer
	Director, Office Of Financial Management And Deputy Chief Financial Officer
	Director, Office Of Human Resources
	Director, Office Of Law Enforcement And Security
	Geospatial Information Officer
	Manager, Science And Engineering
Bureau Of Indian Affairs	Deputy Director, Field Operations
Field Offices	Deputy Assistant Director, Fire And Aviation At National Interagency Fire Center (Nifc)
	Deputy Associate Director For Minerals Revenue Management
	Director, Management Services Office
	Director, Technical Services Center
	Park Manager Everglades
	Park Manager—Independence National Historic Park
	Park Manager—Yellowstone (Superintendent)
	Park Manager—Yosemite (Superintendent)
	Program Director For Asset Management
	Program Director For Audit And Compliance Management
	Regional Director
	Regional Director, Alaska Outer Continental Shelf Region
	Regional Director, Central Region
	Regional Director, Eastern Region

Agency and organization	Career reserved positions
	Regional Director, Gulf Of Mexico Outer Continental Shelf Region
	Regional Director, Western Region
	Regional Executive—Alaska
	Regional Executive—Midwest
	Regional Executive—North Central
	Regional Executive—Northeast
	Regional Executive—Northwest
	Regional Executive—Rocky Mountain
	Regional Executive—Southeast
	Regional Executive—Southwest
	Superintendent (Park Manager), Everglades National Park
Minerals Management Service	Associate Director For Policy And Management Improvement
	Chief, Offshore Engineering And Operations Division
	Program Director For Financial And Program Management
National Park Service	Financial Advisor (Comptroller)
	Park Manager—Grand Canyon
Office Of Hearings And Appeals	Director, Office Of Hearings And Appeals
Office Of The Inspector General	Assistant Inspector General For Administrative Services And Information Management
	Assistant Inspector General For Auditing
	Assistant Inspector General For Investigations
	Chief Information Officer
	Deputy Assistant Inspector General For Administrative Services And Information Management
	Deputy Assistant Inspector General For Audits
	Deputy Assistant Inspector General For Investigations
	Deputy Inspector General
Office Of The Solicitor	Associate Solicitor For Administration
	Deputy Associate Solicitor, Division Of Land And Water Resources
	Deputy Associate Solicitor, General Law
	Deputy Associate Solicitor—Mineral Resources
	Deputy Associate Solicitor, Division Of Parks And Wildlife
	Designated Agency Ethics Official
	Director, Indian Trust Litigation Office
United States Fish And Wildlife Service	Chief, Office Of Law Enforcement
United States Geological Survey	Associate Chief Biologist For Information
	Associate Director For Administrative Policy And Services
	Associate Director For Biology
	Associate Director For Geographic Information
	Associate Director For Geography
	Associate Director For Geology
	Associate Director For Human Capital
	Associate Director For Water
	Chief Scientist For Biology
	Chief Scientist For Geography
	Chief Scientist For Geology
	Chief Scientist For Hydrology
	Chief, Geospatial Information, Integration And Analysis
	Chief, Office Of Budget And Performance
	Deputy Associate Director For Geospatial Information
	Deputy Director, United States Geological Survey
	Director, Office Of Communications And Outreach
	Executive Advisor For Land Imaging
	Regional Executive—South Central
Department Of The Interior Office Of The Inspector General:	
Office Of Audits, Inspections, And Evaluations	Assistant Inspector General For Audits, Inspections, And Evaluations
	Deputy Assistant Inspector General For Compliance And Finance
Office Of General Counsel	General Counsel
Office Of Information Technology	Assistant Inspector General For Information Technology
Office Of Investigations	Assistant Inspector General For Investigations
Office Of Management	Assistant Inspector General For Management
	Deputy Assistant Inspector General For Management
Office Of Recovery And Accountability	Assistant Inspector General For Recovery Oversight
Office Of The Inspector General	Chief Of Staff
	Deputy Inspector General
Department Of The Navy:	
Bureau Of Medicine And Surgery	Comptroller/Deputy Chief Of Staff For Resource Management
	Director, Total Force
Chief Of Naval Operations	Assistant Deputy Chief Of Naval Operations (Integration Of Capabilities And Resources) N8b
	Assistant Deputy Chief Of Naval Operations (Logistics)
	Assistant Deputy Chief Of Naval Operations (Manpower And Personnel)
	Associate Director, Assessment Division

Agency and organization	Career reserved positions
	Deputy Director Chief Of Naval Operations (Communications And Networks)
	Deputy Director For Strategy And Policy
	Deputy Director, Environmental Readiness Division
	Director, Information Technology Governance And Information Resource Management
	Director, Logistics Planning And Innovation
	Director, Naval History And Heritage Command
	Director, Special Programs Division
	Director, Strategic Sealift Division
	Financial Manager And Chief Resources Officer For Manpower, Personnel, Training And Education
	Head, Campaign Analysis Branch
	Special Assistant To Principal Deputy Undersecretary Of Defense (Personnel And Readiness)
	Technical Director, Oceanographer Of The Navy
Commander, Naval Air Forces	Executive Director, Naval Air Forces
Commander, Naval Expeditionary Combat Command	Executive Director, Navy Expeditionary Combat Command
Commander, Naval Surface Forces	Executive Director, Naval Surface Forces
Commander, Navy Installations Command	Comptroller
	Counsel, Commander Navy Installations Command
	Deputy Commander
	Deputy Regional Commander (Mid-Atlantic)
	Director, Total Force Manpower
	Region Executive Director
Commander, Submarine Forces	Executive Director, Submarine Forces
Fleet And Industrial Supply Centers	Deputy Commander, Fleet And Industrial Supply Centers
Marine Corps Logistics Command Albany, Georgia	Executive Deputy, Marine Corps Logistics Command
Marine Corps Systems Command	Deputy Commander, Command, Control, Communications, Computer, Intelligence, Surveillance And Reconnaissance
	Deputy For Financial Management
	Executive Director
Military Sealift Command	Comptroller
	Counsel, Military Sealift Command
	Director, Strategic Sealift And Propositioning
	Executive Director
Naval Air Systems Command Headquarters	Assistant Commander For Contracts
	Assistant Commander For Acquisition Processes And Execution
	Assistant Commander, Corporate Operations And Total Force
	Command Information Officer
	Comptroller
	Counsel, Naval Air Systems Command
	Deputy Assistant Commander For Logistics And Industrial Operations
	Deputy Assistant Commander For Research And Engineering
	Deputy Commander, Naval Air Systems Command
	Deputy Counsel, Office Of Counsel
	Director Industrial Operations
	Director, Air Anti-Submarine Warfare, Assault And Special Mission Programs Contracts Department
	Director, Air Platform Systems
	Director, Air Vehicles And Unmanned Air Vehicles
	Director, Aviation Readiness And Resource Analysis
	Director, Avionics Department
	Director, Cost Analysis Department
	Director, Design Interface And Maintenance Planning
	Director, Enterprise Analysis And Planning
	Director, Logistics Management Integration
	Director, Propulsion And Power
	Director, Strike Weapons, Unmanned Aviation, Naval Air Programs Contracts Department
	Director, Systems Engineering Department
	Director, Tactical Aircraft And Missiles Contracts Department
	Principal Assistant For Air Warfare Acquisition Analysis And Planning
Naval Air Warfare Center Aircraft Division	Deputy Assistant Commander For Test And Evaluation/Executive Director Naval Air Warfare Center Aircraft Division/Director, Test And Evaluation (NAWCAD)
	Director, Aircraft Launch And Recovery Equipment/Support Equipment
	Director, Battle space Simulation
	Director, Flight Test Engineering
	Director, Integrated Systems Evaluation Experimentation And Test Department
Naval Air Warfare Center Training Systems Division	Director, Human Systems Department
Naval Air Warfare Center Weapons Division, China Lake, California.	Director, Electronic Warfare/Combat Systems

Agency and organization	Career reserved positions
	Director, Range Department
	Director, Software Engineering
	Director, Weapons And Energetics Department
	Executive Director, Naval Air Warfare Center Weapons Division/Director, Research Engineering
Naval Criminal Investigative Service	Criminal Investigator, Deputy Director For Management And Administration
	Criminal Investigator, Deputy Director, Naval Criminal Investigative Service
	Criminal Investigator, Director, Naval Criminal Investigative Service
	Criminal Investigator, Executive Assistant Director For Atlantic Operations
	Criminal Investigator, Executive Assistant Director For Counterterrorism
	Criminal Investigator, Executive Assistant Director For Pacific Operations
	Criminal Investigator, Executive Assistant Director For Criminal Investigations
Naval Facilities Engineering Command	Chief Engineer
	Comptroller
	Counsel, Naval Facilities Engineering Command
	Director of Assets Management
	Director Of Contracts Support
	Director Of Environment
	Director, Navy Crane Center
	Director, Special Venture Acquisition
	Executive Director
Naval Inventory Control Point	Vice Commander, Naval Inventory Control Point
Naval Meteorology And Oceanography Communications, Stennis Space Center, Mississippi.	Technical/Deputy Director
Naval Research Laboratory	Associate Director Of Research For Business Operations
	Associate Director Of Research For Material Science And Component Technology
	Associate Director Of Research For Ocean And Atmospheric Science And Technology
	Associate Director Of Research For Systems
	Chief Scientist, Laboratory For Computational Physics And Fluid Dynamics
	Chief Scientist, Laboratory For Structure Of Matter
	Director Of Research
	Director, Naval Center For Space Technology
	Superintendent, Acoustics Division
	Superintendent, Center For Bio-Molecular Science And Engineering
	Superintendent, Chemistry Division
	Superintendent, Electronics Science And Technology Division
	Superintendent, Information Technology Division
	Superintendent, Marine Geosciences Division
	Superintendent, Marine Meteorology Division
	Superintendent, Materials Science And Technology Division
	Superintendent, Oceanography Division
	Superintendent, Optical Sciences Division
	Superintendent, Radar Division
	Superintendent, Remote Sensing Division
	Superintendent, Space Sciences Division
	Superintendent, Space Systems Development Department
	Superintendent, Spacecraft Engineering Department
	Superintendent, Tactical Electronic Warfare Division
	Superintendent, Plasma Physics Division
Naval Sea Systems Command	Assistant Deputy Commander, Regional Maintenance Centers
	Assistant Deputy Commander For Industrial Operations
	Assistant Deputy Commander, Maintenance, Modernization, Environment And Safety
	Command Information Officer
	Counsel, Naval Sea Systems Command
	Deputy Commander, Corporate Operations Directorate
	Deputy Commander, Human Systems Integration Directorate
	Deputy Commander/Comptroller
	Deputy Counsel, Naval Sea Systems Command
	Deputy Director For Advanced Submarine Reactor Servicing And Spent Fuel Management
	Deputy Director, Advanced Aircraft Carrier System Division
	Deputy Director, Advanced Undersea Systems Program Office
	Deputy Director, Environmental Health And Safety
	Deputy For Weapons Safety
	Director For Aircraft Carrier Design And Systems Engineering

Agency and organization	Career reserved positions
	Director For Contracts
	Director For Machinery Systems
	Director For Ship Survivability And Structural Integrity
	Director For Submarine/Submersible Design And Systems Engineering
	Director For Surface Ship Design And Systems Engineering
	Director Of Radiological Controls
	Director, Cost Engineering And Industrial Analysis
	Director, Fleet Readiness Division
	Director, Nuclear Components Division
	Director, Office Of Resource Management
	Director, Reactor Materials Division
	Director, Reactor Plant Components And Auxiliary Equipment Division
	Director, Reactor Refueling Division
	Director, Reactor Safety And Analysis Division
	Director, Shipbuilding Contracts Division
	Director, Surface Ship Systems Division
	Director, Surface Systems Contracts Division
	Director, Undersea Systems Contracts Division
	Executive Director
	Executive Director For Logistics Maintenance And Industrial Operations Directorate
	Executive Director, Ship Design, And Engineering Directorate
	Executive Director, Surface Warfare Directorate
	Executive Director, Undersea Warfare Directorate
	Executive Director, Warfare Systems Engineering/Battle Force Systems Engineer
	Head, Advanced Reactor Branch
	Program Manager For Commissioned Submarines
Naval Shipyards	Naval Shipyard Nuclear Engineering And Planning Manager, Norfolk Naval Shipyard
	Nuclear Engineering And Planning Manager, Puget Sound Naval Shipyard
	Nuclear Engineering And Planning Manager; Pearl Harbor Naval Shipyard
	Nuclear Engineering And Planning Manager; Portsmouth Naval Shipyard
Naval Supply Systems Command Headquarters	Command Information Officer
	Counsel, Naval Supply Systems Command
	Deputy Commander, Corporate Operations
	Deputy Commander, Financial Management/Comptroller
	Director, Defense Technology Analysis Office
	Executive Director, Office Of Special Projects
	Senior Acquisition Logistician/Enterprise Resource Planning Program Manager
	Vice Commander
Naval Surface Warfare Center	Technical Director
Naval Surface Warfare Center, Carderock Division	Division Technical Director, Naval Surface Warfare Center, Carderock Division
Naval Surface Warfare Center, Corona Division	Division Technical Director, Naval Surface Warfare Center, Corona Division
Naval Surface Warfare Center, Crane Division	Division Technical Director, Naval Surface Warfare Center, Crane Indiana
Naval Surface Warfare Center, Dahlgren Division	Division Technical Director Naval Surface Warfare Center Panama City Division
	Division Technical Director, Naval Surface Warfare Center, Dahlgren Division
	Expeditionary Combat And National Response Mission Enterprise Executive
	Surface Warfare Enterprise Executive
Naval Surface Warfare Center, Indian Head Division	Aviation Enterprise Executive
	Division Technical Director, Naval Surface Warfare Center, Indian Head Division
Naval Surface Warfare Center, Port Hueneme Division	Division Technical Director Naval Surface Warfare Center Port Hueneme Division
Naval Undersea Warfare Center	Division Technical Director Naval Undersea Warfare Center
	Technical Director
	Undersea Enterprise Executive
Naval Undersea Warfare Center Division, Keyport, Washington	Division Technical Director, Naval Undersea Warfare Center, Keyport Division
Naval Undersea Warfare Center Division, Newport, Rhode Island	Corporate Business Executive
	Netwar/Forcenet Enterprise Executive
Navy Recruiting Command	Deputy Commander, Navy Recruiting Command
	Director, Research, Modeling And Analysis Division

Agency and organization	Career reserved positions
Office Assistant Secretary Of Navy (Energy, Installations And Environment).	Assistant General Counsel (Installations And Environment)
	Director, Joint Guam Program Office
	Program Manager, Base Realignment And Closure Management Office
Office Assistant Secretary Of The Navy (Research, Development And Acquisition).	Assistant General Counsel (Research, Development And Acquisition)
	Chief Of Staff/Policy
	Chief Of Staff/Policy
	Chief Systems Engineer
	Deputy Assistant Secretary Of The Navy (Ships)
	Deputy For Test And Evaluation
	Director, Program Analysis And Business Transformation
	Executive Director (Integrated Warfare Systems)
	Executive Director, Navy International Programs Office
	Principal Civilian Deputy Assistant Secretary Of The Navy (Acquisition Workforce)
Office Of Civilian Human Resources	Director, Human Resources Operations And Customer Engagement
	Director, Human Resources Policy And Program Department
	Director, Human Resources Systems, Processes And Productivity
	Director, Office Of Civilian Human Resources
Office Of Commander, United States Fleet Forces Command/Joint Forces Command.	Chief Of Staff
	Deputy Commander, Naval Network Warfare Command
	Deputy Director, Fleet Readiness And Training
	Deputy Director, Fleet Warfare Programs
	Deputy Director, Joint Operations And Global Force Management
	Deputy For Naval Air And Missile Defense Command
	Director, Fleet Manpower And Personnel
	Director, Joint Deployment, Employment, And Sustainment
	Director, Joint Prototype Pathway
	Enterprise Business Director
	Executive Director Joint Capability Development (Forward)
	Executive Director, Joint Futures Lab
	Executive Director, Joint Requirements And Integration Directorate
	Executive Director, Joint Warfare Analysis Center
	Executive Director, Joint Warfighting Center
Office Of Naval Research	Comptroller
	Counsel, Office Of Naval Research
	Director For Aerospace Science Research Division
	Director Of Innovation
	Director Of Transition
	Director, Electronics, Sensors, And Networks Research Division
	Director, Hybrid Complex Warfare Sciences Division
	Director, Life Sciences Research Division
	Director, Mathematical, Computer, And Information Sciences Division
	Director, Ocean, Atmosphere And Space Science And Technology Processes And Prediction Division
	Director, Ship Systems And Engineering Division
	Director, Undersea Weapons And Naval Materials Science And Technology Division
	Executive Director
	Executive Director For Acquisition Management
	Head, Air Warfare And Weapons Science And Technology Department
	Head, Command, Control, Communications, Intelligence, Surveillance, And Reconnaissance (C4isr) Science And Technology Department
	Head, Expeditionary Warfare And Combating Terrorism Science And Technology Department
	Head, Ocean, Battle space Sensing Science And Technology Department
	Head, Sea Warfare And Weapons Science And Technology Department
	Head, War fighter Performance Science And Technology Department
	Patent Counsel Of The Navy
Office Of The Assistant Secretary Of Navy (Financial Management And Comptroller).	Assistant General Counsel (Financial Management And Comptroller)
	Associate Director, Office Of Budget/Fiscal Management Division
	Deputy Assistant Secretary Of The Navy For Cost And Economics
	Deputy Assistant Secretary Of The Navy For Financial Operations
	Director, Budget And Policy And Procedures Division
	Director, Civilian Resources And Business Affairs Division
	Director, Investment And Development Division
	Director, Program/Budget Coordination Division
	Principal Deputy Assistant Secretary Of The Navy (Financial Management And Comptroller)

Agency and organization	Career reserved positions
Office Of The Assistant Secretary Of Navy (Manpower And Reserve Affairs).	Assistant General Counsel (Manpower And Reserve Affairs)
	Deputy Assistant Secretary Of The Navy (Civilian Human Resources)
	Deputy Assistant Secretary Of The Navy (Reserve Affairs)
Office Of The Auditor General	Assistant Auditor General For Financial Management And Comptroller Audits
	Assistant Auditor General For Installation And Environment Audits
	Assistant Auditor General For Manpower And Reserve Affairs Audits
	Assistant Auditor General For Research, Development, Acquisition And Logistics Audits
	Auditor General Of The Navy
	Deputy Auditor General Of The Navy
Office Of The Commander, United States Pacific Command	Chief Information Officer
	Director For Forces Resources And Management
Office Of The Commander, United States Pacific Fleet	Deputy Director, Fleet Maintenance
	Deputy For Naval Air And Missile Defense Command
	Deputy For Naval Mine And Anti-Submarine Warfare Command
	Executive Director, Fleet Command, Control, Communications And Computer Systems And Command Information Officer
	Executive Director, Pacific Fleet Plans And Policy
	Executive Director, Total Force Management
Office Of The General Counsel	Assistant General Counsel (Intelligence Law)
	Special Counsel For Litigation
Office Of The Naval Inspector General	Deputy Naval Inspector General
Office Of The Secretary	Director, Office Of Program And Process Assessment
	Director, Sexual Assault Prevention And Response
Office Of The Under Secretary Of The Navy	Assistant Deputy Chief Management Officer
	Assistant For Administration
	Deputy Assistant For Administration
	Director, Maritime Domain Awareness
	Director, Navy Energy Office
	Principal Deputy Under Secretary Of The Navy (Boat Operations And Transformation)
	Senior Director For Intelligence
	Senior Director For Policy
	Senior Director, Operations Integration Group
Program Executive Officers	Deputy Program Executive Officers Air Assault And Special Mission
	Deputy Program Executive Officers For Space Systems And Executive Director, Space And Naval Warfare Systems Command, Space Field Activity
	Deputy Program Executive Officers For Strike Weapons
	Deputy Program Executive Officers For Tactical Air Programs
	Deputy Program Executive Officer For Unmanned Aviation
	Director For Above Water Sensors Directorate
	Director For Integrated Combat Systems For Integrated Warfare Systems
	Executive Director, Amphibious, Auxiliary And Sealift Ships, Program Executive Officers Ships
	Executive Director, Combatants, Program Executive Officers Ships
	Executive Director, Program Executive Officer Littoral And Mine Warfare
	Executive Director, Program Executive Office Submarines
	Executive Director, Program Executive Officers For Aircraft Carriers
	Executive Director, Program Executive Officers For Integrated Warfare Systems
	Joint Program Executive Officers For Joint Tactical Radio Systems
	Program Executive Officer For Air Anti-Submarine Warfare, Assault And Special Mission Programs
	Program Executive Officer For Command, Control, Communications, Computers And Intelligence (C4i)
	Program Executive Officer, Land Systems
	Program Executive Officers, Littoral And Mine And Warfare
	Technical Director, Program Executive Officer, Submarines
Space And Naval Warfare Systems Center	Director, Science, Technology, And Engineering
	Executive Director
	Head Communication And Information Systems Department
	Head Intelligence, Surveillance, And Reconnaissance Department
	Head, Command And Control Department
	Head, Research And Applies Sciences Department
Space And Naval Warfare Systems Center, Charleston	Technical Director
Space And Naval Warfare Systems Command	Comptroller, Business Resources Manager
	Counsel, Space And Naval Warfare Systems Command
	Deputy Chief Engineer
	Deputy Commander

Agency and organization	Career reserved positions
	Director, Contracts
	Director, Corporate Operations/Command Information Officer
	Director, Readiness/Logistics Directorate
Strategic Systems Programs	Assistant For Missile Engineering Systems
	Assistant For Missile Production, Assembly And Operations
	Assistant For Shipboard Systems
	Assistant For Systems Integration And Compatibility
	Branch Head Reentry Systems Branch
	Branch Head, Reentry Systems Branch
	Chief Engineer
	Counsel, Strategic Systems Programs
	Director, Plans And Programs Division
	Head, Resources Branch (Comptroller) And Deputy Director, Plans And Program Division
	Principal Deputy, Strategic Systems Programs
	Technical Plans And Payloads Integration Officer
United States Marine Corps Headquarters Office	Assistant Deputy Commandant For Manpower And Reserve Affairs
	Assistant Deputy Commandant For Plans, Policies And Operations (Security)
	Assistant Deputy Commandant For Programs And Resources
	Assistant Deputy Commandant For Programs And Resources (Resources)/Director, Fiscal Division
	Assistant Deputy Commandant, Installations And Logistics
	Assistant Deputy Commandant, Installations And Logistics (E–Business And Contracts)
	Counsel For The Commandant
	Deputy Assistant Deputy Commandant Installations And Logistics (Facilities)
	Deputy Counsel For The Commandant
	Director, Manpower Plans And Policy Division
	Director, Program Assessment And Evaluation Division
	Marine Corps Business Enterprise Director
Department Of The Treasury:	
Alcohol And Tobacco Tax And Trade Bureau	Administrator, Alcohol And Tobacco Tax And Trade Bureau
	Assistant Administrator Information Resources/Chief Information Officer
	Assistant Administrator, Field Operations
	Assistant Administrator, Headquarter Operations
	Assistant Administrator, Management/Chief Financial Officer
	Deputy Administrator, Alcohol And Tobacco Tax And Trade Bureau
Assistant Secretary (Tax Policy)	Deputy Director And Chief Economist
	Director, Economic Modeling And Computer Applications
Assistant Secretary For Intelligence And Analysis	Deputy Assistant Secretary For Security
Assistant Secretary For Management	Deputy Chief Financial Officer
	Director, Office Of Procurement
Assistant Secretary For Terrorist Financing	Director, Executive Office For Asset Forfeiture
Bureau Of The Public Debt	Assistant Commissioner (Financing)
	Assistant Commissioner (Office Of Information Technology)
	Assistant Commissioner (Office Of Management Services)
	Assistant Commissioner (Office Of Retail Securities)
	Assistant Commissioner (Public Debt Accounting)
	Commissioner Of The Public Debt
	Deputy Assistant Commissioner (Financing)
	Deputy Assistant Commissioner (Office Of Information Technology)
	Deputy Commissioner Of The Public Debt
	Deputy Executive Director, Administrative Resources Center
	Executive Director (Administrative Resource Center)
	Executive Director, Government Securities Regulations
	Senior Advisor
Financial Crimes Enforcement Network	Associate Director, Analysis And Liaison Division
	Associate Director, International
	Associate Director, Management Programs Division
	Associate Director, Regulatory Policy And Programs Division
	Associate Director, Technology Solutions And Services Division/Chief Information Officer
	Chief Counsel, Financial Crimes Enforcement Network
	Deputy Associate Director, Compliance And Enforcement Programs
	Deputy Director, Administration
	Director, Financial Crimes Enforcement Network
	Executive Advisor
Financial Management Service	Assistant Commissioner, Debt Management Services
	Assistant Commissioner, Federal Finance
	Assistant Commissioner, Financial Operations
	Assistant Commissioner, Governmentwide Accounting
	Assistant Commissioner, Governmentwide Accounting Operations

Agency and organization	Career reserved positions
	Assistant Commissioner, Information Resources
	Assistant Commissioner, Management (Chief Financial Officer)
	Assistant Commissioner, Payment Management
	Assistant Commissioner, Regional Operations
	Commissioner, Financial Management Service
	Comptroller/Deputy Chief Financial Officer
	Deputy Assistant Commissioner, Governmentwide Accounting
	Deputy Assistant Commissioner, Payment Management
	Deputy Chief Information Officer
	Deputy Commissioner, Financial Management Service
	Director, Birmingham Debt Management Operations Center
	Director, Cash Management Enterprise Architecture
	Director, Cash Management Infrastructure Group
	Director, Information Services Directorate
	Director, Regional Financial Center (Austin)
	Director, Regional Financial Center (Kansas City)
	Director, Regional Financial Center (Philadelphia)
	Director, Regional Financial Center (San Francisco)
	Director, Revenue Collection Group
Fiscal Assistant Secretary	Deputy Assistant Secretary (Accounting Policy)
	Deputy Assistant Secretary For Fiscal Operations And Policy
	Fiscal Assistant Secretary
Inspector General	Assistant Inspector General For Audit
	Assistant Inspector General For Investigations
	Assistant Inspector General For Management Services
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Audit (Financial Management)
	Deputy Assistant Inspector General For Audit (Program Audits)
	Deputy Assistant Inspector General For Investigations
	Senior Technical Advisor To The Inspector General
Internal Revenue Service	Accounts Management Field Director
	Accounts Management Field Director—Andover
	Accounts Management Field Director, Austin—Wage And Investment
	Accounts Management Field Director, Fresno
	Accounts Management Field Director, Fresno—Wage And Investment
	Accounts Management Field Director
	Area Director Of Information Technology
	Area Director, Field Assistance
	Area Director, Field Assistance (San Francisco)—Wage And Investment
	Area Director, Information Technology
	Area Director, Southeast
	Area Director, Stakeholder Partnership Education And Communication
	Area Director, Stakeholder, Partnership, Education And Communication
	Area Director, Stakeholder, Partnership, Education And Communications—New Orleans
	Area Director, Stakeholder, Partnership, Education, And Communication, Dallas—Wage And Investment
	Area Director, Western
	Assistant Deputy Commissioner For Operations Support
	Assistant Deputy Commissioner For Services And Enforcement
	Assistant To Director, Real Estate And Facilities Management
	Associate Chief Financial Officer For Corporate Performance Budgeting
	Associate Chief Financial Officer For Corporate Planning And Internal Control
	Associate Chief Financial Officer For Corporate Strategy
	Associate Chief Financial Officer For Internal Financial Management—National Headquarters
	Associate Chief Financial Officer For Revenue And Financial Management
	Associate Chief Information Officer For Enterprise Operations
	Associate Chief Information Officer For Information Technology Services
	Associate Chief Information Officer For Management And Finance
	Associate Chief Information Officer, Applications Development
	Associate Chief Information Officer, Cybersecurity
	Associate Chief Information Officer, End User Equipment And Services
	Associate Chief Information Officer, Enterprise Networks
	Associate Chief Information Officer, Strategy And Planning
	Business Modernization Executive
	Chief Financial Officer, Internal Revenue Service
	Chief Human Capital Officer, Internal Revenue Service
	Chief Information Officer

Agency and organization	Career reserved positions
	Chief Of Staff, Internal Revenue Service
	Chief, Agency-Wide Shared Services
	Chief, Communications And Liaison
	Chief, Criminal Investigation
	Chief, Equal Employment Opportunity And Diversity
	Chief, Information Technology Services
	Chief, Management And Finance—Large And Mid Size Business
	Chief, Mission Assurance And Security Services
	Commissioner, Large And Mid-Sized Business Division
	Commissioner, Small Business And Self Employed
	Commissioner, Tax Exempt And Government Entities Division
	Commissioner, Wage And Investment
	Compliance Service Field Director
	Compliance Service Field Director—Kansas City
	Compliance Service Field Director—Philadelphia
	Compliance Service Field Director, Andover—Wage And Investment
	Compliance Service Field Director, Austin—Wage And Investment
	Compliance Service, Field Director—Atlanta
	Counselor
	Deputy Associate Chief Information Officer
	Deputy Associate Chief Information Officer For Cybersecurity
	Deputy Associate Chief Information Officer, Applications Development
	Deputy Associate Chief Information Officer, Business Systems Development
	Deputy Associate Chief Information Officer, End User Equipment And Services
	Deputy Associate Chief Information Officer, Enterprise Operations
	Deputy Associate Commissioner, Systems Integration
	Deputy Chief Financial Officer
	Deputy Chief Human Capital Officer, Internal Revenue Service
	Deputy Chief Information Officer For Operations
	Deputy Chief Of Staff
	Deputy Chief, Agency wide Shared Services
	Deputy Chief, Criminal Investigation
	Deputy Chief, Mission Assurance And Security Services
	Deputy Commissioner (Operations)
	Deputy Commissioner For Operations, Wage And Investment
	Deputy Commissioner For Support, Wage And Investment
	Deputy Commissioner, Large And Mid-Size Business, International
	Deputy Commissioner, Operations Support
	Deputy Commissioner, Services And Enforcement
	Deputy Commissioner, Small Business/Self-Employed
	Deputy Director, Accounts Management
	Deputy Director, Appeals
	Deputy Director, Business Systems Development Division
	Deputy Director, Customer Account Data Engine
	Deputy Director, Customer Relationships And Integration
	Deputy Director, Electronic Tax Administration
	Deputy Director, Electronic Tax Administration And Refund Credits
	Deputy Director, Employment, Talent, And Security
	Deputy Director, Enterprise Operations Services
	Deputy Director, Field Assistance
	Deputy Director, Field Specialists
	Deputy Director, Office Of Professional Responsibility
	Deputy Director, Operation Standards
	Deputy Director, Prefiling And Technical Guidance
	Deputy Director, Procurement
	Deputy Director, Program Management
	Deputy Director, Submission Processing
	Deputy Director, Submission Processing, Cincinnati—Small Business And Self Employed
	Deputy Director, Taxpayer Education And Communication
	Deputy Director, Test Assurance And Documentation
	Deputy Division Commissioner
	Deputy Division Commissioner, Tax Exempt And Government Entities
	Deputy Division Counsel #2 (Operations)/Small Business And Self Employed
	Deputy National Taxpayer Advocate
	Director Of Compliance, Atlanta—Wage And Investment
	Director Of Field Operations
	Director Of Field Operations (Southeast Area)—Criminal Investigation
	Director Of Field Operations, New York—Large And Mid Size Business
	Director Of Research
	Director, Abusive Transactions

Agency and organization	Career reserved positions
	Director, Accounts Management, Wage And Investment
	Director, Advisory, Insolvency And Quality
	Director, Appeals Policy And Valuation
	Director, Burden Reduction And Compliance Strategies
	Director, Business Rules And Requirements Management
	Director, Business Systems Modernization Acquisition
	Director, Business Systems Planning
	Director, Business Systems Planning—Large And Mid-Size Business
	Director, Campus Collection Compliance
	Director, Campus Compliance Services
	Director, Campus Reporting Compliance
	Director, Capital Planning And Investment
	Director, Centers Of Excellence
	Director, Change Management And Release Management
	Director, Client Services Division
	Director, Collection
	Director, Collection Area
	Director, Collection Business Reengineering
	Director, Collection Policy
	Director, Communication, Assistance, Research And Education
	Director, Communications, Liaison And Disclosure
	Director, Communications, Technology And Media Industry—Large And Mid Size Business
	Director, Competitive Sourcing
	Director, Compliance, Detroit—Small Business And Self Employed
	Director, Compliance Area
	Director, Compliance Area—Denver, Small Business And Self Employed
	Director, Compliance Area, Baltimore—Small Business And Self Employed
	Director, Compliance Area, Dallas—Small Business And Self Employed
	Director, Compliance Area, Oakland—Small Business And Self-Employed
	Director, Compliance Campus Operations
	Director, Compliance Services Campus Operations
	Director, Compliance Systems Division
	Director, Contact Center Support Division
	Director, Continuity Operations
	Director, Corporate Data
	Director, Corporate Data And Systems Management Division
	Director, Correspondence Production Services
	Director, Criminal Investigation Technology Operations And Investigative Services
	Director, Customer Account Manager
	Director, Customer Account Services—Wage And Investment
	Director, Customer Applications Development
	Director, Customer Relationship And Integration
	Director, Cyber Security Operations
	Director, Cyber Security Policy And Programs
	Director, Data Strategy Implementation
	Director, Delivery Management
	Director, Detroit Computing Center
	Director, Development Services
	Director, Earned Income And Health Coverage Tax Credits
	Director, E–File Systems
	Director, Electronic Tax Administration
	Director, Emergency Management Programs
	Director, Employee Plan Determination Letter Redesign
	Director, Employee Plans
	Director, Employee Plans, Rulings, And Agreements
	Director, Employee Support Services
	Director, Employment, Talent, And Security
	Director, Enforcement
	Director, Enterprise Computing Centers
	Director, Enterprise Operations Services
	Director, Enterprise Voice Networks
	Director, Equal Employment Opportunity And Diversity
	Director, Examination Area
	Director, Examination Area, Boston
	Director, Examination Operations Support
	Director, Examination Planning And Delivery
	Director, Examination Policy
	Director, Exempt Organizations
	Director, Exempt Organizations Examinations

Agency and organization	Career reserved positions
	Director, Exempt Organizations, Rulings And Agreements
	Director, Field Assistance—Wage And Investment
	Director, Field Assistance Area
	Director, Field Assistance Area (Phoenix)—Wage And Investment
	Director, Field Operations
	Director, Field Operations (Financial Services), Laguna Niguel
	Director, Field Operations East
	Director, Field Operations West, Appeals
	Director, Field Operations, Communications, Technology And Media—Large And Mid-Size Business
	Director, Field Operations, East, Appeals
	Director, Field Operations, Special—Wage And Investment
	Director, Field Operations—Financial Services
	Director, Field Operations—Heavy Manufacturing And Transportation
	Director, Field Operations—Natural Resources And Construction
	Director, Field Specialists—Large And Mid Size Business
	Director, Filing And Payment Compliance
	Director, Filing Systems
	Director, Financial Management Services
	Director, Fraud/Bank Secrecy Act
	Director, Global High Wealth Industry
	Director, Government Entities
	Director, Heavy Manufacturing And Transportation
	Director, Human Resources—Small Business And Self Employed
	Director, Human Resources—Wage And Investment
	Director, Individual Master File
	Director, Individual Master Files
	Director, Information Technology Infrastructure
	Director, Information Technology Security Engineering
	Director, Information Technology Services
	Director, Infrastructure Architecture And Engineering
	Director, Internal Management
	Director, Internal Management Systems Development Division
	Director, International Compliance, Strategy, And Policy
	Director, Internet Development Services
	Director, Joint Operations Center
	Director, Leadership And Education
	Director, Legislative Affairs Division
	Director, Management And Support
	Director, Management Services
	Director, Management Services And Security
	Director, Media And Publications
	Director, Media And Publications Distribution Division
	Director, Mission Assurance
	Director, Network Architecture, Engineering, And Voice
	Director, Office Of Communications
	Director, Office Of Privacy And Information Protection
	Director, Office Of Privacy, Information Protection And Data Security
	Director, Office Of Professional Responsibility
	Director, Office Of Program Evaluation And Risk Analysis
	Director, Office Of Taxpayer Burden
	Director, Online Fraud Detection And Prevention
	Director, Operational Assurance
	Director, Operational Readiness
	Director, Operational Security Program
	Director, Operations Policy And Support
	Director, Performance, Quality And Innovation—Large And Mid Size Business
	Director, Personnel Policy
	Director, Personnel Security
	Director, Personnel Services
	Director, Planning And Analysis
	Director, Planning, Research And Analysis
	Director, Portal Program Management
	Director, Portfolio Management
	Director, Pre-Filing And Technical Guidance
	Director, Procurement
	Director, Product And Partnership Development
	Director, Product Assurance
	Director, Professional Responsibility
	Director, Program Analysis Customer Account Services—Wage And Investment
	Director, Program Control And Process Management
	Director, Program Integration

Agency and organization	Career reserved positions
	Director, Program Management And Technology
	Director, Project Services
	Director, Real Estate And Facilities Management
	Director, Refund Crimes
	Director, Regulatory Compliance
	Director, Reporting Compliance
	Director, Research
	Director, Research, Analysis And Statistics Of Income
	Director, Retail, Food, Pharmaceutical, And Health Care
	Director, Safety And Security
	Director, Security Policy, Support And Oversight
	Director, Service Delivery Management
	Director, Special Programs And Oversight
	Director, Specialty Programs
	Director, Stakeholder Liaison Field
	Director, Stakeholder, Partnership, Education And Communications
	Director, Stakeholder, Partnerships, Education, And Communications
	Director, Statistics
	Director, Strategic Planning And Program Management
	Director, Strategic Services
	Director, Strategy And Capital Planning
	Director, Strategy And Finance
	Director, Strategy And Finance—Wage And Investment
	Director, Strategy And Finance, Appeals
	Director, Strategy And Resource Management
	Director, Strategy, Criminal Investigations
	Director, Strategy, Program Management And Personnel Security
	Director, Strategy, Research And Performance Management
	Director, Strategy, Research And Program Planning
	Director, Submission Processing
	Director, Submission Processing (Cincinnati)—Wage And Investment
	Director, Tax Exempt Bonds
	Director, Tax Forms And Publications
	Director, Taxpayer Education And Communication—Small Business And Self Employed
	Director, Taxpayer Education And Communication Area, St Louis—Small Business And Self Employed
	Director, Taxpayer Education And Communication Field Operations
	Director, Taxpayer Education Area—Los Angeles
	Director, Taxpayer Education Area, Chicago—Small Business And Self Employed
	Director, Technical Services
	Director, Technical Systems Software
	Director, Test Assurance And Documentation
	Director, Treaty Administration And Tax Advisory Services
	Director, Whistleblower Office
	Director, Workforce Progression And Management
	Director, Workforce Relations
	Division Information Officer—Large And Mid Size Business
	Executive Director, Case Advocacy
	Executive Director, Systemic Advocacy—National Taxpayer Advocate
	Field Director, Accounts Management
	Field Director, Accounts Management, Wage And Investment
	Industry Director—Financial Services—Large And Mid Size Business
	Information Technology Manager, Policy And Planning
	Modernization Executive
	National Director Of Appeals
	Project Director
	Project Director—Appeals
	Project Director—Small Business And Self Employed
	Project Director (Business Requirements)
	Project Director (Small Business And Self Employed) Transition Executive)
	Project Director, Collection
	Project Director, Customer Account Data Engine
	Project Director, Employee Tax Compliance
	Project Director, National Research Study Project
	Project Director, Office Of Professional Responsibility
	Project Director, Private Debt Collection
	Project Director, Security And Law Enforcement
	Project Director, Taxpayer Communication
	Project Director, Technology Operations And Investigative Services
	Project Director, Workforce Of Tomorrow
	Project Manager

Agency and organization	Career reserved positions
	Senior Advisor To Associate Chief Information Officer (Enterprise Network)
	Senior Advisor To The Deputy Commissioner (Operations Support)
	Senior Advisor To The Deputy Commissioner For Services And Enforcement
	Senior Advisor, Information Systems Current Processing Environment Security
	Senior Advisor, Operational Information
	Senior Counselor To The Commissioner (Tax Administration, Practice And Professional Responsibility)
	Special Agent In Charge
	Special Agent In Charge—Criminal Investigation
	Special Agent In Charge, Los Angeles
	Special Assistant To The Associate Chief Information Officer For Applications Development
	Special Assistant To The Deputy Commissioner For Services And Enforcement
	Submission Processing Field Director
	Submission Processing Field Director—Andover
	Submission Processing Field Director—Atlanta
	Submission Processing Field Director—Austin
	Submission Processing Field Director—Fresno, California
	Submission Processing Field Director—Philadelphia
	Supervisory Criminal Investigator (Project Director)
Internal Revenue Service Chief Counsel	Area Counsel (Large And Mid Size Business) (Area 2) (Heavy Manufacturing, Construction And Transportation)
	Area Counsel (Large And Mid Size Business) (Area 4) (Natural Resources)
	Area Counsel (Large And Mid Size Business) (Area 5) (Communications, Technology, And Media)
	Area Counsel (Large And Mid-Size Business) (Area 1) (Financial Services And Health Care)
	Area Counsel (Small Business And Self Employed)—Chicago
	Area Counsel (Small Business And Self Employed)—Dallas
	Area Counsel (Small Business And Self Employed)—Denver
	Area Counsel (Small Business And Self Employed)—Jacksonville
	Area Counsel (Small Business And Self Employed)—Los Angeles
	Area Counsel (Small Business And Self Employed)—New York
	Area Counsel (Small Business And Self Employed)—Philadelphia
	Area Counsel (Small Business And Self Employed) (Area 7)
	Area Counsel, Large And Mid Size Business (Area 3) (Food, Mass Retailers, And Pharmaceuticals)
	Area Counsel, Small Business And Self Employed, Area 9
	Assistant Chief Counsel (Administrative Provisions And Judicial Practice)
	Assistant Chief Counsel (Collection, Bankruptcy And Summonses)
	Assistant Chief Counsel (Disclosure And Privacy Law)
	Assistant Chief Counsel (Employee Benefits)
	Assistant Chief Counsel (Exempt Organizations, Employment Tax, And Government Entities)
	Assistant Chief Counsel (International) (Litigation)
	Associate Chief Counsel (Corporate)
	Associate Chief Counsel (Finance And Management)
	Associate Chief Counsel (Financial Institutions And Products)
	Associate Chief Counsel (General Legal Services)
	Associate Chief Counsel (Income Tax And Accounting)
	Associate Chief Counsel (International)
	Associate Chief Counsel (Pass-through And Special Industries)
	Associate Chief Counsel (Procedure And Administration)
	Associate Chief Counsel/Operating Division Counsel (Tax Exempt And Government Entities)
	Deputy Associate Chief Counsel #1 (Income Tax And Accounting)
	Deputy Associate Chief Counsel #1 (Pass-through And Special Industries)
	Deputy Associate Chief Counsel #2 (Income Tax And Accounting)
	Deputy Associate Chief Counsel (Corporate)
	Deputy Associate Chief Counsel (Finance And Management)
	Deputy Associate Chief Counsel (Financial Institutions And Products)
	Deputy Associate Chief Counsel (General Legal Services)
	Deputy Associate Chief Counsel (General Legal Services) (Labor And Personnel Law)
	Deputy Associate Chief Counsel (International Field Service And Litigation)
	Deputy Associate Chief Counsel (International Technical)

Agency and organization	Career reserved positions
	Deputy Associate Chief Counsel (Procedure And Administration)
	Deputy Associate Chief Counsel (Strategic International Programs)
	Deputy Associate Chief Counsel #2 (Pass-through And Special Industries)
	Deputy Chief Counsel (Operations)
	Deputy Chief Counsel (Technical)
	Deputy Division Counsel (Large And Mid-Size Business)
	Deputy Division Counsel (Small Business And Self Employed)
	Deputy Division Counsel (Technical), Large And Mid-Size Business
	Deputy Division Counsel And Deputy Associate Chief Counsel (Tax Exempt And Government Entities)
	Deputy Division Counsel/Deputy Assistant Chief Counsel (Criminal Tax)
	Director, Employee Plans Examinations
	Division Counsel (Large And Mid-Size Business)
	Division Counsel (Small Business And Self Employed)
	Division Counsel (Wage And Investment)
	Division Counsel/Associate Chief Counsel (Criminal Tax)
	Senior Counsel To The Chief Counsel (Legislation)
	Special Counsel To The Chief Counsel
	Special Counsel To The National Taxpayer Advocate
Treasury Inspector General For Tax Administration	Assistant Inspector General For Audit (Headquarters Operations)
	Assistant Inspector General For Audit (Information Systems Programs)
	Assistant Inspector General For Audit (Small Business And Corporate Entities)
	Assistant Inspector General For Audit (Wage And Investment)
	Assistant Inspector General For Investigation
	Assistant Inspector General For Investigations (Field Operations)
	Associate Inspector General For Mission Support
	Counsel To The Treasury Inspector General For Tax Administration
	Deputy Assistant Inspector General For Investigations
	Deputy Inspector General
	Deputy Inspector General For Audit
	Deputy Inspector General For Inspections And Evaluations
	Deputy Inspector General For Investigations
United States Mint	Associate Director For Information Technology (Chief Information Officer)
	Associate Director For Manufacturing
	Associate Director For Policy And Management/Chief Financial Officer
	Associate Director For Sales And Marketing
	Plant Manager
	Plant Manager, Philadelphia
	Senior Advisor
Department Of The Treasury Office Of The Inspector General:	
Immediate Office	Deputy Inspector General
Office Of Audit	Assistant Inspector General For Audit
Department Of The Treasury Special Inspector General For The Troubled Asset Relief Program.	Chief Counsel For SIGTARP's
	Deputy Special Inspector General Operations
	Deputy Special Inspector General, Investigations
Department Of The Treasury Tax Administration Office Of The Inspector General.	Assistant Inspector General Compliance And Enforcement Operations
	Assistant Inspector General For Audit
	Assistant Inspector General For Investigations
	Assistant Inspector General Management And Exempt Organizations
	Assistant Inspector General Management Planning And Workforce Development
	Assistant Inspector General Returns Processing And Accounting Services
	Associate Inspector General For Mission Support
	Chief Counsel
	Chief Information Officer
	Deputy Assistant Inspector General For Investigations
	Deputy Inspector General For Audit
	Deputy Inspector General For Inspections And Evaluations
	Deputy Inspector General For Investigations
	Principal Deputy Inspector General
Department Of Transportation:	
Administrator	Assistant Administrator/Chief Safety Officer
	Chief Financial Officer
	Director Of Innovative Program Delivery
	Executive Director
Assistant Inspector General For Acquisition And Procurement Audits.	Assistant Inspector General For Acquisition And Procurement Audits

Agency and organization	Career reserved positions
Assistant Inspector General For Aviation And Special Program Audits.	Assistant Inspector General For Aviation And Special Program Audits
	Deputy Assistant Inspector General For Aviation And Special Program Audits
Assistant Inspector General For Financial And Information Technology Audits.	Assistant Inspector General For Financial And Information Technology Audits
Assistant Inspector General For Highway And Transit Audits	Assistant Inspector General For Highway And Transit Audits
	Deputy Assistant Inspector General For Highway And Transit Audits
Assistant Inspector General For Investigations, National Operations And Programs.	Assistant Inspector General For Investigations, National Operations And Programs
	Executive Director, Washington Investigative Operations
Assistant Inspector General For Maritime Program Audits And Economic Analysis.	Assistant Inspector General For Rail And Maritime Program Audits And Economic Analysis
Assistant Secretary For Administration	Assistant Secretary For Administration
Assistant Secretary For Budget And Programs	Chief Financial Officer
	Deputy Chief Financial Officer
Associate Administrator For Administration And Finance	Director, Office Of Financial Management/Deputy Chief Financial Officer
Associate Administrator For Business And Workforce Development	Associate Administrator For Ship Analysis And Cargo Preference
Associate Administrator For Enforcement	Associate Administrator For Enforcement
	Director, Office Of Defects Investigation
	Director, Office Of Vehicle Safety Compliance
Associate Administrator For Environment And Compliance	Associate Administrator For Environment And Compliance
	Deputy Associate Administrator For Environment And Compliance
Associate Administrator For Railroad Safety	Associate Administrator For Railroad Safety/Chief Safety Officer
Associate Administrator For Safety	Associate Administrator For Safety
Immediate Office Of The Administrator	Deputy Assistant Administrator/Deputy Chief Safety Officer
Office Of Acquisition Management	Director, Office Of Acquisition Management
Office Of Bus And Truck Standards And Operations	Director, Office Of Bus And Truck Standards And Operations
Office Of Chief Safety Officer	Assistant Administrator And Chief Safety Officer
Office Of Economic, Environmental Analysis And Administration	Director Of Economic, Environmental Analysis And Administration
Office Of Enforcement And Compliance	Director, Office Of Enforcement And Compliance
Office Of Inspector General	Assistant Inspector General For Administration
	Assistant Inspector General For Legal, Legislative And External Affairs
	Deputy Inspector General
Office Of Intelligence, Security And Emergency Response	Deputy Director
	Director, Office Of Intelligence, Security And Emergency Response
Office Of Pipeline Safety	Associate Administrator For Pipeline Safety
	Deputy Associate Administrator For Field Operations
	Deputy Associate Administrator For Policy And Programs
Office Of Real Estate Services	Director, Office Of Real Estate Services
Office Of Safety Assurance And Compliance	Director, Office Of Safety Assurance And Compliance
Office Of Safety Research And Development	Director, Office Of Safety Research, Development And Technology
Office Of Safety, Energy And Environment	Director
Office Of The Chief Financial Officer	Chief Financial Officer
	Deputy Chief Financial Officer And Chief Budget Officer
Office Of The Senior Procurement Executive	Senior Procurement Executive
Principal Assistant Inspector General For Auditing And Evaluation	Principal Assistant Inspector General For Auditing And Evaluation
Proceedings	Deputy Director—Legal Analysis
Department Of Transportation Office Of The Inspector General:	
Assistant Inspector General For Acquisition And Procurement Audits.	Assistant Inspector General For Acquisition And Procurement Audits
Assistant Inspector General For Administration	Assistant Inspector General For Administration
Assistant Inspector General For Amtrak, High Speed Rail And Economic Analysis.	Assistant Inspector General For Amtrak, High Speed Rail And Economic Analysis
Assistant Inspector General For Aviation And Special Program Audits.	Assistant Inspector General For Aviation And Special Program Audits
Assistant Inspector General For Financial And Information Technology Audits.	Assistant Inspector General For Financial And Information Technology Audits
Assistant Inspector General For Legal, Legislative And External Affairs.	Assistant Inspector General For Legal, Legislative And External Affairs
Assistant Inspector General For Special Investigations And Analysis.	Assistant Inspector General For Special Investigations And Analysis
Assistant Inspector General For Surface And Maritime Program Audits.	Assistant Inspector General For Surface And Maritime Program Audits
Deputy Assistant Inspector General For Aviation And Special Program Audits.	Deputy Assistant Inspector General For Aviation And Special Program Audits
Deputy Assistant Inspector General For Surface And Maritime Program Audits.	Deputy Assistant Inspector General For Surface And Maritime Program Audits
Deputy Inspector General	Deputy Inspector General
Principal Assistant Inspector General For Auditing And Evaluation	Principal Assistant Inspector General For Auditing And Evaluation
Principal Assistant Inspector General For Investigations	Principal Assistant Inspector General For Investigations
Department Of Veterans Affairs:	
Board Of Veterans' Appeals	Director, Management, Planning And Analysis

Agency and organization	Career reserved positions
	Principal Deputy Vice Chairman
	Vice Chairman
Department Of Veterans Affairs	Regional Counsel
National Cemetery Administration	Director, Office Of Finance And Planning
Office Of Acquisition And Materiel Management	Associate Deputy Assistant Secretary For Acquisitions
	Associate Deputy Assistant Secretary For Program Management And Operations
	Deputy Assistant Secretary For Acquisition And Materiel Management
	Executive Director, Center For Acquisition Innovation
	Executive Director/Chief Operating Officer
Office Of Acquisitions, Logistics And Construction	Associate Chief Facilities Management Officer For Resource Management
	Associate Chief Facilities Management Officer For Service Delivery
	Associate Chief Facilities Management Officer For Strategic Management
	Director, Construction And Facilities Management
	Executive Director
Office Of Asset Enterprise Management	Deputy Director, Asset Enterprise Management
Office Of Business Oversight	Director, Office Of Business Oversight
Office Of Emergency Management	Deputy Assistant Secretary For Emergency Management
Office Of Finance	Associate Deputy Assistant Secretary For Financial Systems And Operations
	Director, Financial Services Center
Office Of Human Resources Management	Associate Deputy Assistant Secretary For Human Resources Policy And Planning
Office Of Operations, Security And Preparedness	Director For Security And Law Enforcement
Office Of The Assistant Secretary For Information And Technology	Associate Deputy Assistant Secretary For Cyber Security
	Associate Deputy Assistant Secretary For Finance (Information Technology)
	Associate Deputy Assistant Secretary For Human Resources Career Development
	Associate Deputy Assistant Secretary For Information Technology Operations
	Associate Deputy Assistant Secretary For Policy, Portfolio Oversight And Execution
	Associate Deputy Assistant Secretary For Privacy And Records Management
	Deputy Assistant Secretary For Information Technology Resource Management
	Director, Veterans Affairs Automation Center, Austin, Texas
	Executive Director For Business Operations
	Executive Director For Quality And Performance
	Executive Director Oversight And Compliance
Office Of The Assistant Secretary For Management	Deputy Program Manager (Financial Systems)
	Principal Deputy Assistant Secretary For Management
	Program Manager (Financial Systems)
Office Of The General Counsel	Regional Counsel
Office Of The Inspector General	Assistant Inspector General For Auditing
	Assistant Inspector General For Healthcare Inspections
	Assistant Inspector General For Investigations
	Assistant Inspector General For Management And Administration
	Associate Director Of Medical Consultation And Review
	Counselor To The Inspector General
	Deputy Assistant Inspector General For Auditing
	Deputy Assistant Inspector General For Healthcare Inspections
	Deputy Assistant Inspector General For Investigations
	Deputy Assistant Inspector General For Management And Administration
	Deputy Inspector General
	Director Of Medical Consultation And Review
Office Of The Secretary And Deputy	Director, Office Of Employment Discrimination Complaint Adjudication
	Executive Director
Veterans Benefits Administration	Chief Financial Officer
	Deputy Chief Financial Officer
	Deputy Director For Operations
	Deputy Director For Policy And Procedures
Veterans Health Administration	Associate Chief Financial Officer For Core Financial And Logistics System And Decision Support Systems
	Associate Chief Information Officer Implementation And Training Services
	Chief Financial Officer
	Chief Operating Officer
	Chief Prosthetics And Clinical Logistics Officer
	Deputy Chief Financial Officer

Agency and organization	Career reserved positions
	Deputy Chief Procurement Officer
	Director Veterans Canteen Service
	Director, Office Of Compliance And Business Integrity
	Financial Manager
Department Of Veterans Affairs Office Of The Inspector General:	
Immediate Office Of The Inspector General	Counselor To The Inspector General
	Deputy Inspector General
Office Of The Assistant Inspector General For Audits And Evaluations.	Assistant Inspector General For Audits And Evaluations
	Deputy Assistant Inspector General For Auditing
	Deputy Assistant Inspector General For Audits And Evaluations (Headquarters Management And Inspections)
Office Of The Assistant Inspector General For Healthcare Inspections.	Assistant Inspector General For Healthcare Inspections
	Deputy Assistant Inspector General For Healthcare Inspections
	Medical Officer (Deputy Director Of Medical Consultation And Review)
	Medical Officer (Director Of Medical Consultation And Review)
Office Of The Assistant Inspector General For Investigations	Assistant Inspector General For Investigations
	Deputy Assistant Inspector General For Investigations (Headquarters Operations)
	Deputy Inspector General For Investigations (Field Operations)
Office Of The Assistant Inspector General For Management And Administration.	Assistant Inspector General For Management And Administration
	Deputy Assistant Inspector General For Management And Administration
Environmental Protection Agency:	
Air Pollution Prevention And Control Division	Director, Air Pollution Prevention And Control Division
Atlantic Ecology Division	Director, Atlantic Ecology Division
Center For Environmental Finance	Director, Center For Environmental Finance
	Director, Systems Planning And Integration Staff
Ecosystems Research Division	Director, Ecosystems Research Division
Environmental Sciences Division	Director, Environmental Sciences Division
Federal Facilities Enforcement Office	Director, Federal Facilities Enforcement Office
Federal Facilities Restoration And Reuse Office	Director, Federal Facilities Restoration And Reuse Office
Ground Water Ecosystems Restoration Division	Director, Ground Water Ecosystems Restoration Division
Gulf Ecology Division	Director, Gulf Ecology Division
Human Exposure And Atmospheric Sciences Division	Director, Human Exposure And Atmospheric Science Division
Human Studies Division	Director, Human Studies Division
Mid-Continent Ecology Division	Director, Mid-Continent Ecology Division
National Center For Environmental Assessment	Associate Director For Ecology
	Deputy Director For Management
	Director, National Center For Environmental Assessment
National Center For Environmental Assessment—Cincinnati, Ohio	Director, National Center For Environmental Assessment
National Center For Environmental Assessment—Research Triangle Park, North Carolina.	Director, National Center For Environmental Assessment
National Center For Environmental Assessment—Washington, Dc	Director, National Center For Environmental Assessment
National Center For Environmental Research	Deputy Director For Management
	Director, National Center For Environmental Research
National Exposure Research Laboratory—NRTL	Deputy Director For Management
	Director, Microbiological And Chemical Assessment Research Division
	Director, National Exposure Research Laboratory
National Health And Environmental Effects Research Laboratory	Associate Director For Ecology
	Associate Director For Health
	Deputy Director For Management
	Director, National Health And Environmental Effects Research Laboratory
National Homeland Security Research Center	Deputy Director For Management, National Homeland Security Research Center
	Director, National Homeland Security Research Center
National Risk Management Research Laboratory	Deputy Director For Management
	Director, National Risk Management Research Laboratory
Office Of Acquisition Management	Deputy Director, Office Of Acquisition Management
	Director, Office Of Acquisition Management
	Director, Superfund/Resource Conservation And Recovery Act Regional Procurement Operations Division
Office Of Administration And Resources Management—Cincinnati Ohio.	Director, Office Of Administration And Resources Management
Office Of Administration And Resources Management—Research Triangle Park, North Carolina.	Director, Office Of Administration And Resources Management
Office Of Administrative Services	Deputy Director, Office Of Administrative Services
	Director, Facilities Management And Services Division
	Director, Office Of Administrative Services
	Director, Safety, Health And Environmental Management Division
Office Of Air Quality Planning And Standards	Deputy Director, Office Of Air Quality Planning And Standards

Agency and organization	Career reserved positions
	Director, Air Quality Assessment Division
	Director, Air Quality Policy Division
	Director, Health And Environmental Impacts Division
	Director, Sector Policies And Programs Division
Office Of Atmospheric Programs	Director, Clean Air Markets Division
	Director, Climate Protection Partnership Division
Office Of Audit	Assistant Inspector General For Audits
Office Of Brownfield's Cleanup And Redevelopment	Director, Office Of Brownfield's Cleanup And Redevelopment
Office Of Budget	Director, Office Of Budget
Office Of Civil Enforcement	Deputy Director, Office Of Civil Enforcement
	Director, Air Enforcement Division
	Director, Office Of Civil Enforcement
Office Of Compliance	Deputy Director, Office Of Compliance
	Director, Compliance Assessment And Media Programs Division
	Director, Enforcement Targeting And Data Division
	Director, National Enforcement Training Institute
	Director, Office Of Compliance
Office Of Congressional And Public Liaison	Assistant Inspector General For Congressional And Public Liaison
Office Of Criminal Enforcement, Forensics And Training	Deputy Director, Office Of Criminal Enforcement, Forensics Training
	Director, Criminal Investigation Division
	Director, National Enforcement Investigations Center
	Director, Office Of Criminal Enforcement, Forensics And Training
Office Of Deputy General Counsel	Director, Resources Management Office
Office Of Emergency Management	Deputy Director, Office Of Emergency Management
Office Of Environmental Justice	Director, Office Of Environmental Justice
Office Of Executive Support	Director, Office Of Executive Services
Office Of Federal Activities	Director, International Compliance Assurance Division
Office Of Financial Management	Director, Office Of Financial Management
Office Of Financial Services	Director, Office Of Financial Services
Office Of Global Affairs And Policy	Director, Office Of Global Affairs And Policy
Office Of Grants And Debarment	Deputy Director, Office Of Grants And Debarment
	Director, Grants Administration Division
	Director, Office Of Grants And Debarment
Office Of Ground Water And Drinking Water	Director, Drinking Water Protection Division
	Director, Standards And Risk Management Division
Office Of Homeland Security	Director, Office Of Homeland Security
Office Of Human Capital	Assistant Inspector General For Human Capital
Office Of Human Resources	Deputy Director, Office Of Human Resources
	Director, Executive Resources Division
	Director, Office Of Human Resources
Office Of Information Analysis And Access	Deputy Director, Office Of Information Analysis And Access
Office Of Investigations	Assistant Inspector General For Investigations
Office Of Mission Systems	Assistant Inspector General For Mission Systems
Office Of Pesticide Programs	Deputy Director, Office Of Pesticides Programs (Management)
	Director, Antimicrobials Division
	Director, Biological And Economic Analysis Division
	Director, Biopesticides And Pollution Prevention Division
	Director, Environmental Fate And Effects Division
	Director, Field And External Affairs Division
	Director, Health Effects Division
	Director, Information Technology And Resources Management Division
	Director, Registration Division
	Director, Special Review And Reregistration Division
Office Of Planning, Analysis And Accountability	Director, Office Of Planning, Analysis And Accountability
Office Of Planning, Analysis And Results	Assistant Inspector General For Planning, Analysis And Results
Office Of Policy And Resource Management	Director, Office Of Policy And Resource Management
Office Of Pollution Prevention And Toxics	Director, Chemical Control Division
	Director, Economics Exposure And Technology Division
	Director, Environmental Assistance Division
	Director, Information Management Division
	Director, National Program Chemicals Division
	Director, Pollution Prevention Division
	Director, Risk Assessment Division
Office Of Program Evaluation	Assistant Inspector General For Program Evaluation
Office Of Program Management Operations	Associate Assistant Administrator (Management)
Office Of Radiation And Indoor Air	Deputy Director, Office Of Radiation And Indoor Air
	Director, Indoor Environments Division
	Director, Radiation Protection Division
Office Of Regional Counsel	Regional Counsel
Office Of Regulatory Policy And Management	Director, Office Of Regulatory Policy And Management
Office Of Resource Conservation And Recovery	Director, Materials Recovery And Waste Management Division
	Director, Program Implementation And Information Division
	Director, Resource Conservation And Sustainability Division
Office Of Resources Management And Administration	Director, Office Of Resources Management And Administration

Agency and organization	Career reserved positions
Office Of Science And Technology	Director, Engineering And Analysis Division
	Director, Health And Ecological Criteria Division
	Director, Standards And Health Protection
Office Of Science Coordination And Policy	Director, Office Of Science Coordination And Policy
Office Of Science Policy	Director, Office Of Science Policy
Office Of Site Remediation Enforcement	Deputy Director, Office Of Site Remediation Enforcement
	Director, Office Of Site Remediation Enforcement
Office Of Superfund Remediation And Technology Innovation	Director, Assessment And Remediation Division
	Director, Resources Management Division
Office Of Technology Operations And Planning	Deputy Director, Office Of Technology Operations And Planning
	Director, National Technology Services Division
	Director, Office Of Technology Operations And Planning
Office Of Technology Solutions	Director, Office Of Technology Solutions
Office Of The Assistant Administrator For Solid Waste And Emergency Response.	Director, Land Revitalization Staff
Office Of The Assistant Administrator For Administration And Resources Management.	Deputy Assistant Administrator For Administration And Resources Management
	Principal Deputy Assistant Administrator For Administration And Resources Management
	Senior Policy Advisor
Office Of The Assistant Administrator For Air And Radiation	Director, Office Of Policy Analysis And Review
	Senior Advisor
	Senior Policy Advisor (Agriculture)
Office Of The Assistant Administrator For Research And Development.	Director For Ecology
	Director For Sustainable Development
	Director, Office Of Scientific Information Management
Office Of The Assistant Administrator For Water	Director, American Indian Environmental Office
Office Of The Chief Financial Officer	Associate Chief Financial Officer
	Deputy Chief Financial Officer
	Senior Advisor
Office Of The Inspector General	Counsel To The Inspector General
	Deputy Inspector General
Office Of The Science Advisor	Chief Scientist To The Science Advisor
Office Of Transportation And Air Quality	Director, Advanced Technology Division
	Director, Assessment And Standards Division
	Director, Compliance And Innovative Strategies Division
	Director, Transportation And Regional Programs Division
Office Of Waste Water Management	Director, Municipal Support Division
	Director, Water Permits Division
Office Of Western Hemisphere And Bilateral Affairs	Director, Western Hemisphere And Bilateral Affairs
Office Of Wetlands, Oceans And Watersheds	Director, Assessment And Watershed Protection Division
	Director, Oceans And Coastal Protection Division
	Director, Wetlands Division
Region 1—Boston, Massachusetts	Director, Office Of Administration And Resources Management
	Director, Office Of Ecosystem Protection
	Director, Office Of Environmental Stewardship
	Director, Office Of Site Remediation Restoration
Region 10—Seattle, Washington	Assistant Regional Administrator For Management Programs
	Director, Office Of Air, Waste And Toxics
	Director, Office Of Compliance And Enforcement
	Director, Office Of Ecosystems And Communities
	Director, Office Of Environmental Cleanup
	Director, Office Of Water And Watersheds
Region 2—New York, New York	Assistant Regional Administrator For Policy And Management
	Director, Caribbean Environmental Protection Division
	Director, Enforcement And Compliance Assistance Division
	Director, Environmental Planning And Protection Division
	Director, Environmental Science And Assessment Division
	Director, Office Of Emergency And Remedial Response
Region 3—Philadelphia, Pennsylvania	Assistant Regional Administrator For Policy And Management
	Director, Air Protection Division
	Director, Chesapeake Bay Program Office
	Director, Environmental Assessment And Innovation Division
	Director, Hazardous Site Cleanup Division
	Director, Waste And Chemical Management Division
	Director, Water Protection Division
Region 4—Atlanta, Georgia	Assistant Regional Administrator For Policy And Management
	Director, Air, Pesticides And Toxics Management Division
	Director, Resource Conservation And Recovery Act Division
	Director, Science And Ecosystem Support Division
	Director, Superfund Division
	Director, Water Management Division
Region 5—Chicago, Illinois	Assistant Regional Administrator For Resources Management

Agency and organization	Career reserved positions
	Director, Air And Radiation Division
	Director, Great Lakes National Program Office
	Director, Superfund Division
	Director, Waste, Pesticides And Toxics Division
	Director, Water Division
Region 6—Dallas, Texas	Assistant Regional Administrator For Management
	Director, Compliance Assurance And Enforcement Division
	Director, Multimedia Planning And Permitting Division
	Director, Superfund Division
	Director, Water Quality Protection Division
Region 7—Kansas City, Kansas	Assistant Regional Administrator For Policy And Management
	Director, Air, Resource Conversation And Recovery Act And Toxics Division
	Director, Environmental Services Division
	Director, Superfund Division
	Director, Water, Wetlands And Pesticides Division
Region 8—Denver, Colorado	Assistant Regional Administrator For Ecosystems Protection And Remediation
	Assistant Regional Administrator For Partnerships And Regulatory Assistance
	Assistant Regional Administrator For Technical And Management Services
Region 9—San Francisco, California	Assistant Regional Administrator For Policy And Management
	Director, Air Division
	Director, Cross Media Division
	Director, Superfund Division
	Director, Waste Management Division
	Director, Water Management Division
Water Supply And Water Resources Division	Director, Water Supply And Water Resources Division
Western Ecology Division	Director, Western Ecology Division
Environmental Protection Agency Office Of The Inspector General:	Assistant Inspector General For Audits
	Assistant Inspector General For Congressional And Public Liaison, And Management
	Assistant Inspector General For Financial Investigations
	Assistant Inspector General For Homeland Security And Customer Liaison
	Assistant Inspector General For Mission Systems
	Assistant Inspector General For Program Evaluations
	Associate Deputy Inspector General And Counsel
	Chief Of Staff
	Deputy Inspector General
Office Of Cyber Investigation And Homeland Security	Assistant Inspector General For Cyber Investigation And Homeland Security
Equal Employment Opportunity Commission:	
Field Coordination Programs	Director, Field Coordination Programs
Field Management Programs	Director Field Management Programs
Office Of Field Programs	District Director (Baltimore)
	District Director (Cleveland)
	District Director (Dallas)
	District Director (Detroit)
	District Director (Los Angeles)
	District Director (Memphis)
	District Director (Miami)
	District Director (Milwaukee)
	District Director (San Francisco)
	District Director—(Atlanta)
	District Director—(Birmingham)
	District Director—(Charlotte)
	District Director—(Chicago)
	District Director—(Denver)
	District Director—(Houston)
	District Director—(Indianapolis)
	District Director—(New Orleans)
	District Director—(New York)
	District Director—(Philadelphia)
	District Director—(Phoenix)
	District Director—(San Antonio)
	District Director—(St Louis)
	National Mediation Executive Advisor
	Program Manager
Office Of The Inspector General	Inspector General
Federal Communications Commission:	
Office Of Inspector General	Inspector General
Federal Energy Regulatory Commission:	

Agency and organization	Career reserved positions
Office Of Energy Projects	Director Division Of Dam Safety And Inspection
Office Of Enforcement	Chief Accountant And Director, Division Of Financial Regulations
Federal Labor Relations Authority:	
Federal Service Impasses Panel	Executive Director, Federal Service Impasses Panel
Office Of Member	Chief Counsel
Office Of The Chairman	Chief Counsel
	Director, Policy And Performance Management
	Senior Advisor
	Solicitor
Office Of The Executive Director	Executive Director
Office Of The General Counsel	Deputy General Counsel
Regional Offices	Regional Director, San Francisco
	Regional Director—Atlanta
	Regional Director—Boston
	Regional Director—Dallas
	Regional Director—Washington, D.C.
Federal Maritime Commission:	
Bureau Of Certification And Licensing	Director, Bureau Of Certification And Licensing
Bureau Of Enforcement	Deputy Director Bureau Of Enforcement
	Director Bureau Of Enforcement
Bureau Of Trade Analysis	Director, Bureau Of Trade Analysis
Office Of Administration	Director Of Administration
Office Of The General Counsel	Deputy General Counsel For Reports Opinions And Decisions
Office Of The Secretary	Secretary
Federal Mediation And Conciliation Service:	
Office Of The Deputy Director	Director Of Field Operations
Office Of The Director	Chief Of Staff
	National Representative
Federal Retirement Thrift Investment Board:	
Federal Retirement Thrift Investment Board	Associate Director Of Publications
	Associate General Counsel
	Chief Financial Officer
	Chief Information Officer
	Chief Investment Officer
	Director Of Participant Services
	Director, Office Of Research And Strategic Planning
Federal Trade Commission:	
Bureau Of Competition	Deputy Director, Bureau Of Competition
Office Of Executive Director	Chief Information Officer
	Deputy Executive Director
Office Of International Affairs	Deputy Director For International Consumer Protection
Federal Trade Commission Office Of The Inspector General:	Inspector General
General Services Administration:	
Federal Acquisition Service	Assistant Commissioner For Acquisition Management
	Assistant Commissioner For Assisted Acquisition Services
	Assistant Commissioner For Customer Accounts And Research
	Assistant Commissioner For General Supplies And Services
	Assistant Commissioner For Integrated Technology Services
	Assistant Commissioner For Strategic Business Planning And Process Improvement
	Assistant Commissioner For Travel, Motor Vehicle And Card Services
	Chief Information Officer
	Controller
	Deputy Assistant Commissioner For General Supplies And Services
	Deputy Assistant Commissioner For Integrated Technology Services
	Director Of Governmentwide Acquisition Contracts And Information Technology Schedule Programs
	Director Of Motor Vehicle Management
	Director Of Network Services Programs
	Director Of Supply Operations
	Director Of Travel And Transportation Services
Great Lakes Region	Regional Commissioner For Public Buildings Service
Greater Southwest Region	Regional Commissioner For Federal Acquisition Service
	Regional Commissioner For Public Buildings Service
Mid-Atlantic Region	Regional Commissioner For Federal Acquisition Service
	Regional Commissioner For Public Buildings Service
	Regional Counsel
National Capital Region	Principal Deputy Regional Commissioner For Projects And Real Property Asset Management
	Principal Deputy Regional Commissioner For Public Buildings Service
	Project Executive For Real Estate Development
	Regional Commissioner For Federal Acquisition Service
	Regional Commissioner For Public Buildings Service
New England Region	Regional Commissioner For FAS, Region 1

Agency and organization	Career reserved positions
	Regional Commissioner For Public Buildings Service
Northeast And Caribbean Region	Regional Commissioner For Federal Acquisition Service
	Regional Commissioner For Public Buildings Service
Northwest/Arctic Region	Regional Commissioner For FAS, Region 10
	Regional Commissioner For Public Buildings Service
Office Of Citizen Services And Communications	Director Federal Citizen Information Center
Office Of Emergency Response And Recovery	Chief Emergency Response And Recovery Officer
Office Of Governmentwide Policy	Deputy Associate Administrator For Acquisition Policy
	Deputy Associate Administrator For Real Property Management
	Deputy Associate Administrator For Technology Strategy
	Deputy Associate Administrator For Travel, Transportation And Asset Management
Office Of Inspector General	Assistant Inspector General For Auditing
	Assistant Inspector General For Investigations
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Investigations
	Deputy Inspector General
	Principal Deputy Assistant Inspector General For Auditing
Office Of The Administrator	Senior Procurement Advisor
Office Of The Chief Acquisition Officer	Deputy Chief Acquisition Officer
	Director Of Acquisition Integrity
	Director Of Acquisition Systems
Office Of The Chief Financial Officer	Chief Financial Officer
	Deputy Chief Financial Officer For Financial Policy And Operations
	Director Of Budget
	Director Of Financial Management Systems
Office Of The Chief Human Capital Officer	Chief Human Capital Officer
	Chief Information Officer
	Deputy Chief Information Officer
	Director Of Human Capital Management
	Director Of Human Resources Services
Office Of The Chief Information Officer	Director Of Enterprise Infrastructure
	Director Of Enterprise Management Services
	Senior Agency Information Security Officer
Pacific Rim Region	Assistant Regional Administrator For Federal Supply Service
	Assistant Regional Administrator, Federal Acquisition Service
	Principal Deputy Regional Commissioner For Public Buildings Service
	Regional Commissioner For Public Buildings Service
Public Buildings Service	Assistant Commissioner For Applied Science
	Assistant Commissioner For Budget And Financial Management
	Assistant Commissioner For Construction Programs
	Assistant Commissioner For Facilities Management And Services Programs
	Assistant Commissioner For National Customer Services Management
	Assistant Commissioner For Organizational Resources
	Assistant Commissioner For Real Estate Acquisition
	Assistant Commissioner For Real Property Asset Management
	Deputy Assistant Commissioner For Real Estate Portfolio Management
	Deputy Assistant Commissioner For Real Property Disposal
	Deputy Assistant Commissioner For Vendor Alliance And Vendor Acquisition
	Director Of Federal High-Performance Green Buildings
	Program Executive
Rocky Mountain Region	Regional Commissioner For FAS, Region 8
	Regional Commissioner For Public Buildings Service
Southeast Sunbelt Region	Deputy Regional Commissioner For Real Estate Design, Construction And Development
	Regional Commissioner For Federal Acquisition Service
	Regional Commissioner For Public Buildings Service
The Heartland Region	Regional Commissioner For Federal Acquisition Service
	Regional Commissioner For Public Buildings Service
Merit Systems Protection Board:	
Atlanta Regional Office	Regional Director, Atlanta
Central Region, Chicago Regional Office	Regional Director, Chicago
Dallas Regional Office	Regional Director, Dallas
Northeast Region, Philadelphia Regional Office	Regional Director, Philadelphia
Office Of Financial And Administrative Management	Director, Financial And Administrative Management
Office Of Information Resources Management	Director, Information Resources Management
Office Of Policy And Evaluation	Director, Office Of Policy And Evaluation
Office Of Regional Operations	Director, Office Of Regional Operations
Office Of The Clerk Of The Board	Clerk Of The Board
Washington, Dc Region, Washington Regional Office	Regional Director, Washington, D.C.
Western Region, San Francisco Regional Office	Regional Director, San Francisco
National Aeronautics And Space Administration:	

Agency and organization	Career reserved positions
Aeronautics Research Mission Directorate	Director Strategy Communications And Program Integration
	Director, Aeronautics Technology Division
	Director, Airspace Systems Program Office
	Director, Aviation Safety Program Office
	Director, Fundamental Aeronautics
	Director, Mission Support Office
	Director, Mission Support Office
	Director, Resources Management Office
Aero physics	Chief, National Aeronautics And Space Administration Systems Division
Aerospace	Chief, Army/National Aeronautics And Space Administration Rotorcraft Division
Ames Research Center	Ames Research Center Liaison For University Affiliated Research Center
	Assistant To The Director
	Assistant To The Director For Aviation Safety
	Associate Director For Astrobiology And Space Programs
	Associate Director For Institutional Management And Engineering
	Associate Director For Institutions And Research
	Associate Director For Space Programs And Projects
	Associate Director For Systems Management And Planning
	Chief Counsel
	Chief Financial Officer
	Chief Information Officer
	Chief, Aviation Systems Division
	Chief, Computational Sciences Division
	Chief, Flight Vehicle Research And Tech Division
	Chief, Intelligent Systems Division
	Chief, Space Technology Division
	Chief, Spacecraft Design Center
	Deputy Associate Director For Institutions And Research
	Deputy Director Ames Research Center
	Deputy Director For Research
	Deputy Director Of Aeronautics
	Deputy Director Of Project Management And Engineering
	Deputy Director, Center Operations
	Deputy Director, Exploration Technology
	Director Of Center Operations
	Director Of Engineering
	Director, Aeronautics Test Program
	Director, Exploration Technology Directorate
	Director, National Aeronautics and Space Administration, Astrobiology Institute
	Director, New Ventures And Communications Directorate
	Director, Office Of Safety, Environment And Mission Assurance
	Director, Programs And Projects Directorate
	Director, Project Management And Engineering
	Human Capital Director
	Procurement Officer
	Special Assistant To The Director
Applied Engineering And Technology Directorate	Chief, Electrical Systems Division
	Chief, Information Systems Division
	Chief, Instrument Systems And Technology Division
	Chief, Mechanical System Division
	Chief, Mission Engineering And Systems Analysis Division
	Deputy Director Of Applied Engineering And Technology
	Deputy Director Of Applied Engineering And Technology For Planning And Business Management
Ares Projects Office	Deputy Manager, Ares Projects Office
	Manager, Ares Projects Office
	Manager, First Stage Office
	Manager, Upper Stage Engine Office
	Manager, Upper Stage Office
	Manager, Vehicle Integration Office
Astrobiology And Space Research	Chief, Life Sciences Division
	Chief, Space Science And Astrobiology Division
	Deputy Director Of Astrobiology And Space Research
	Director Of Astrobiology And Space Research
	Director Of Science
Astrophysics Division	Deputy, Director, Astrophysics Division
	Director, Astrophysics Division
Cape Canaveral Spaceport Management	Executive Director, Cape Canaveral Spaceport Management Office
Center Operations	Deputy Director, Center Operations
	Director Center Operations

Agency and organization	Career reserved positions
Chief Of Strategic Communications	Director, Business And Administration Operations
Comptroller	Chief Financial Officer/Comptroller
	Deputy Chief Financial Officer
Constellation Program Office	Assistant Orion Project Manager, Program Planning And Control, Constellation
	Assistant To The Director For Constellation
	Associate Program Manager For Lunar Formulation
	Constellation Program Deputy For The Orion Project
	Deputy Director, Program Planning And Control, Constellation
	Deputy Manager, Constellation Office
	Deputy Manager, Orbiter Project Office
	Director, Operation Integration, Constellation Program
	Director, Program Planning And Control, Constellation
	Director, Safety Reliability And Quality Assurance, Constellation
	Director, Systems Engineering And Integration, Constellation
	Director, Test And Verification, Constellation Program
	Manager For Technology Integration, Constellation
	Manager, Advanced Projects Office, Constellation Program
	Manager, Constellation Program
	Manager, Crew Exploration Vehicle Office, Constellation Program
	Transition Manager, Operations And Test Integration Office, CX Program
Dryden Flight Research Center	Aerospace Engineer (Chief Engineer)
	Associate Director For Operations
	Associate Director For Programs
	Chief Counsel
	Chief Financial Officer (Financial Manger)
	Chief Information Officer
	Deputy Associate Director For Operations
	Deputy Associate Director For Programs
	Deputy, Director, Aerospace Projects
	Director Flight Ops Directorate
	Director For Safety And Mission Assurance
	Director Research Systems Directorate
	Director, Aerospace Project Directorate
	Program Manager For Sofia
Earth Science Division	Deputy Director, Earth Science
	Program Director Research And Analysis Program
	Program Director Science Division
Engineering	Assistant Manager, Advanced Development Office
	Assistant To The Director
	Chief Avionic Systems Division
	Chief Energy Systems Division
	Chief Engineer Space Station Program
	Chief, Aeroscience And Flight Mechanics Division
	Chief, Automation, Robotics And Simulation Division
	Chief, Crew And Thermal Systems Division
	Chief, Structural Engineering Division
	Deputy Chief, Avionic Systems Division
	Deputy Director Of Engineering For Flight
	Deputy Director, Engineering
	Deputy Manager For Exploration
	Director, Engineering
	Manager, Advanced Development Office
	Manager, Engineering Services And Management Integration Office
	Manager, Program Engineering Integration Office
	Manager, Systems Architecture And Integration Office
	Senior Project Manager
	Senior System Engineer
Engineering Directorate	Assistant To The Chief Engineer
	Assistant To The Director, Engineering
	Associate Director For Operations
	Associate Director For Technical Management
	Chief Engineer
	Chief, Chief Engineer Office
	Chief, Mechanical And Fluid Systems Division
	Chief, Power And Avionics Division
	Chief, Systems Engineer
	Chief, Systems Engineering And Analysis Division
	Deputy Chief Engineer
	Deputy Director Of Engineering And Technical Services
	Deputy Director, Engineering Directorate
	Deputy Manager, Propulsion Systems Department
	Deputy Manager, Space Systems Department

Agency and organization	Career reserved positions
	Deputy Manager, Spacecraft And Vehicle Systems Department
	Director Of Engineering And Technical Services
	Manager, Materials And Processes Laboratory
	Manager, Mission Operations Laboratory
	Manager, Propulsion Systems Department
	Manager, Space Systems Department
	Manager, Spacecraft And Vehicle Systems Department
	Manager, Test Laboratory
	Shuttle Propulsion Chief Engineer
Eva Project Office	Manager Eva Project Office
	Manager, Constellation Eva Systems Project
Exploration Systems Mission Directorate	Assistant Associate Administrator For Administration
	Assistant Associate Administrator, Strategic Integration And Management
	Director Business Operations Division
	Director, Advanced Capabilities Division
	Director, Directorate Integration Office
	Director, Mission Integration Division
	Director, Resources Management Office
	Director, Strategic Integration And Management Office
	Manager, Advanced Space Technology Program
	Manager, Strategic Planning
	Special Assistant, Program Development
External Programs	Director, External Programs
External Relations	Assistant Director, External Relations
	Deputy Director, External Relations And Business Development
	Director, External Relations
Facilities And Test Directorate	Associate Director For Infrastructure Assessment
	Chief Facilities And Test Engineering Division
	Deputy Director Of Faculties And Test
	Director Of Facilities And Test
Flight Assurance	Deputy Director Of Systems Safety And Mission Assurance
	Director Of Systems Safety And Mission Assurance
Flight Crew Operations	Assistant Director, Flight Crew Operations
	Chief Astronaut Office
	Chief, Aircraft Operations Division
	Deputy Director, Flight Crew Operations
	Director, Flight Crew Operations
Flight Projects	Associate Director For Astrophysics Projects Division
	Associate Director For Earth Science Projects Division
	Associate Director For Earth Science Technology Office (ESTO)
	Associate Director For Exploration And Space Communications Projects Division
	Associate Director For Explorers And Heliophysics Projects Division
	Associate Director For James Webb Space Telescope Project
	Deputy Associate Director For Communications And Navigation
	Deputy Associate Director For Earth Science Operational Projects
	Deputy Associate Director For Earth Science Projects Division
	Deputy Associate Director For Exploration And Operational Systems
	Deputy Associate Director For Explorers And Heliophysics Science Projects Division
	Deputy Associate Director For Space Science Operations
	Deputy Director For Planning And Business Management
	Deputy Director Of Flight Projects
	Director Of Flight Projects
Glenn Research Center	Associate Director For Technical Planning, Policy, Analysis And Evaluation
	Chief Financial Officer
	Chief, Office Of Acquisition
	Director Of Center Operations
	Director, Systems Management Office
	Plum Brook Station Manager
Goddard Space Flight Center	Assistant Director For Advanced Concepts
	Special Assistant To Deputy Director
	Special Assistant To The Director
Heliophysics Division	Deputy, Director, Heliophyiscs Division
	Director, Heliphysics Division
	Program Director, Science Information And Telecommunications Systems
Human Resources	Director Of Human Capital Management
	Director, Human Resources Office
Independent Technical Authority And Systems Management	Director, Independent Technical Authority And Systems Management
Information Resources	Assistant To The Director
	Deputy Director, Information Systems

Agency and organization	Career reserved positions
	Director, Information Resources
Information Sciences And Technology	Chief, Human Factors Research And Technology Division
Information Technology	Deputy Director For Operations
Information Technology And Communications Services	Director, Information Technology And Communications Services
International Space Station And Payload Processing	Director, International Space Station/Payload Processing
Johnson Space Center	Assistant Director For Space Flight Awareness
	Assistant Director For University Research And Affairs
	Assistant To The Director, Engineering
	Associate Director (Management)
	Associate Director (Space Development And Commerce)
	Associate Director (Technical)
	Chief Engineer
	Chief Financial Officer
	Chief Information Officer
	Chief Knowledge Officer
	Chief Of Staff, International Space Station
	Chief Of Staff, Office Of The Director
	Deputy Associate Administrator, Strategic Program Planning
	Deputy Chief Engineer
	Deputy Chief Information Officer
	Director Of Human Resources
	Director Of Technical Transfer And Commercialization
	Director, Astromaterials Research And Exploration Science
	Director, External Relations
	Manager For International Operations
	Manager, Advanced Planning
	Manager, Exploration Programs Office
	Manager, Lunar Lander Project Office
	Technical Assistant To The Program Manager, ISSP
Kennedy Space Center	Associate Director For Business Operations, John F Kennedy Space Center
	Associate Director For Engineering And Technical Operations
	Associate Director, International Space Station And Spacecraft Processing
	Associate Program Manager, Constellation Program At KSC
	Chairperson, Engineering Services Contract Source Evaluation Board
	Chief Financial Officer
	Chief Medical Officer
	Chief, Electrical Division, Engineering Directorate
	Chief, Mechanical Division, Engineering Directorate
	Deputy Director, International Space Station And Spacecraft Processing Directorate
	Deputy Director, Center Operations
	Deputy Director, Constellation Project Office
	Deputy Director, Constellation Space Transportation Planning Office
	Deputy Director, Launch Vehicle Processing Directorate
	Deputy Director, Management, Constellation Project Office
	Deputy Director, Management, Engineering Development
	Deputy Director, Management, Engineering Directorate
	Deputy Director, Technical, Engineering Development
	Deputy Director, Technical, Engineering Directorate
	Director, Advanced Planning
	Director, Center Operations
	Director, Constellation Project Office
	Director, Constellation Space Transportation Planning Office
	Director, Design And Development Systems Engineering Office, Engineering Directorate
	Director, Engineering Development
	Director, Engineering Directorate
	Director, International Space Station And Spacecraft Processing Directorate
	Director, John F Kennedy Space Center
	Director, Launch Vehicle Processing Directorate
	Director, Operational Systems Engineering Office, Engineering Directorate
	Manager, Constellation Ground System Project Office, Constellation Project Office
	Manager, Flight And Ground Project Office, Constellation Space Transportation Planning Office
	Manager, Launch Vehicle Project, Constellation Space Transportation Planning Office
	Manager, Spacecraft Flight Hardware Project
	Special Assistant For Engineering And Technical Operations
	Special Assistant To The Deputy Director

Agency and organization	Career reserved positions
	Special Assistant To The Director
Kennedy Space Center Exploration Office	Director, Kennedy Space Center Exploration Office
Langley Research Center	Associate Director For Airborne Systems
	Associate Director For Special Programs
	Associate Director, Langley Research Center
	Chief Financial Officer
	Chief Information Officer
	Deputy Director For Advanced Projects
	Deputy Director For Programs
	Deputy Director For Safety
	Deputy Director, National Aeronautics And Space Administration Engineering And Safety Center
	Deputy Director, Research And Technology Directorate
	Deputy Director, Research And Technology Program Implementation
	Deputy Director, Research And Technology Test Operations
	Deputy Director, Safety And Mission Assurance Office
	Deputy Director, Systems Engineering Directorate
	Director, Advanced Planning And Partnership Office
	Director, Aeronautics Research Directorate
	Director, Center Operations Directorate
	Director, Earth System Science Pathfinder Program Office
	Director, Exploration And Space Operations Directorate
	Director, Exploration Technology Development Program Office
	Director, Flight Projects Directorate
	Director, Flight Research Services Directorate
	Director, Ground Facilities And Testing Directorate
	Director, National Aeronautics And Space Administration Engineering And Safety Center
	Director, Office Of Human Resources
	Director, Office Of Procurement
	Director, Office Of Strategic Communications And Education
	Director, Research And Technology Directorate
	Director, Safety And Mission Assurance Office
	Director, Science Directorate
	Director, Systems Analysis And Advanced Concepts Directorate
	Director, Systems Engineering Directorate
	Manager, Management And Technical Support Office
	Manager, Systems Engineering Office
	Senior Advisor For Composites
	Special Assistant To The Director
Launch Services Program	Deputy Manager, Launch Services Program
	Director, Expendable Launch Vehicle Launch Services
	Manager, Launch Services Program
MAF Transition Office	Chief Operating Officer, Michaud Assembly Facility
	Transition Manager, Michaud Assembly Facility
Management Operations	Associate Director For Acquisition
	Deputy Director Of Management Operations
Marshall Space Flight Center	Assistant For Project Management And Development
	Business Integration Executive
	Deputy Director Flight Projects Office
	Special Assistant To The Director For Special Projects
Mission Operations	Assistant Director For Operations
	Chief Engineer, Mission Operations Directorate
	Chief Flight Director Office
	Chief, Advanced Operations And Development Division
	Chief, Engineering Projects
	Chief, Space Transportation Vehicle Division
	Chief, Systems Division, Mission Operations Directorate
	Deputy Director, Mission Operations
	Director, Mission Operations
National Aeronautics and Space Administration, Safety Center	Director, Audits And Assessments
	Director, Technical Excellence
National Aeronautics and Space Administration, Shared Service Center.	Deputy Director, National Aeronautics And Space Administration Shared Services Center
	Director, Business And Administration
	Executive Director Of National Aeronautics And Space Administration Shared Service Center
National Aeronautics And Space Administration	Chief, Small Satellite Programs Office
	Deputy Director For Science
	Director Of Strategic Management And Advanced Planning
	Director, Strategic Communications And Development Directorate
	Senior Technical Advisor To The Director
	Special Assistant For Education
	Special Assistant To The Administrator

Agency and organization	Career reserved positions
Office Of Center Operations	Deputy Director, Office Of Center Operations
	Director, Office Of Center Operations
	Special Assistant To The Director, Office Of Center Operations
Office Of Chief Education Officer	Assistant Associate Administrator For Education
	Deputy Assistant Administrator For Integration
	Deputy Chief Education Officer
	Director Elementary And Secondary Education Division
Office Of Chief Information Officer	Deputy Chief Information Officer
Office Of Communications	Assistant Administrator For Procurement
	Assistant Administrator For Legislative And Intergovernmental Affairs
	Deputy Assistant Administrator For Legislative Affairs
	Deputy Associate Administrator For Legislative Affairs
	Director Media Services Division
Office Of External Relations	National Aeronautics And Space Administration Spain Representative
Office Of Human Capital	Deputy Director, Office Of Human Capital
	Director, Office Of Human Capital
	Special Assistant To Director, Office Of Human Capital
Office Of Inspector General	Assistant Inspector General For Audits
	Assistant Inspector General For Investigation
	Assistant Inspector General For Management And Planning
	Counsel To The Inspector General
	Deputy Assistant Inspector General For Audits
	Director, Computer And Technology Crimes Office
	Director, Technical Services Office
Office Of Institutions And Management	Director, Logistics Division
	Director, Shared Capability Asset Program
	Director, Strategic Capability Asset Program
	Senior Advisor For Security Protection
Office Of Institutions Management	Assistant Administrator For Human Capital Management
	Assistant Administrator For Procurement
	Assistant Administrator, Small/Disadvantaged Business Utilization
	Assistant Administrator For Security And Program Protection
	Deputy Assistant Administrator For Policy
	Deputy Assistant Administrator For Human Capital Management
	Director Environmental Management Division
	Director, Analysis Division
	Director, Contract Management Division
	Director, Facilities Engineering And Real Property Division
	Director, Headquarters Information Technology And Communications Division
	Director, Human Resource Management Division
	Director, Program Operations Division
	Director, Programs, Planning And Evaluation Division
	Director, Strategic Capability Asset Program
	Director, Workforce Management And Development Division
	Director, Workforce Strategy Division
	Director, Workforce Systems And Accountability Division
Office Of Legislative And Intergovernmental Affairs	Assistant Administrator For Legislative And Intergovernmental Affairs
	Director, Space Operations Division
	Director, Space Science And Aeronautics Division
	Manager, International Technology Transfer Policy
Office Of Procurement	Assistant Director Business Management
	Deputy Director, Office Of Procurement
	Director, Office Of Procurement
	Special Assistant To The Director
Office Of Program Analysis And Evaluation	Deputy Associate Administrator
	Deputy Director, Strategic Investment Division
	Deputy Director, Strategic Investments Division
	Deputy Director, Technical, Independent Program, Assessment
	Director, Independent Program Assessment Office
	Director, Agency Study Teams
	Director, Cost Analysis Division
	Director, Studies And Analysis Division
	Senior Study Analyst
Office Of Program And Institutional Integration	Deputy Director Of The Office Of Program And Institutional Integration
	Director Of Program And Institutional Integration Office
Office Of Safety And Mission Assurance	Chief, Safety And Mission Assurance Office
	Deputy Chief Safety And Mission Assurance Officer
	Director, Mission Support Division
	Director, Review And Assessment Division
	Director, Safety And Assurance Requirements Division
	Senior Advisor For Safety And Mission Assurance
Office Of Security Management And Safeguards	Assistant Administrator For Security Management
	Deputy Assistant Administrator For Security And Program Protection

Agency and organization	Career reserved positions
	Deputy Assistant Administrator For Security Management And Safeguards
Office Of Strategic Analysis And Communications	Director, Office Of Strategic Analysis And Communications
Office Of The Associate Director	Associate Director, George C Marshall Space Flight Center
Office Of The Chief Engineer	Armd, Chief Engineer
	Deputy Chief Engineer, Advanced Planning, Integration, And Engineering Support
	Deputy Chief Engineer, Program And Project Management Policy And Support
	Exploration Systems Mission Directorate Chief Engineer
	Science Mission Chief Engineer
	Senior Advisor
Office Of The Chief Financial Officer	Chief Financial Officer
	Deputy Chief Financial Officer
Office Of The Chief Financial Officer/Comptroller	Comptroller
	Deputy Chief Financial Officer
	Deputy Chief Financial Officer for Resources (Comptroller)
	Director For Performance Reporting
	Director, Business Integration
	Director, Center Fiscal Operations
	Director, Financial Management
	Director, Quality Assurance
	Director, Resource Planning Division
	Director, Strategic Management And Planning
	Senior Advisor To The Deputy Chief Financial Officer
Office Of The Chief Information Officer	Chief, Computer Services Division
	Deputy CIO For It Security
Office Of The Deputy Director	Associate Program Manager, Constellation Program
	Senior Executive For Technology And Integration
Office Of The Director	Deputy Manager, Constellation Program
	Special Assistant To The Director
Planetary Science Division	Deputy Director, Planetary Science Division
	Director, Planetary Science Division
	Mars Exploration Program Director
Procurement	Director, Procurement Office
Research And Development Services	Chief Systems Engineering Division
	Chief, Wind Tunnel Operations Division
Research And Technology Directorate	Chief, Aeropropulsion Division
	Chief, Communications, Instrumentation And Controls Division
	Chief, Materials And Structures Division
	Chief, New Business And Partnership Office
	Chief, Power And On-Board Propulsion Division
	Chief, Structures And Materials Division
Safety And Mission Assurance	Assistant To The Director, Safety And Mission Assurance
	Associate Director For Agency Occupational Health Program
	Associate Director For Safety And Mission Assurance
	Associate Director For Technical, Safety And Mission Assurance
	Deputy Director, Safety And Mission Assurance
	Director, Safety And Mission Assurance
Safety And Mission Assurance Directorate	Deputy Director For Program Assurance
	Deputy Director, Safety And Mission Assurance Directorate
	Director, Office Of Safety, Environmental And Mission Assurance
	Director, Safety And Mission Assurance Directorate
Science And Mission Systems Office	Chief Operating Officer, National Space Science And Technology Center
	Chief Scientist (Aerospace Technology, Science Program Management)
	Deputy Manager, Science And Mission Systems Office
	Manager, Lunar Program And Projects Office
	Manager, Science And Mission Systems Office
	Manager, Science Programs And Projects Office
Science Mission Directorate	Assistant Associate Administrator For Technology
	Associate Director, Solar System Exploration Division
	Associate Director, Sun-Earth Connection Division
	Deputy Associate Administrator For Management
	Deputy Associate Administrator For Programs
	Deputy Associate Administrator For Technology
	Deputy Director, For Programs, Earth Science Division
	Director, Applications Division
	Director, Strategic Integration And Management Division
	Senior Advisor
Sciences And Exploration	Associate Director For Advanced Concepts And Planning
	Chief, Goddard Institute For Space Studies
	Chief, Laboratory For Atmospheres

Agency and organization	Career reserved positions
	Deputy Director Of Sciences And Exploration
	Deputy Director Of Sciences And Exploration For Planning And Business Management
	Deputy Director, Astrophysics Science Division
	Deputy Director, Earth Sciences Division
	Deputy Director, Solar System Exploration Division
	Deputy For Planetary Science
	Director Of Sciences And Exploration
	Director, Astrophysics Science Division
	Director, Earth Sciences Division
	Director, Heliophysics Science Division
	Director, Solar System Exploration Division
Shuttle Processing	Deputy Director, Shuttle Processing
	Director Of Shuttle Processing
Shuttle Propulsion Office	Deputy Manager, Shuttle Propulsion Office
	Management Liaison For Exploration
	Manager, External Tank Project
	Manager, Propulsion Systems Engineering And Integration Office
	Manager, Reusable Solid Rocket Booster Project
	Manager, Shuttle Propulsion Office
	Manager, Space Shuttle Main Engine Project, Shuttle Propulsion Office
Space And Life Sciences	Assistant Director For Engineering
	Assistant Director For Flight Programs
	Assistant Director For Space Medicine
	Assistant Director, Space And Life Sciences
	Associate Director, Space And Life Sciences
	Associate Director, Technical
	Chief, Medical Sciences Division
	Deputy Associate Director, Biological Sciences And Applications
	Deputy Director, Requirements, Planning, And Integration
	Deputy Director, Space And Life Sciences
	Director, Space Life Sciences
	Manager Of Operations And Integration
	Manager, Human Research Program
Space Flight Systems Directorate	Chief, Advanced Flight Projects Office
	Deputy Director, Space Flight Systems
Space Operations Mission Directorate	Assistant Associate Administrator For Space Shuttle Program
	Assistant Associate Administrator For International Space Station
	Assistant Associate Administrator For Launch Services
	Assistant Associate Administrator For Resources Management And Analysis Office
	Assistant Associate Administrator For Space Shuttle Program
	Deputy Assistant Administrator For Program Integration
	Deputy Associate Administrator For Space Communications And Navigation
	Director, International Space Station And Space Shuttle Program Resource
	Manager, Rocket Propulsion Test Program Office
	Space Operations Mission Directorate Transition Manager
Space Physics	Senior Scientist Program Executive For Review And Evaluation
Space Shuttle Program	Assistant Manager Space Shuttle Program
	Associate Manager, SSP
	Deputy Manager, Space Shuttle Program
	Deputy Manager, Space Shuttle Program (Technical)
	Deputy Space Shuttle Program Manager For Kennedy Space Center
	Manager For Space Shuttle Program Development
	Manager Launch Integration (Kennedy Space Center)
	Manager, Orbiter Project Office
	Manager, Safety And Mission Assurance Office
	Manager, Space Shuttle Business Office
	Manager, Space Shuttle Flight Operations And Integration
	Manager, Space Shuttle Management Integration And Planning Office
	Manager, Space Shuttle Program
	Manager, Space Shuttle Program Integration
	Manager, Space Shuttle Systems Engineering And Integration Office
	Space Operations Commercialization Manager
Space Station Program Office	Associate Manager, International Space Station External Integration Office
	Associate Program Manager, International Space Station
	Deputy Manager, International Space Station Program
	Deputy Manager, SSP
	Deputy Program Manager For Technical Development
	Director, Human Space Flight Program—Russia
	Manager, Avionics And Software Office

Agency and organization	Career reserved positions
	Manager, External Relations Office, International Space Station
	Manager, International Space Station Payloads Office
	Manager, International Space Station Program
	Manager, Mission Integration And Operations Office
	Manager, Operations Integration
	Manager, Program Integration Office
	Manager, Program Planning And Control Office, International Space Station
	Manager, Research Programs
	Manager, Safety And Mission Assurance/Program Risk Office, ISSP
	Manager, Vehicle Office
	Technical Assistant For External Reviews
	Technical Assistant To The Manager, Space Station Program
Spaceport Services	Assistant Director, Center Operations
	Associate Director, Center Operations And Chief Medical Officer
	Director, Center Operations
Stennis Space Center	Associate Director
	Deputy Director, Engineering And Science Directorate
	Deputy Director, Stennis Space Center
	Director, Applied Sciences Directorate
	Director, Business Management Directorate
	Director, Center Operations Directorate
	Director, Engineering And Science Directorate
	Director, Projects Directorate
	Senior Advisor To The Director
	Special Assistant To The Director
White Sands Test Facility	Manager, National Aeronautics And Space Administration White Sands Test Facility
National Aeronautics And Space Administration Office Of The Inspector General:	Assistant Inspector General For Auditing
	Assistant Inspector General For Investigations
	Assistant Inspector General For Management And Planning
	Counsel To The Inspector General
	Deputy Inspector General
National Archives And Records Administration:	
Archivist Of United States And Deputy Archivist Of The United States.	Deputy Archivist Of The United States
Office Of Administration	Assistant Archivist For Administration
Office Of Information Services	Assistant Archivist For Information Services
Office Of Presidential Libraries	Assistant Archivist For Presidential Libraries
Office Of Records Services—Washington, Dc	Assistant Archivist For Records Services
Office Of Regional Records Services	Assistant Archivist For Regional Records Services
Office Of The Federal Register	Director Of The Federal Register
Office Of The Inspector General	Inspector General
National Capital Planning Commission:	
National Capital Planning Commission Staff	Chief Operating Officer
	Deputy Executive Director
	Executive Director
	General Counsel
National Endowment For The Arts:	
	Chief Information Officer
	Deputy Chairman For Management And Budget
	Director, Research And Analysis
National Endowment For The Arts Office Of The Inspector General:	Inspector General
National Endowment For The Humanities:	Assistant Chairman For Planning And Operations
National Labor Relations Board:	
Division Of Administration	Deputy Director, Division Of Administration
	Director, Division Of Administration
Division Of Advice	Associate General Counsel, Division Of Advice
	Deputy Associate General Counsel, Division Of Advice
Division Of Enforcement Litigation	Deputy Associate General Counsel, Appellate Court Branch
	Director, Office Of Appeals
Division Of Operations Management	Assistant General Counsel
	Assistant To General Counsel
	Associate General Counsel, Division Of Operation-Management
	Deputy Associate General Counsel, Division Of Operations-Management
National Labor Relations Board	Deputy Associate General Counsel, Division Of Enforcement Litigation
Office Of The Board Members	Chief Information Officer
	Deputy Executive Secretary
	Executive Secretary
	Inspector General
Regional Offices	Regional Director Region 2, New York
	Regional Director, Region 1, Boston, Massachusetts

Agency and organization	Career reserved positions
	Regional Director, Region 10, Atlanta, Georgia
	Regional Director, Region 11, Winston Salem, North Carolina
	Regional Director, Region 12, Tampa, Florida
	Regional Director, Region 13, Chicago, Illinois
	Regional Director, Region 14, Saint Louis, Missouri
	Regional Director, Region 15, New Orleans, Louisiana
	Regional Director, Region 16, Fort Worth, Texas
	Regional Director, Region 17, Kansas City, Kansas
	Regional Director, Region 18, Minneapolis, Minnesota
	Regional Director, Region 19, Seattle, Washington
	Regional Director, Region 20, San Francisco, California
	Regional Director, Region 21, Los Angeles, California
	Regional Director, Region 22, Newark, New Jersey
	Regional Director, Region 24, Hato Rey, Puerto Rico
	Regional Director, Region 25, Indianapolis, Indiana
	Regional Director, Region 26, Memphis, Tennessee
	Regional Director, Region 27, Denver, Colorado
	Regional Director, Region 28, Phoenix, Arizona
	Regional Director, Region 29, Brooklyn, New York
	Regional Director, Region 3, Buffalo, New York
	Regional Director, Region 30, Milwaukee, Wisconsin
	Regional Director, Region 31, Los Angeles, California
	Regional Director, Region 32, Oakland, California
	Regional Director, Region 34, Hartford, Connecticut
	Regional Director, Region 4, Philadelphia, Pennsylvania
	Regional Director, Region 5, Baltimore, Maryland
	Regional Director, Region 6, Pittsburgh, Pennsylvania
	Regional Director, Region 7, Detroit, Michigan
	Regional Director, Region 8, Cleveland, Ohio
	Regional Director, Region 9, Cincinnati, Ohio
National Science Foundation:	
Antarctic Infrastructure And Logistics Division	Division Director, Antarctic Infrastructure And Logistics
Budget Division	Deputy Director
	Division Director
Directorate For Biological Sciences	Deputy Assistant Director
	Executive Officer
Directorate For Computer And Information Science And Engineering.	Deputy Assistant Director
	Executive Officer
	Senior Staff Associate
Directorate For Education And Human Resources	Deputy Assistant Director For Integrative Activities
Directorate For Engineering	Senior Advisor
Directorate For Mathematical And Physical Sciences	Deputy Assistant Director
	Executive Officer
	Senior Advisor
	Senior Science Associate
Directorate For Social, Behavioral And Economic Sciences	Deputy Assistant Director
Division Of Acquisition And Cooperative Support	Division Director
Division Of Administrative Services	Deputy Division Director
	Division Director
Division Of Atmospheric And Geospace Sciences	Head (University Corporation For Atmospheric Research) Lower Atmospheric Facilities Oversight Section
Division Of Chemical, Bioengineering, Environmental, And Transport Systems.	Deputy Division Director
	Senior Advisor
Division Of Civil, Mechanical, And Manufacturing Innovation	Deputy Division Director
Division Of Earth Sciences	Section Head, Deep Earth Processes
Division Of Engineering Education And Centers	Deputy Division Director (Education)
	Senior Staff Associate
Division Of Environmental Biology	Deputy Division Director
Division Of Financial Management	Deputy Division Director, Division Of Financial Management
	Division Director And Deputy Chief Financial Officer
Division Of Grants And Agreements	Division Director
Division Of Human Resource Management	Deputy Division Director
	Division Director
Division Of Industrial Innovation And Partnerships	Senior Advisor
Division Of Information Systems	Deputy Division Director
Division Of Institutional And Award Support	Deputy Division Director
	Division Director
Division Of Integrative Organismal Systems	Deputy Division Director
Division Of Materials Research	Deputy Division Director
	Executive Officer
Division Of Mathematical Sciences	Deputy Division Director
	Executive Officer

Agency and organization	Career reserved positions
Division Of Ocean Sciences	Section Head, Integrative Programs Section
Division Of Physics	Executive Officer
Division Of Research On Learning In Formal And Informal Settings	Senior Advisor For Research
National Science Board	Senior Policy Officer
Office Of Budget, Finance And Award Management	Deputy Director—Management, Operations And Policy
	Deputy Director-Planning, Coordination And Analysis
	Director, Budget, Finance And Award And Chief Financial Officer
	Senior Advisor
Office Of Equal Opportunity Programs	Director, Office Of Equal Opportunity Programs
Office Of Information And Resource Management	Deputy Director
	Director
	Senior Advisor
	Senior Staff Associate
Office Of Integrative Activities	Senior Advisor
	Senior Advisor (Level-Ii)
	Senior Scientist
Office Of International Science And Engineering	Deputy Office Head
	Senior Staff Associate
Office Of The Director	Senior Advisor
	Senior Staff Associate
Office Of The General Counsel	Deputy General Counsel
Office Of The Inspector General	Assistant Inspector General For Audit
	Associate Inspector General For Audit
	Associate Inspector General For Investigations
	Deputy Inspector General
	Inspector General
National Transportation Safety Board:	
Office Of Administration	Director, Office Of Administration
Office Of Aviation Safety	Chief Scientist Aeronautical Engineering
	Deputy Director, Office Of Aviation Safety
	Deputy Director, Regional Operations
	Director Office Of Aviation Safety
Office Of Chief Financial Officer	Chief Financial Officer
Office Of Chief Information Officer	Chief Information Officer
Office Of Highway Safety	Director, Office Of Highway Safety
Office Of Management	Deputy Managing Director
	Managing Director
Office Of Marine Safety	Director, Office Of Marine Safety
Office Of Railroad, Pipeline And Hazardous Materials Investigations.	Deputy Director, Office Of Railroad, Pipeline And Hazardous Materials Safety
	Director, Office Of Railroad, Pipeline And Hazardous Materials Investigations
Office Of Research And Engineering	Deputy Director Office Of Research And Engineering
	Director Office Of Research And Engineering
Office Of Safety Recommendations And Advocacy	Director Office Of Safety Recommendations And Accomplish
Nuclear Regulatory Commission:	
Advisory Committee On Reactor Safeguards/Advisory Committee On Nuclear Waste And Materials.	Deputy Executive Director
Computer Security Office	Chief Information Security Officer/Director, Computer Security Office
Deputy Director For Engineering And Corporate Support	Associate Director For Engineering And Safety Systems
Deputy Director For Reactor Safety Programs	Associate Director For Operating Reactor Oversight And Licensing
	Deputy Director For Reactor Safety Programs
Division Of Component Integrity	Deputy Director, Division Of Component Integrity
	Director, Division Of Component Integrity
Division Of Construction Inspection And Operational Programs	Deputy Director, Division Of Construction Inspection And Operational Programs
	Director, Division Of Construction Inspection And Operational Programs
Division Of Engineering	Deputy Director, Division Of Engineering
	Director, Division Of Engineering
Division Of Fuel Cycle Safety And Safeguards	Deputy Director, Fuel Facility Licensing Directorate
	Deputy Director, Special Projects And Technical Support Directorate
	Director, Division Of Fuel Cycle Safety And Safeguards
Division Of High Level Waste Repository Safety	Deputy Director, Licensing And Inspection Directorate
	Deputy Director, Technical Review Directorate
	Director, Division Of High Level Waste Repository Safety
Division Of Inspection And Regional Support	Deputy Director, Division Of Inspection And Regional Support
	Director, Division Of Inspection And Regional Support
Division Of Intergovernmental Liaison And Rulemaking	Deputy Director, Division Of Intergovernmental Liaison And Rulemaking
	Director, Division Of Intergovernmental Liaison And Rulemaking
Division Of License Renewal	Deputy Director, Division Of License Renewal
	Director, Division Of License Renewal
Division Of Materials Safety And State Agreements	Deputy Director, Licensing And Inspection Support Directorate

Agency and organization	Career reserved positions
	Deputy Director, National Materials Program Directorate
	Director, Division Of Materials Safety And State Agreements
Division Of New Reactor Licensing	Deputy Director For Infrastructure And Policy
	Deputy Director For Licensing Operations
	Director, Division Of New Reactor Licensing
Division Of Operating Reactor Licensing	Deputy Director, Division Of Operating Reactor Licensing
	Director, Division Of Operating Reactor Licensing
Division Of Policy And Rulemaking	Deputy Director, Division Of Policy And Rulemaking
	Director, Division Of Policy And Rulemaking
Division Of Preparedness And Response	Deputy Director For Emergency Preparedness
	Deputy Director For Incident Response
	Director, Division Of Preparedness And Response
Division Of Risk Analysis	Deputy Director, Division Of Risk Analysis
	Director, Division Of Risk Analysis
Division Of Risk Assessment	Deputy Director, Division Of Risk Assessment
	Director, Division Of Risk Assessment
Division Of Safety Systems	Deputy Director, Division Of Safety Systems
	Director, Division Of Safety Systems
Division Of Safety Systems And Risk Assessment	Deputy Director, Division Of Safety Systems And Risk Assessment
	Director, Division Of Safety Systems And Risk Assessment
Division Of Security Operations	Deputy Director For Security Oversight
	Deputy Director For Security Programs
	Director, Division Of Security Operations
Division Of Security Policy	Deputy Director For Material Security
	Deputy Director For Reactor Security And Rulemaking
	Director, Division Of Security Policy
Division Of Site And Environmental Reviews	Deputy Director, Division Of Site And Environmental Reviews
	Director, Division Of Site And Environmental Reviews
Division Of Spent Fuel Storage And Transportation	Deputy Director, Licensing And Inspection Directorate
	Deputy Director, Technical Review Directorate
	Director, Division Of Spent Fuel Storage And Transportation
Division Of Systems Analysis	Deputy Director, Division Of Systems Analysis
	Director, Division Of Systems Analysis
Division Of Waste Management And Environmental Protection	Deputy Director, Decommissioning And Uranium Recovery Licensing Directorate
	Deputy Director, Environmental Protection And Performance Assessment Directorate
	Director, Division Of Waste Management And Environmental Protection
Office Of Administration	Associate Director For Space Planning And Consolidation
	Deputy Director, Division Of Administrative Services
	Deputy Director, Office Of Administration
	Director, Division Of Administrative Services
	Director, Division Of Contracts
	Director, Division Of Facilities And Security
Office Of Commission Appellate Adjudication	Director, Office Of Commission Appellate Adjudication
Office Of Federal And State Materials And Environmental Management Programs.	Deputy Director, Office Of Federal And State Materials And Environmental Management Programs
	Director, Program Planning, Budgeting, And Program Analysis Staff
Office Of Information Services	Deputy Director, Office Of Information Services
	Director, Business Process Improvement And Applications Division
	Director, Information And Records Services Division
	Director, Infrastructure And Computer Operations Division
	Director, Program Management, Policy Development And Analysis Staff
Office Of Investigations	Deputy Director, Office Of Investigations
Office Of New Reactors	Deputy Director, Office Of New Reactors
	Director, Advanced Reactor Program
	Director, Program Management, Policy Development And Planning Staff
Office Of Nuclear Material Safety And Safeguards	Director, Program Planning, Budgeting, And Program Analysis Staff
Office Of Nuclear Reactor Regulation	Deputy Director For Engineering And Corporate Support
	Director, Program Management, Policy Development And Planning Staff
Office Of Nuclear Regulatory Research	Director, Program Management, Policy Development And Analysis Staff
Office Of Nuclear Security And Incident Response	Deputy Director, Office Of Nuclear Security And Incident Response
	Director, Program Management, Policy Development, And Analysis Staff
	Special Assistant
Office Of Small Business And Civil Rights	Director, Office Of Small Business And Civil Rights
Office Of The Chief Financial Officer	Controller
	Deputy Chief Financial Officer
	Deputy Director, Division Of Planning, Budget, And Analysis
	Director Division Of Budget

Agency and organization	Career reserved positions
Office Of The General Counsel	Director, Commission Adjudicatory Technical Support Program
Region I	Deputy Director, Division Of Reactor Projects
	Deputy Director, Division Of Reactor Safety
	Deputy Regional Administrator
	Director Division Of Reactor Safety
	Director, Division Of Nuclear Materials Safety
	Director, Division Of Reactor Projects
Region II	Deputy Director, Division Of Construction Inspection
	Deputy Director, Division Of Construction Projects
	Deputy Director, Division Of Fuel Facility Inspection
	Deputy Director, Division Of Reactor Projects
	Deputy Director, Division Of Reactor Safety
	Deputy Regional Administrator For Construction
	Deputy Regional Administrator For Operations
	Director, Division Of Construction Inspection
	Director, Division Of Construction Projects
	Director, Division Of Fuel Facility Inspection
	Director, Division Of Reactor Projects
	Director, Division Of Reactor Safety
Region III	Deputy Director, Division Of Reactor Projects
	Deputy Director, Division Of Reactor Safety
	Deputy Regional Administrator
	Director, Division Of Nuclear Materials Safety
	Director, Division Of Reactor Projects
	Director, Division Of Reactor Safety
Region IV	Deputy Director, Division Of Reactor Projects
	Deputy Director, Division Of Reactor Safety
	Deputy Regional Administrator
	Director Division Of Reactor Projects
	Director, Division Of Nuclear Materials Safety
	Director, Division Of Reactor Safety
Nuclear Regulatory Commission Office Of The Inspector General:	
Assistant Inspector General For Audits	Assistant Inspector General For Audits
Assistant Inspector General For Investigations	Assistant Inspector General For Investigations
Nuclear Regulatory Commission Office Of The Inspector General:	Deputy Inspector General
Occupational Safety And Health Review Commission:	
Office Of The Executive Director	Executive Director
Office Of Government Ethics:	Deputy Director For Administration
	Deputy Director For Administration And Information Management
	Deputy Director For Agency Programs
	Deputy Director, For Government Relations And Special Projects
	Deputy General Counsel
Office Of Management And Budget:	
Budget Review	Assistant Director For Budget Review
	Chief Budget Analysis Branch
	Chief, Budget Concepts Branch
	Chief, Budget Review Branch
	Chief, Budget Systems Branch
	Deputy Assistant Director For Budget Analysis And Systems
	Deputy Assistant Director For Budget Review And Concepts
	Deputy Chief Budget Analysis Branch
	Deputy Chief, Budget Review Branch
Energy, Science And Water Division	Chief Science And Space Programs Branch
	Chief, Energy Branch
	Chief, Water And Power Branch
	Deputy Associate Director For Energy And Science Division
General Counsel	Associate General Counsel For Budget
Health Division	Chief Health And Financing Branch
	Chief, Health And Human Services Branch
	Chief, Medicaid Branch
	Chief, Medicare Branch
	Chief, Public Health Branch
	Deputy Associate Director For Health
Housing, Treasury And Commerce Division	Chief, Commerce Branch
	Chief, Housing Branch
	Chief, Treasury Branch
	Deputy Associate Director For Housing, Treasury And Commerce
Human Resource Programs	Chief, Education Branch
	Chief, Income Maintenance Branch
	Chief, Labor Branch
	Chief, Personnel Policy Branch
	Deputy Associate Director For Education, Income Maintenance And Labor
	Deputy Associate Director, Education And Human Resources Division

Agency and organization	Career reserved positions
	Senior Advisor
International Affairs Division	Chief, Economic Affairs Branch
	Chief, State/United States International Affairs Branch
	Deputy Associate Director For International Affairs
Legislative Reference Division	Assistant Director Legislative Reference
	Chief, Economics, Science And Government Branch
	Chief, Labor, Welfare, Personnel Branch
	Chief, Resources-Defense-International Branch
National Security Division	Chief Operations And Support Branch
	Chief Veteran Affairs Branch
	Chief, Command, Control, Communications, And Intelligence Branch
	Chief, Force Structure And Investment Branch
	Deputy Associate Director For National Security
Natural Resource Programs	Senior Advisor
Natural Resources Division	Chief Interior Branch
	Chief, Agricultural Branch
	Chief, Environment Branch
	Deputy Associate Director For Natural Resources
Office Of E–Government And Information Technology	Chief Architect
Office Of Federal Financial Management	Chief Federal Financial Systems Branch
	Chief, Financial Integrity And Analysis Branch
	Chief, Financial Standards And Grants Branch
	Senior Advisor To The Director
Office Of Federal Procurement Policy	Associate Administrator
	Associate Administrator (Acquisition Policy)
	Associate Administrator For Acquisition Implementation
	Associate Administrator For Procurement Law And Legislation
	Deputy Administrator For Federal Procurement Policy
Office Of Information And Regulatory Affairs	Chief Statistical Policy Branch
	Chief, Health, Transportation And General Government
	Chief, Information Policy And Technology Branch
	Chief, Natural Resources And Environment Branch
	Senior Advisor
Office Of The Director	Assistant Director For Management And Operations
	Deputy Assistant Director For Management
	Deputy Associate Director For Economic Policy
	Senior Advisor To The Deputy Director For Management
Transportation, Homeland, Justice And Services Division	Chief Transportation Branch
	Chief, Homeland Security
	Chief, Justice Branch
	Chief, Transportation/General Services Administration Branch
	Deputy Associate Director, Transportation, Homeland, Justice And Services
Office Of National Drug Control Policy:	
National Youth Anti-Drug Media Campaign	Associate Deputy Director For State, Local And Tribal Affairs (National Youth Anti-Drug Media Campaign)
Office Of Supply Reduction	Assistant Deputy Director Of Supply Reduction
	Associate Director For Intelligence
Office Of Personnel Management:	
Center For Contracting, Facilities, And Administrative Services	Deputy Associate Director For Contracting, Facilities, And Administrative Services
Center For Financial Services	Associate Chief Financial Officer For Center For Financial Services
Center For Information Services And Chief Information Officer	Deputy Associate Director And Chief Information Officer
Center For Merit System Accountability	Deputy Associate Director For Merit System Accountability
Center For Retirement And Insurance Services	Assistant Director For Retirement And Insurance Services Support Services
	Assistant Director For Retirement Services Programs
Center For Security And Emergency Actions	Deputy Associate Director For Security And Emergency Actions
Center For Workforce Planning And Policy Analysis	Chief Actuary
Center For Workforce Relations And Accountability Policy	Deputy Associate Director For Workforce Relations And Accountability Policy
Federal Investigative Services Division	Deputy Associate Director For Investigative Program Operations
Office Of The Chief Financial Officer	Chief Financial Officer
	Deputy Chief Financial Officer
Office Of The Inspector General	Assistant Inspector General For Audits
	Assistant Inspector General For Investigations
	Assistant Inspector General For Policy, Resources Management, And Oversight
	Deputy Assistant Inspector General For Audits
	Deputy Inspector General
Office Of Science And Technology Policy:	
Office Of Science And Technology Policy	Deputy Chief Of Staff And Assistant Director
Office Of Special Counsel:	
Headquarters, Office Of Special Counsel	Associate Special Counsel For Investigation And Prosecution

Agency and organization	Career reserved positions
	Associate Special Counsel For Legal Counsel And Policy
	Associate Special Counsel Planning And Oversight
	Chief Financial Officer And Director Of Administrative Services
	Director Of Management And Budget
	Director, Office Of Planning And Analysis
	Senior Associate Special Counsel For Investigation And Prosecution
Office Of The Secretary Of Defense:	
Assistant To The Secretary Of Defense For Nuclear And Chemical And Biological Defense Programs.	Deputy Assistant To The Secretary Of Defense (Nuclear Matters)
	Deputy Assistant To The Under Secretary Of Defense (Chemical And Biological Defense)
Defense Advanced Research Projects Agency	Deputy Director, Advanced Technology Office
	Deputy Director, Defense Advanced Research Project Agency
	Deputy Director, Defense Advanced Research Projects Agency/Director, Defense Science Office
	Deputy Director, Tactical Technology Office
	Director, Advanced Technology Office
	Director, Contracts Management Office
	Director, Information Processing Technology Office
	Director, Office Of Management Operations
	Director, Special Projects Office
	Joint Applications Study Group Program Manager
Defense Contract Audit Agency	Assistant Director, Operations
	Assistant Director, Policy And Plans
	Deputy Director, Defense Contract Audit Agency
	Deputy Regional Director, Western Region
	Director, Defense Contract Audit Agency
	Director, Field Detachment
Defense Contract Management Agency	Chief Information Officer
	Deputy Director, Defense Contract Management Agency
	Deputy Director, Defense Contract Management Agency District Boston
	Deputy Executive Director, Contract Management Operations
	Deputy General Counsel
	Director, Defense Contract Management Agency
	Director, Defense Contract Management Agency District Los Angeles
	Director, Defense Contract Management Agency—East
	Director, Defense Contract Management Agency—West
	Executive Director, Contract Management Operations
	Executive Director, Financial And Business Operations And Comptroller
	Executive Director, Ground Systems And Munitions Division
	Executive Director, Naval Sea Systems Division (Boston Division)
	Executive Director, Program Support And Customer Relations
	General Counsel
Defense Human Resources Activity	Chief Actuary
	Deputy Director For Advisory Services, Defense Human Resources Activity
	Deputy Director, Defense Manpower Data Center
	Director, Civilian Personnel Management Service
	Director, Defense Manpower Data Center
Defense Information Systems Agency	Brac Transition Executive
	Business Systems Executive
	Chief Engineer, Information Systems Security
	Chief Executive For Information Technology
	Chief Financial Executive/Comptroller
	Chief Information Officer
	Chief Technology Officer
	Chief, Center For Network Services
	Chief, Policy, Plans, And Appropriated Programs Division
	Chief, Transport Engineering Center
	Component Acquisition Executive
	Congressional Liaison Officer
	Deputy Chief Financial Executive/Comptroller
	Deputy Director, Net Centric Enterprise Services
	Director For Manpower, Personnel And Security
	Director For Network Services
	Director For Procurement And Chief, Defense Information Technology Contracting Organization
	Director For Strategic Planning And Information
	Inspector General
	Principal Director For Computing Services
	Principal Director For Network Services
	Principal Director, Global Information Grid Operations

Agency and organization	Career reserved positions
	Professor Of Information Science
	Program Executive Officer, Information Assurance Networks Operations
	Program Executive Officer, Satcom Teleport And Services
	Program Executive Officer, Satcom, Teleport And Services
	Systems Engineering Transformation Executive
	Test And Evaluation Executive
	Vice Director For Network Services
	Vice Principal Director, Global Information Grid Combat Support
Defense Logistics Agency	Chief Financial Officer
	Deputy Director, Logistics Operations And Readiness
	Deputy Commander Defense Distribution Center
	Deputy Commander, Defense Supply Center—Philadelphia
	Deputy Commander, Defense Supply Center, Columbus
	Deputy Commander, Defense Supply Center—Richmond
	Deputy Director, Customer Operations And Readiness
	Deputy Director, Defense Energy Support Center
	Deputy Director, Information Operations/Chief Technical Officer
	Deputy General Counsel (Administration)
	Director Defense Logistics Agency Accountability Office
	Director, Defense Energy Support Center
	Director, Defense Reutilization And Marketing Services
	Director, Information Operations/Chief Technical Officer
	Executive Director Human Resources
	Executive Director, Aviation Contracting And Acquisition Management
	Executive Director, Brac Implementation
	Executive Director, Enterprise Solutions
	Executive Director, Material Policy, Process, And Assessment
	General Counsel
	Principal Deputy Comptroller
	Program Executive Officer
Defense Security Cooperation Agency	Chief Information Officer/Principal Director For Information Technology
	Principal Director For Strategy
Defense Security Service	Chief Financial Officer
	Deputy Director For Industrial Security
	Deputy Director For Security Education, Training, And Awareness
	Deputy Director, Defense Security Service
	Director For Industrial Security
	Director, Defense Security Service
	Director, Personnel Security Clearance Office
Defense Threat Reduction Agency	Associate Director, Business Enterprise
	Associate Director, Operations Enterprise
	Chief, Operational Applications Division
	Chief, Simulation And Test Division
	Deputy Associate Director, Business Enterprise
	Deputy Director, On-Site Inspection
	Deputy Director, Operations Directorate
	Director For Electronics And Systems
	Director, Chemical-Biological Defense Technologies Directorate
	Director, Counter Weapons Of Mass Destruction Technologies
	Director, Counterproliferation Support And Operations
	Director, Nuclear Technologies Directorate
	Director, System Applications Division
Deputy Under Secretary Of Defense (Acquisition And Technology)	Assistant Deputy Under Secretary Of Defense (Acquisition Process And Policies)
	Assistant Director, Land Systems
	Deputy Director (Missile Warfare)
	Deputy Director Air Warfare
	Deputy Director For Cost, Price And Finance
	Deputy Director Naval Warfare
	Deputy Director, Assessments And Support
	Deputy Director, Acquisition Management
	Deputy Director, Acquisition Workforce And Career Management
	Deputy Director, Contract Policy And International Contracting
	Deputy Director, Defense Acquisition Regulations System
	Deputy Director, Developmental Test And Evaluation
	Deputy Director, Land Warfare And Munitions
	Deputy Director, Program Acquisition And Contingency Contracting
	Deputy Director, Strategic Sourcing
	Deputy Director, Treaty Compliance
	Director, Defense Procurement And Acquisition Policy
	Special Assistant Concepts And Plans
	Technical Director, Force Development
Director, Operational Test And Evaluation	Deputy Director For Live Fire Test And Evaluation

Agency and organization	Career reserved positions
Missile Defense Agency	Chief Engineer, Ground-Based Midcourse Defense
	Deputy Director, Joint National Integration Center
	Deputy For Acquisition Management
	Deputy For Engineering
	Deputy Program Director For Battle Management, Command And Control
	Deputy Program Director, BC
	Director For Advanced Technology
	Director For Systems Engineering And Integration
	Director, Contracting
	Executive Director
	Program Director For Battle Management, Command And Control
	Program Director, Ground Missile Defense
	Program Director, Ground-Based Midcourse Defense
	Program Director, Multiple Kill Vehicle
	Program Director, Targets And Countermeasures
Office Assistant Secretary Of Defense (Health Affairs)	Deputy Chief, Tricare Acquisitions Directorate
	Director, Information Management, Technology And Reengineering/Military Health System Chief Information Officer
	General Counsel
	Regional Director, Tricare Regional Office—North
	Regional Director, Tricare Regional Office—South
Office Of Assistant Secretary Of Defense (Public Affairs)	Deputy Director, American Forces Information Service
	Director Armed Forces Radio And Television Service
	Director, Defense Media Activity
Office Of Assistant Secretary Of Defense (Reserve Affairs)	Principal Director (Manpower And Personnel)
Office Of Director Of Administration And Management	Assistant Director, Law Enforcement
	Director, Pentagon Force Protection Agency
	Principal Deputy Director, Pentagon Force Protection Agency
Office Of Inspector General	Assistant Inspector General Administrative Investigations
	Assistant Inspector General For Acquisition And Contract Management
	Assistant Inspector General For Administration And Management
	Assistant Inspector General For Audit Policy And Oversight
	Assistant Inspector General For Inspections And Evaluations
	Assistant Inspector General For Investigative Policy And Oversight
	Assistant Inspector General For Readiness And Operations Support
	Assistant Inspector General, Defense Financial Auditing Service
	Assistant Inspector General, Office Of Communications And Congressional Liaison
	Deputy Director, Defense Criminal Investigative Service
	Deputy Inspector General For Auditing
	Deputy Inspector General For Inspections And Policy And Oversight
	Deputy Inspector General For Intelligence
	Deputy Inspector General For Investigations
	Director, Defense Criminal Investigative Service—Assistant Inspector General For Investigations
	General Counsel And Assistant Inspector General For The Office Of Legal Counsel
	Principal Audit Inspector General For Auditing
	Principal Deputy Assistant Inspector General, Defense Financial Auditing Service
	Principal Deputy Inspector General
Office Of The Assistant Secretary Of Defense (Global Strategic Affairs).	Deputy Director, Defense Technology Security Administration
Office Of The Assistant Secretary Of Defense (Special Operations/Low Intensity Conflict And Interdependent Capabilities).	Director, Resources
Office Of The Director Of Defense Research And Engineering	Assistant Deputy Under Secretary Of Defense (Full Dimensional Protection)
	Director For Biological Systems
	Director For Information Technology
	Director For Science And Technology Plans And Programs
	Director For Technology Transition
	Director For Weapons Systems
	Director, Plans And Programs
	Director, Space And Sensor Technology
	Principal Deputy Director, Defense Research And Engineering/Director, Plans An Programs
Office Of The General Counsel	Deputy General Counsel (Inspector General)
	Director Defense Office Of Hearings And Appeals
	Director, Office Of Litigation
Office Of The Joint Chiefs Of Staff	Deputy Director For Wargaming, Simulation And Analysis
Office Of The Secretary	Assistant To The Secretary Of Defense For Intelligence Oversight
Office Of The Under Secretary Of Defense (Acquisition, Technology, And Logistics).	Deputy Director, Acquisition Management

Agency and organization	Career reserved positions
	Deputy Director, Enterprise Information And OSD Studies
	Deputy Director, Resource Analysis
	Director (Planning And Analysis)
	Director For Administration
	Director, Acquisition Resources And Analysis
	Director, Environmental Readiness And Safety
	Director, Pacific Armaments Cooperation
	Principal Deputy, Acquisition Resources And Analysis
Office Of The Under Secretary Of Defense (Comptroller)	Assistant Deputy Chief Financial Officer
	Deputy Chief Financial Officer
	Deputy Director For Operations
	Deputy Director For Program And Financial Control
	Director, Program And Financial Control
Office Of The Under Secretary Of Defense (Policy)	Foreign Relations And Defense Policy Manager
Regional Managers	Assistant Director, Integrity And Quality Control
	Deputy Regional Director Central Region
	Deputy Regional Director Eastern Region
	Deputy Regional Director Mid Atlantic Region
	Deputy Regional Director Northeastern Region
	Regional Director, Central
	Regional Director, Eastern
	Regional Director, Mid-Atlantic
	Regional Director, Northeastern
	Regional Director, Western
Washington Headquarters Services	Deputy Director, Defense Facilities Directorate
	Deputy Director, Human Resources Directorate
	Director, Acquisition And Procurement Office
	Director, Defense Facilities Directorate
	Director, Defense Facilities Directorate/Principal Deputy To The Director, Washington Headquarters Services
	Director, Freedom Of Information And Security Review
	Director, Human Resources Directorate
Office Of The Secretary Of Defense Office Of The Inspector General:	
Acquisition And Contract Management	Assistant Inspector General For Acquisition And Contract Management
Administrative Investigations	Deputy Inspector General Administrative Investigations
Audit Policy And Oversight	Assistant Inspector General For Audit Policy And Oversight
Defense Business Operations	Assistant Inspector General For Defense Business Operations
	Deputy Director, Defense Business Operations
Defense Criminal Investigative Service	Deputy Director, Defense Criminal Investigative Service
	Director, Defense Criminal Investigative Service-Assistant Inspector General For Investigations
Deputy Inspector General For Administrative Investigations	Deputy Inspector General For Special Plans And Operations
Deputy Inspector General For Auditing	Deputy Inspector General For Auditing
Deputy Inspector General For Intelligence	Deputy Inspector General For Intelligence
Deputy Inspector General For Investigations	Deputy Inspector General For Investigations
Deputy Inspector General For Policy And Oversight	Deputy Inspector General For Policy And Oversight
Executive Assistant Director Defense Criminal Investigative Service.	Executive Assistant Director, Defense Criminal Investigative Service
Inspections And Evaluations	Assistant Inspector General For Inspections And Evaluations
Investigative Policy And Oversight	Assistant Inspector General For Investigative Policy And Oversight
Office Of Administration And Management	Assistant Inspector General For Administration And Management
Office Of Communications And Congressional Liaison	Assistant Inspector General, Office Of Communications And Congressional Liaison
Office Of The General Counsel	General Counsel
Office Of The Principal Deputy Inspector General For Auditing	Principal Assistant Inspector General For Auditing
Office Of The Secretary Of Defense Office Of The Inspector General:	Principal Deputy Inspector General
Readiness, Operations And Support	Assistant Inspector General For Readiness, Operations And Support
Office Of The United States Trade Representative:	
Industry, Market Access And Telecommunications	Assistant United States Trade Representative For Industry, Market Access And Telecommunications
Labor	Assistant United States Trade Representative For Labor
South Asian Affairs	Assistant United States Trade Representative For South Asian Affairs
Railroad Retirement Board:	
Board Staff	Assistant Inspector General For Audit
	Assistant Inspector General For Investigations
	Chief Actuary
	Chief Financial Officer
	Chief Information Officer
	Chief Of Technology Service
	Deputy General Counsel
	Director Of Administration
	Director Of Field Service
	Director Of Fiscal Operations
	Director Of Hearings And Appeals

Agency and organization	Career reserved positions
	Director Of Operations
	Director Of Policy And Systems
	Director Of Programs
	General Counsel
Selective Service System:	
Office Of The Director	Senior Advisor To The Director
Small Business Administration:	
Auditing Division	Assistant Inspector General For Auditing
Investigations Division	Assistant Inspector General For Investigations
Management And Policy Division	Assistant Inspector General For Management And Policy
Office Of Business Development	Associate Administrator For Business Development
Office Of Capital Access	Deputy Associate Administrator For Capital Access
Office Of Entrepreneurial Development	Deputy Associate Administrator For Entrepreneurial Development
Office Of Equal Employment Opportunity And Civil Rights Compliance.	Assistant Administrator For Equal Employment Opportunity And Civil Rights Compliance
Office Of Field Operations	District Director
Office Of Financial Assistance	Assistant Administrator For Portfolio Management
	Deputy Associate Administrator For Financial Assistance
	Director Of Financial Assistance
Office Of Government Contracting And Business Development	Director Of Business Development
Office Of Hearings And Appeals	Assistant Administrator For Hearings And Appeals
Office Of Human Capital Management	Chief Human Capital Officer
Office Of Policy, Planning And Liaison	Associate Administrator For Procurement Policy And Liaison
Office Of Surety Guarantees	Director For Surety Bonds And Guarantees Programs
Office Of The Chief Financial Officer	Associate Administrator For Performance Management And Chief Financial Officer
	Deputy Chief Financial Officer
Office Of The General Counsel	Associate General Counsel For Financial Law And Lender Oversight
	Associate General Counsel For General Law
	Associate General Counsel For Procurement Law
	Associate General Counsel Litigation
Office Of The Inspector General	Counsel To The Inspector General
	Deputy Inspector General
Small Business Administration Office Of The Inspector General:	Assistant Inspector General For Auditing Division
	Assistant Inspector General For Investigations
	Assistant Inspector General For Management And Policy
	Counsel To The Inspector General
	Deputy Inspector General
Social Security Administration:	
Office Of Acquisition And Grants	Associate Commissioner For Acquisition And Grants
	Deputy Associate Commissioner For Acquisition And Grants
Office Of Appellate Operations	Deputy Executive Director, Office Of Appellate Operations
	Executive Director, Office Of Appellate Operations
Office Of Audit	Assistant Inspector General For Audit
	Deputy Assistant Inspector General For Audit
	Deputy Assistant Inspector General For Audit (Program Audits And Evaluations)
Office Of Budget	Associate Commissioner For Budget
	Deputy Associate Commissioner For Budget
Office Of Budget, Finance And Management	Assistant Deputy Commissioner For Budget, Finance And Management
Office Of Civil Rights And Equal Opportunity	Associate Commissioner For Civil Rights And Equal Opportunity
Office Of Disability Adjudication And Review	Assistant Deputy Commissioner For Disability Adjudication And Review
	Deputy Commissioner For Disability Adjudication And Review
Office Of Disability Determinations	Associate Commissioner For Disability Determinations
Office Of Federal Reviewing Official	Chief Federal Reviewing Official
Office Of Financial Policy And Operations	Associate Commissioner, Office Of Finance Policy And Operations
	Deputy Associate Commissioner Financial Policy And Operations
	Deputy Associate Commissioner For Financial Policy And Operations (Payments, Conference Management And Travel)
Office Of General Law	Associate General Counsel For General Law
	Deputy Associate General Counsel For General Law
Office Of Investigations	Assistant Inspector General For Investigations
	Deputy Assistant Inspector General For Investigations (Field Operations)
	Deputy Assistant Inspector General For Investigations (National Investigative Operations)
Office Of Labor-Management And Employee Relations	Associate Commissioner For Labor-Management And Employee Relations
	Deputy Associate Commissioner For Labor-Management And Employee Relations
Office Of Medical And Vocational Expertise	Associate Commissioner For Medical And Vocational Expertise
Office Of Personnel	Associate Commissioner For Personnel
	Deputy Associate Commissioner For Personnel
Office Of Program Law	Deputy Associate General Counsel For Program Law

Agency and organization	Career reserved positions
Office Of Public Disclosure	Executive Director For Public Disclosure
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	Deputy Commissioner For Quality Performance
Office Of Technology And Resource Management	Assistant Inspector General For Technology And Resource Management
Office Of Telecommunications And Systems Operations	Assistant Associate Commissioner For Enterprise Information Technology Services Management
	Associate Commissioner For Telecommunications And Systems Operations
	Deputy Associate Commissioner For Telecommunications And Systems Operations
	Deputy Associate Commissioner For Telecommunications And Systems Operations (Systems Operations)
	Deputy Associate Commissioner For Telecommunications And Systems Operations (Telecommunications)
Office Of The Chief Actuary	Chief Actuary
	Deputy Chief Actuary (Long-Range)
	Deputy Chief Actuary (Short-Range)
Office Of The Chief Information Officer	Associate Chief Information Officer For Information Technology Investment Management
	Deputy Chief Information Officer
Office Of The Inspector General	Assistant Inspector General For External Relations
	Counsel To The Inspector General
	Deputy Inspector General
Social Security Administration Office Of The Inspector General:	
Immediate Office Of The Inspector General	Deputy Inspector General
Office Of Audit	Assistant Inspector General For Audit
	Deputy Assistant Inspector General For Audit (Financial Systems And Operations Audits)
	Deputy Assistant Inspector General For Audit (Program Audit And Evaluations)
Office Of Counsel To The Inspector General	Counsel To The Inspector General
Office Of External Relations	Assistant Inspector General For External Relations
Office Of Investigations	Assistant Inspector General For Investigations
	Deputy Assistant Inspector General For Investigations (FO)
	Deputy Assistant Inspector General For Investigations (NIO)
Office Of Technology And Resource Management	Assistant Inspector General For Technology And Resource Management
Trade And Development Agency:	
Office Of The Director	Assistant Director For Policy And Programs
United States Agency For International Development:	
Bureau For Africa	Deputy Assistant Administrator
Bureau For Democracy, Conflict, And Humanitarian Assistance	Deputy Assistant Administrator
	Deputy Director, Office Of Foreign Disaster Assistance
	Deputy Director, OMA
Bureau For Foreign Assistance	Senior Coordinator
Bureau For Global Health	Deputy Assistant Administrator
Bureau For Management	Chief Financial Officer, Office Of Financial Management
	Chief Information Officer
	Deputy Assistant Administrator
	Deputy Chief Financial Officer
	Deputy Chief Financial Officer
	Deputy Director
	Deputy Director For OAA Policy, Support, And Evaluation
	Deputy Director, OAA Operations
	Director, Office Of Administrative Service
	Director, Office Of Management, Policy, Budget And Performance
Office Of Equal Opportunity Programs	Director Office Of Equal Opportunity Programs
Office Of Security	Director, Office Of Security
Office Of Small And Disadvantaged Business Utilization	Director, Office Of Small And Disadvantage Business Utilization
Office Of The Inspector General	Assistant Inspector General For Management
	Counselor To The Inspector General
	Deputy Assistant Inspector General For Audit
	Deputy Inspector General
	Supervisory Auditor
	Supervisory Criminal Investigator
United States International Trade Commission:	
Office Of External Relations	Director, Office Of External Relations
Office Of Industries	Director, Office Of Industries
Office Of Investigations	Director, Office Of Investigations

Office of Personnel Management.

John Berry,

Director.

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