

**Closed Session**

1. Approval of agenda.
2. Approval of Minutes of the Board's October 19, 2010 closed session meeting.
3. Briefing on Management's plans for addressing reported problems at one of LSC's grantees.
4. Briefing on status of Management's response to the Inspector General's audit report regarding the Technology Initiatives Grants ("TIG") program.
5. Consider and act on proposal regarding a research project.
6. Consider and act on a Management recommendation regarding an employee benefits matter.
  - a. Presentation by Alice Dickerson, Director, Office of Human Resources, and David L. Richardson, Comptroller.
7. Briefing on internal employment matter.
  - a. Presentation by Linda Mullenbach, Senior Assistant General Counsel, and Alice Dickerson, Director, Office of Human Resources.
8. Consider and act on other business.
9. Consider and act on adjournment of meeting.

**CONTACT PERSON FOR INFORMATION:**

Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295-1500. Questions may be sent by electronic mail to [FR\\_NOTICE\\_QUESTION@lsc.gov](mailto:FR_NOTICE_QUESTION@lsc.gov).

**SPECIAL NEEDS:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Katherine Ward, at (202) 295-1500 or [FR\\_NOTICE\\_QUESTION@lsc.gov](mailto:FR_NOTICE_QUESTION@lsc.gov).

Dated: October 29, 2010.

**Patricia D. Batie,**

*Corporate Secretary.*

[FR Doc. 2010-27809 Filed 10-29-10; 4:15 pm]

**BILLING CODE 7050-01-P**

**LEGAL SERVICES CORPORATION****Sunshine Act Meeting; Notice**

**TIME AND DATE:** The Legal Services Corporation Board of Directors' Search Committee for LSC President ("Search Committee" or "Committee") will meet on November 8, 2010. The meeting will begin at 2 p.m. (Central Time) and continue until conclusion of the Committee's agenda.

**LOCATION:** Sidley Austin, LLP, 1501 K Street, 1 South Dearborn Street, Chicago, Illinois 60603.

**STATUS OF MEETING:** Closed. The meeting of the Search Committee will be

closed to the public pursuant to a vote of the Board of Directors authorizing the Committee to consider the qualifications of applicants for the position of LSC President for the purpose of identifying candidates to interview.

Such closure is authorized by the relevant provisions of the Government in the Sunshine Act [5 U.S.C. 552b(c)(6)] and LSC's implementing regulation 45 CFR 1622.5(e).<sup>1</sup>

A *verbatim* written transcript will be made of the closed session of the Board meeting. However, the transcript of any portions of the closed session falling within the relevant provisions of the Government in the Sunshine Act [5 U.S.C. 552b(c)(6)] and LSC's implementing regulation 45 CFR 1622.5(e), will not be available for public inspection. A copy of the General Counsel's Certification that in his opinion the closing is authorized by law will be available upon request.

**MATTERS TO BE CONSIDERED:**

- Closed Session:
1. Approval of agenda.
  2. Review and discuss applications for the position of LSC President and select from among those candidates for further consideration.
  3. Consider and act on other business.
  4. Consider and act on adjournment of meeting.

**CONTACT PERSON FOR INFORMATION:**

Kathleen Connors, Executive Assistant to the President, at (202) 295-1500. Questions may be sent by electronic mail to [FR\\_NOTICE\\_QUESTION@lsc.gov](mailto:FR_NOTICE_QUESTION@lsc.gov).

**SPECIAL NEEDS:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Kathleen Connors at (202) 295-1500 or [FR\\_NOTICE\\_QUESTION@lsc.gov](mailto:FR_NOTICE_QUESTION@lsc.gov).

Dated: October 29, 2010.

**Patricia D. Batie,**

*Corporate Secretary.*

[FR Doc. 2010-27808 Filed 10-29-10; 4:15 pm]

**BILLING CODE 7050-01-P**

**OFFICE OF MANAGEMENT AND BUDGET****Proposed Guidance on Appointment of Lobbyists to Federal Boards and Commissions**

**AGENCY:** Office of Management and Budget.

<sup>1</sup> 45 CFR 1622.5(e) protects information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

**ACTION:** Notice of proposed guidance.

**SUMMARY:** The Office of Management and Budget (OMB) is issuing proposed guidance to Executive Departments and agencies concerning the appointment of federally registered lobbyists to boards and commissions. On June 18, 2010, President Obama issued "Lobbyists on Agency Boards and Commissions," a memorandum directing agencies and departments in the Executive Branch not to appoint or re-appoint Federally registered lobbyists to advisory committees and other boards and commissions. The Presidential Memorandum further directed the Director of OMB to "issue proposed guidance to implement this policy to the full extent permitted by law." Final guidance will be issued by OMB after a thirty-day public comment period on the proposed guidance. The Presidential Memorandum is available at <http://www.whitehouse.gov/the-press-office/presidential-memorandum-lobbyists-agency-boards-and-commissions>.

**Comment Date:** OMB invites comments from interested parties in both the public and private sectors to be considered in the formulation of the final guidance. Interested parties should submit comments in writing to the address below on or before 30 days from the publication of this notice.

**ADDRESSES:** Comments may be submitted by any of the following methods:

- *E-mail:* [ogc@omb.eop.gov](mailto:ogc@omb.eop.gov).
- *Facsimile:* (202) 395-7289.
- *Mail:* Office of General Counsel, Eisenhower Executive Office Building, Room 289, 1650 Pennsylvania Avenue, NW., Washington, DC 20500.

**A. Proposed Guidance**

On June 18, 2010, President Obama signed a Presidential Memorandum directing agencies in the Executive Branch not to appoint or re-appoint Federally registered lobbyists to advisory committees and other boards and commissions. That memorandum directed the Office of Management and Budget to propose implementing guidance, which follows in the form of questions and answers:

**Q1:** Who is affected by the policy directed in the June 18, 2010 Presidential Memorandum (the "Memorandum")?

**A1:** This policy applies to Federally registered lobbyists and does not apply to individuals who are registered as lobbyists only at the State level. A lobbyist for purposes of the Memorandum is any individual who is subject to the registration and reporting requirements of the Lobbying Disclosure

Act of 1995 (LDA), as amended, 2 U.S.C. 1605, at the time of appointment or reappointment to an advisory board or commission. Databases maintained by the House of Representatives and the Senate may be helpful in identifying Federally registered lobbyists.<sup>1</sup>

Any individual who previously served as a Federally registered lobbyist may be appointed or re-appointed only if he or she has either filed a bona fide de-registration or has been de-listed by his or her employer as an active lobbyist reflecting the actual cessation of lobbying activities or if they have not appeared on a quarterly lobbying report for three consecutive quarters as a result of their actual cessation of lobbying activities.

Q2: Does the policy restrict the appointment of individuals who are themselves not Federally registered lobbyists but are employed by organizations that engage in lobbying activities?

A2: The policy established by the Memorandum applies to Federally registered lobbyists and does not apply to non-lobbyists employed by organizations that lobby.

Q3: What entities constitute "boards and commissions" under the policy?

A3: The policy directed in the Memorandum applies to any committee, board, commission, council, delegation, conference, panel, task force, or other similar group (or subgroup) created by the President, the Congress, or an Executive Branch department or agency to serve a specific function to which formal appointment is required, regardless of whether it is subject to the Federal Advisory Committee Act, as amended (5 U.S.C. App.). Boards and commissions include Federal advisory committees.

Q4: Does the policy apply to non-Federal members of delegations to international bodies?

A4: Delegations organized to present the United States' position to international bodies are considered to be boards or commissions for the purposes of this policy. Therefore, agencies should not appoint Federally registered lobbyists to these delegations.

Q5: Which "members" of those boards and commissions are covered by the policy?

A5: The policy applies to all members of boards and commissions who are not full-time Federal employees, including both those who have been designated to serve in a representative capacity on

behalf of an interested group or constituency and those who have been designated to serve as Special Government Employees, and who are appointed by the President or an Executive Branch agency or official. Members of boards and commissions do not include individuals who are invited to attend meetings of boards or commissions on an ad hoc basis.

Q6: How does the policy apply if a statute or presidential directive provides for appointments to be made by State Governors or by members of Congress?

A6: While the discretion of appointing authorities outside of the Executive Branch will be respected, those appointing authorities should be encouraged to appoint individuals who are not Federally registered lobbyists whenever possible.

Q7: How does the policy apply when a statute or presidential directive requires the appointment of a specific representative from an organization and that representative is a Federally registered lobbyist?

A7: The policy does not supersede board or commission membership requirements established by statute or presidential directive. Committee charters in effect at the time of the new policy that require a lobbyist to be appointed as a member of the committee should, wherever possible and at the earliest possible time, be amended to remove that requirement, consistent with statutes and presidential directives.

Q8: How will the guidance affect lobbyists who were serving on boards and commissions at the time the policy was established?

A8: The prohibition on the appointment of Federally registered lobbyists to boards and commissions established by the Memorandum applies to appointments and re-appointments made after June 18, 2010. In order to ensure that there is no disruption of ongoing work of boards and commissions, Federally registered lobbyists who already were serving on boards and commissions on that date may serve out the remainder of their terms, but may not be reappointed so long as they remain registered lobbyists.

Q9: Does this policy also restrict the participation of lobbyists as members of a subcommittee or other work group that performs preparatory work for its parent board or commission?

A9: Yes, the policy does not permit the appointment of Federally registered lobbyists to a subcommittee or any other subgroup that performs preparatory work for a parent board or commission, whether or not its members are appointed in the same manner as are

members to the parent committee. The goal of the Memorandum is to restrict the undue influence of lobbyists on Federal government through their membership on boards and commissions, which would include subcommittees and other bodies that require formal appointment.

Q10: Does this policy also restrict the participation of lobbyists as witnesses or experts who appear before boards and commissions or submit advice or materials to them?

A10: Lobbyists may still appear before or otherwise communicate with a board or commission to provide testimony, information, or input in the same manner as non-lobbyists who are not members of or appointees to the board, commission, or any of its subgroups, to the extent permitted by law and regulation. The purpose of the policy is to prevent lobbyists from being in privileged positions in government. It is not designed to prevent lobbyists or others from petitioning their government. When lobbyists do testify, boards and commissions should make reasonable efforts to ensure that they hear a balance of perspectives and are not gathering information or advice exclusively from registered lobbyists.

Q11: What should an agency do if it appoints to a board or commission an individual who is not a Federally registered lobbyist at the time of appointment, but who, after appointment, becomes a Federally registered lobbyist?

A11: Agencies should make clear to all board and commission members, whether appointed as representatives or Special Government Employees, that their conduct of activities that would require them to be Federally registered lobbyists after appointment would necessitate their resignation or removal from membership on boards or commissions. The appointing officers or their delegates shall ensure, at least annually, that board or commission members are not Federally registered lobbyists and, upon reappointment of the members, either shall require each member to certify that he or she is not a Federally registered lobbyist or shall check the Federal lobbyist databases to confirm that each member has not registered as a lobbyist since appointment. If an agency finds that, following appointment to a board or commission, a member subsequently has become a Federally registered lobbyist or has engaged in activities that would require registration, the agency shall request the resignation of the member.

Q12: Will there be any waivers available for circumstances in which a

<sup>1</sup> Lobbying Disclosure, Office of the Clerk, U.S. House of Representatives: <http://lobbyingdisclosure.house.gov>; LDA Reports, U.S. Senate: [http://www.senate.gov/legislative/Public\\_Disclosure/LDA\\_reports.htm](http://www.senate.gov/legislative/Public_Disclosure/LDA_reports.htm).

Federally registered lobbyist possesses unique or exceptional value to a board or commission?

A12: The policy makes no provisions for waivers, and waivers will not be permitted under this policy.

**Preeta D. Bansal,**

*OMB General Counsel and Senior Policy Advisor, Office of Management and Budget.*

[FR Doc. 2010-27621 Filed 11-1-10; 8:45 am]

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## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[Notice (10-144)]

### **Performance Review Board, Senior Executive Service (SES)**

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of Membership of SES Performance Review Board.

**SUMMARY:** The Civil Service Reform Act of 1978, Public Law 95-454 (Section 405) requires that appointments of individual members to the Performance Review Board (PRB) be published in the **Federal Register**.

The National Aeronautics and Space Administration published a document in the **Federal Register** on October 12, 2010, announcing membership of the Performance Review Board (PRB) and the Senior Executive Committee. In addition to the members previously announced, another member was added to the PRB, Associate Administrator for Independent Program and Cost Evaluation.

### **Performance Review Board**

Chairperson, Chief of Staff, NASA Headquarters

Executive Secretary, Director, Workforce Management and Development Division, NASA Headquarters

Associate Administrator, NASA Headquarters

Associate Deputy Administrator, NASA Headquarters

Associate Administrator for Exploration Systems Mission Directorate, NASA Headquarters

Associate Administrator for Space Operations Mission Directorate, NASA Headquarters

Associate Administrator for Science Mission Directorate, NASA Headquarters

Associate Administrator for Aeronautics Research Mission Directorate, NASA Headquarters

Associate Administrator for Mission Support Directorate, NASA Headquarters

Associate Administrator for Diversity and Equal Opportunity, NASA Headquarters

Assistant Administrator for Human Capital Management, NASA Headquarters

Associate Administrator for Independent Program and Cost Evaluation, NASA Headquarters

Chief Engineer, NASA Headquarters

General Counsel, NASA Headquarters

Chief Technologist, NASA Headquarters

Chief Scientist, NASA Headquarters

Chief Information Officer, NASA Headquarters

Chief, Safety and Mission Assurance, NASA Headquarters

Director, Ames Research Center

Director, Dryden Flight Research Center

Director, Glenn Research Center

Director, Goddard Space Flight Center

Director, Johnson Space Center

Director, Kennedy Space Center

Director, Langley Research Center

Director, Marshall Space Flight Center

Director, Stennis Space Center

### **Senior Executive Committee**

Chairperson, Deputy Administrator, NASA Headquarters

Chair, Executive Resources Board, NASA Headquarters

Chair, NASA Performance Review Board, NASA Headquarters

Associate Administrator, NASA Headquarters

Associate Deputy Administrator, NASA Headquarters

Chief Information Officer, NASA Headquarters

**Charles F. Bolden, Jr.,**

*Administrator.*

[FR Doc. 2010-27551 Filed 11-1-10; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

[NRC-2010-0336]

### **Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations**

#### **I. Background**

Pursuant to section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC) is publishing this regular biweekly notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment

to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from October 7, 2010 to October 20, 2010. The last biweekly notice was published on October 19, 2010 (75 FR 64359).

#### *Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing*

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in Title 10 of the Code of Federal Regulations (10 CFR), § 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after