

Signed in Washington, DC, this 13th day of February 2009.

Douglas F. Small,

Deputy Assistant Secretary, Employment and Training Administration.

[FR Doc. E9-3946 Filed 2-24-09; 8:45 am]

BILLING CODE 4510-FW-P

DEPARTMENT OF LABOR

Employment and Training Administration

Announcement Regarding States Triggering "On" to the Second-Tier of Emergency Unemployment Compensation 2008 (EUC08)

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: Announcement regarding states triggering "on" to the Second-Tier of Emergency Unemployment Compensation (EUC08).

Public Law 110-449 created a Second-Tier of benefits for qualified unemployed workers claiming benefits in high unemployment states. The Department of Labor produces a trigger notice indicating which states qualify for the Second-Tier of EUC08 benefits and provides the beginning and ending dates of the Second-Tier period for each qualifying state. The trigger notice covering state eligibility for the Second-Tier of the EUC08 program can be found at: http://ows.doleta.gov/unemploy/claims_arch.asp. A new trigger notice is posted at this location each week that the program is in effect.

Beginning February 15, 2009, the following states are in a high unemployment period, resulting in their triggering "on" to the Second-Tier of the EUC08 program: Alabama, Maine, Massachusetts, and New York.

Information for Claimants

The duration of benefits payable in the EUC program, and the terms and conditions under which they are payable, are governed by Public Laws 110-252 and 110-449, and the operating instructions issued to the states by the U.S. Department of Labor. The State Workforce Agency in states beginning a high unemployment period, will furnish a written notice of potential entitlement to each individual who is potentially eligible for Second-Tier of EUC08 benefits.

Persons who believe they may be entitled to additional benefits under the EUC08 program, or who wish to inquire about their rights under the program, should contact their State Workforce Agency.

FOR FURTHER INFORMATION CONTACT:

Scott Gibbons, U.S. Department of Labor, Employment and Training Administration, Office of Workforce Security, 200 Constitution Avenue, NW., Frances Perkins Bldg., Room S-4231, Washington, DC 20210, telephone number (202) 693-3008 (this is not a toll-free number) or by e-mail: gibbons.scott@dol.gov.

Signed in Washington, DC, this 13th day of February 2009.

Douglas F. Small,

Deputy Assistant Secretary, Employment and Training Administration.

[FR Doc. E9-3945 Filed 2-24-09; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Royalty Board

Notice of Intent To Audit

AGENCY: Copyright Royalty Board, Library of Congress.

ACTION: Public notice.

SUMMARY: The Copyright Royalty Judges are announcing receipt of notices of intent to audit the 2007 and 2008 statements of account submitted by Sirius Satellite Radio Inc. and XM Satellite Radio, Inc.

FOR FURTHER INFORMATION CONTACT:

Richard Strasser, Senior Attorney, or Gina Giuffreda, Attorney Advisor, by telephone at (202) 707-7658 or e-mail at crb@loc.gov.

SUPPLEMENTARY INFORMATION: Section 106(6) of the Copyright Act, title 17 of the United States Code, gives a copyright owner of sound recordings an exclusive right to perform the copyrighted works publicly by means of a digital audio transmission. This right is limited by section 114(d), which allows certain non-interactive digital audio services, including preexisting satellite digital audio radio services, to make digital transmissions of a sound recording under a compulsory license. Moreover, these services may make any necessary ephemeral reproductions to facilitate the digital transmission of the sound recording under a second license set forth in section 112(e) of the Copyright Act.

Licensees may operate under these licenses provided they pay the royalty fees and comply with the terms of the licenses set by the Copyright Royalty Judges ("Judges"). On January 24, 2008, the Judges issued their final determination setting rates and terms for the section 112 and 114 licenses for the period 2007-2012. 73 FR 4080. As part

of the terms set for these licenses, the Judges designated SoundExchange, Inc., as the organization charged with collecting the royalty payments and statements of account and distributing the royalties to the copyright owners and performers entitled to receive such royalties under the section 112 and 114 licenses. 37 CFR 382.13(b)(1). As the designated Collective, SoundExchange may conduct a single audit of a licensee for any calendar year for the purpose of verifying their royalty payments. SoundExchange must first file with the Judges a notice of intent to audit a licensee and serve the notice on the licensee to be audited. 37 CFR 382.15(b), (c).

On February 13, 2009, pursuant to 37 CFR 382.15(c), SoundExchange filed with the Judges separate notices of intent to audit Sirius Satellite Radio Inc. and XM Satellite Radio Inc. for the years 2007 and 2008. Section 382.15(c) requires the Judges to publish a notice in the **Federal Register** within 30 days of receipt of the notice announcing the Collective's intent to conduct an audit.

In accordance with 37 CFR 382.15(c), the Copyright Royalty Judges are publishing today's notice to fulfill this requirement with respect to SoundExchange's separate notices of intent to audit Sirius Satellite Radio Inc. and XM Satellite Radio Inc. each filed on February 13, 2009.

Dated: February 20, 2009.

James Scott Sledge,

Chief U.S. Copyright Royalty Judge.

[FR Doc. E9-3991 Filed 2-24-09; 8:45 am]

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NATIONAL SCIENCE FOUNDATION

National Science Board; Sunshine Act Meetings; Notice (Revised 2/20/09)

The National Science Board, 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 meetings for the transaction of National Science Board business and other matters specified, as follows:

AGENCY HOLDING MEETING: National Science Board.

DATE AND TIME: Monday, February 23, 2009, at 8 a.m.; and Tuesday, February 24, 2009 at 8 a.m.

PLACE: National Science Foundation 4201 Wilson Blvd. Room 1235 Arlington, VA 22230. All visitors must report to the NSF visitor desk at the 9th

and N. Stuart Streets entrance to receive a visitor's badge.

STATUS: Some portions open, some portions closed

Open Sessions:

February 23, 2009

8 a.m.–8:05 a.m.
8:05 a.m.–10:30 a.m.
10:45 a.m.–12:15 p.m.
1:15 p.m.–2:15 p.m.

February 24, 2009

8 a.m.–9:30 a.m.
9:30 a.m.–10 a.m.
10 a.m.–11:30 a.m.
2 p.m.–3:30 p.m.

Closed Sessions:

February 23, 2009

2:15 p.m.–4 p.m.
4:15 p.m.–5:30 p.m.

February 24, 2009

11:30 a.m.–12 p.m.
1:30 p.m.–1:40 p.m.
1:40 p.m.–2 p.m.

AGENCY CONTACT: Dr. Robert E. Webber, rwebber@nsf.gov, (703) 292-7000, <http://www.nsf.gov/nsb/>

MATTERS TO BE DISCUSSED:

Monday, February 23, 2009

Open Session: 8 a.m.–8:05 a.m.

- Chairman's Introduction.

Committee on Programs and Plans (CPP)

Open Session: 8:05 a.m.–10:30 a.m.

- Approval of December 2008 CPP Minutes.
- Committee Chairman's Remarks.
- CPP Subcommittee on Polar Issues (SOPI)
 - SOPI Chairman's Remarks.
 - Director's Report—Office of Polar Programs (OPP).
 - International Polar Year (IPY) Outreach and Education Highlights.
 - Presidential Directive on Arctic Region Policy (NSPD-66/HSPD-25): Promoting International Scientific Cooperation.
- Task Force on Sustainable Energy (SE)
 - Task Force Co-Chairmen's Remarks.
 - Discussion of Task Force Draft Report.
- *NSB Information Item:* Update on iPlant.
- *NSB Information Item:* Update on Planning for Coherent Light Source Development.
- *NSB Information Item:* Track 2D (High Performance Computing System Acquisition: Towards a Petascale Computing Environment for Science and Engineering).

- *Discussion Item:* Review of MREFC Process.
 - NSB Update.
 - NSF Implementation Plan.
 - Discussion and Next Steps

Committee on Science and Engineering Indicators (SEI)

Open Session: 10:45 a.m.–12:15 p.m.

- Chairman's Remarks.
- *Science and Engineering Indicators 2010* cover.
- Chapter Review Assignments and Responsibilities.
- Plans for the *Indicators* Digest.
- Discussion of Companion Piece Topic.
- New Data for *Science and Engineering Indicators 2012*.
- Chairman's Summary.

Committee on Education and Human Resources (CEH)

Open Session: 1:15 p.m.–2:15 p.m.

- Approval of December 2008 Minutes.
- Committee Chairman's Remarks.
- Update on the Next Generation of STEM Innovators Workshop.
- Presentations on STEM Learning and Basic Research in Cognitive and Developmental Sciences.

Committee on Programs and Plans (CPP)

Closed Session: 2:15 p.m.–4 p.m.

- Committee Chairman's Remarks.
- Award Recommendations for Three Science of Learning Centers (SLCs): Introduction & Overview.
 - *NSB Action Item:* Science of Learning Center #1
 - *NSB Action Item:* Science of Learning Center #2
 - *NSB Action Item:* Science of Learning Center #3

Committee on Strategy and Budget (CSB)

Closed Session: 4:15 p.m.–5:30 p.m.

- NSF Budget Update.
 - NSF Plans for Use of FY 2009 Economic Stimulus Funding.
 - FY 2010 Budget Request Update.

Tuesday, February 24, 2009

Committee on Strategy and Budget (CSB)

Open Session: 8 a.m.–9:30 a.m.

- Approval of CSB Minutes, December 10, 2008.
- Committee Chairman's Remarks.
- CSB Task Force on Cost Sharing (CS)
 - Approval of December 2008 Teleconference Minutes.
 - Task Force Chairman's Remarks.
 - Discussion of Draft Report,

Investing in the Future: NSF Cost Sharing Policies for a Robust Federal Research Enterprise.

- Presentation, NSF Implementation of NSB Recommendations on NSF Cost Sharing Policy.
- Discussion of Strategy for Community Engagement.
- CSB Subcommittee on Facilities, Charge.
- NSF Strategic Plan.
 - Status of NSF Strategic Plan Update.
 - NSB Input on Key Issues for Consideration in Developing the Next NSF Strategic Plan.
- NSF Budget Update.
 - FY 2009 Appropriation.

Executive Committee

Open Session: 9:30 a.m.–10 a.m.

- Approval of Minutes for the December 2008 Meeting.
- Executive Committee Chairman's Remarks.
- Approval of Closed Session Agenda Items memo for May 13–14, 2009 meeting.
- Discussion of Proposed NSB Priority Setting Process.
- Updates or New Business from Committee Members.

Committee on Audit and Oversight (A&O)

Open Session: 10 a.m.–11:30 a.m.

- Approval of Minutes of the December 9, 2008 Meeting.
- Committee Chairman's Opening Remarks.
- Accountability Under the American Recovery and Reinvestment Act.
- Inspector General Update.
- Chief Financial Officer Update.
- NSB Revisions of Award Delegation Thresholds to NSF.
- FY 2009 Audit Plan.
- Chairman's Closing Remarks.

Committee on Audit and Oversight (A&O)

Closed Session: 11:30 a.m.–12 p.m.

- OIG FY 2010 Budget.
- Pending Investigations.

Plenary Executive Closed

Closed Session: 1:30 p.m.–1:40 p.m.

- Approval of December 2008 Minutes.
- Approval of Honorary Awards Recipients.

Plenary Closed

Closed Session: 1:40 p.m.–2 p.m.

- Approval of December 2008 Minutes.
- Awards and Agreements.
- Closed Committee Reports.

Plenary Open

Open Session: 2 p.m.–3:30 p.m.

- Approval of December 2008 Minutes.
- Chairman's Report.
- Director's Report.
- Open Committee Reports.

Ann Ferrante,

Writer-Editor.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-25; NRC-2009-0076]

Foster Wheeler Environmental Corporation; Idaho Spent Fuel Facility; Notice of Docketing and Consideration of Approval of Transfer of Materials License and Conforming Amendment and Opportunity for a Hearing

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of docketing and consideration of approval of transfer of Special Nuclear Materials License No. 2512, to the Department of Energy, and conforming amendment and opportunity to request a hearing.

FOR FURTHER INFORMATION CONTACT:

Shana Helton, Senior Project Manager, Licensing Branch, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards (NMSS), U.S. Nuclear Regulatory Commission (NRC), Rockville, MD 20852. Telephone: (301) 492-3284; fax number: (301) 492-3348; e-mail: shana.helton@nrc.gov.

SUPPLEMENTARY INFORMATION: The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 72.50 approving the direct transfer of Special Nuclear Materials (SNM) License No. 2512 for the Idaho Spent Fuel (ISF) Facility independent spent fuel storage installation currently held by Foster Wheeler Environmental Corporation (FWENC). The transfer would be to the Department of Energy (DOE). The Commission is also considering amending the license for administrative purposes to reflect the proposed transfer.

According to an application for approval filed by DOE, DOE would become responsible for the construction, operation, and maintenance of the ISF facility following approval of the proposed license transfer.

No physical changes to the ISF facility or operational changes are being

proposed in the application. The proposed amendment would replace references to FWENC in the license and its supporting documentation with references to DOE to reflect the proposed transfer.

Pursuant to 10 CFR 72.50, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve an application for the direct transfer of a license if the Commission determines that the proposed transferee is qualified to hold the license and that the transfer is otherwise consistent with applicable provisions of law, and the regulations and orders issued by the Commission.

Before issuance of the proposed conforming license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of an Independent Spent Fuel Storage Installation which does no more than conform the license to reflect the transfer action involves no significant hazards consideration and no genuine issue as to whether the health and safety of the public will be significantly affected. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

Within 20 days from the date of publication of this notice, any person(s) whose interest may be affected by the Commission's action on the application may request a hearing and intervention via electronic submission through the NRC E-filing system. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart C "Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings," of 10 CFR Part 2. In particular, such requests and petitions

must comply with the requirements set forth in 10 CFR 2.309. Untimely requests and petitions may be denied, as provided in 10 CFR 2.309(c)(1), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.309(c)(1)(i)-(viii).

A request for hearing or a petition for leave to intervene must be filed in accordance with the NRC E-Filing rule, which the NRC promulgated on August 28, 2007 (72 FR 49139) and codified within the various provisions of Subpart C of 10 CFR Part 2. The E-Filing process requires participants to submit and serve documents over the Internet or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek a waiver in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten (10) days prior to the filing deadline, the petitioner/requestor must contact the Office of the Secretary by e-mail at hearing.docket@nrc.gov, or by calling (301) 415-1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and/or (2) creation of an electronic docket for the proceeding (even in instances in which the petitioner/requestor (or its counsel or representative) already holds an NRC-issued digital ID certificate). Each petitioner/requestor will need to download the Workplace Forms Viewer™ to access the Electronic Information Exchange (EIE), a component of the E-Filing system. The Workplace Forms Viewer™ is free and is available at <http://www.nrc.gov/site-help/e-submittals/install-viewer.html>. Information about applying for a digital ID certificate is available on NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/apply-certificates.html>.

Once a petitioner/requestor has obtained a digital ID certificate, had a docket created, and downloaded the EIE viewer, it can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the filer submits its documents through EIE. To be timely,