

(See Recovery Act, § 1605(b)(1), 123 Stat. at 303.) A modern broadband network is generally composed of the following components: Broadband switching, routing, transport, access, customer premises equipment, end-user devices, and billing/operations systems. The Buy American provision would prohibit RUS from awarding a BIP grant, loan or loan/grant combination to a public applicant unless that applicant could certify that each element of each broadband network component containing iron, steel, and manufactured goods are produced in the United States. As explained more fully below, it would be difficult, if not impossible, for a BIP applicant to have certain knowledge of the manufacturing origins of each component of a broadband network, and the requirement to do so would be so overwhelmingly burdensome as to deter participation in the program. Requiring a BIP applicant to request a waiver on a case-by-case basis would also be such an administrative burden on the applicant as to discourage participation in the program and would increase RUS' time and costs for processing BIP applications for broadband infrastructure projects. Thus, implementing BIP without a limited programmatic waiver encompassing broadband network components would jeopardize the success of the program and undermine President Obama's broadband initiative.

First, RUS recognizes that much of the finished products used to manage and operate broadband infrastructure and offer broadband service are manufactured outside of the United States. The manufacturing supply chain varies by product and changes constantly due to the influence of global supply and demand. The result is a very competitive and complex production landscape with components and end products being manufactured and assembled in a large number of countries. While, arguably, the Secretary could have relied on the "non-availability" exception for granting a waiver, the burden placed on the Department in sourcing and evaluating the availability of each component of broadband equipment would be significant, and the task of sourcing and evaluating would be difficult to complete given the speed with which Congress has told RUS to allocate funds under the Recovery Act. In addition, requiring public entities to document the origin of broadband equipment and their components in order to determine whether they fit within the scope of the Buy American provision would severely complicate those applicants' ability to

apply for funds and would place an undue burden on State and local governments. Taken as a whole, these burdens would cause delays and would likely thwart the goal of Congress to "establish and implement the [BIP] grant, loan and loan/grant combination program as expeditiously as practicable," and the Recovery Act's requirement that RUS obligate all funds under BIP by September 30, 2010. (See Recovery Act, § 6001(d)(1)–(2), 123 Stat. at 513.)

Second, a limited waiver will help facilitate the construction of modern broadband networks—an essential component of the Recovery Act. Applicants to BIP must have the flexibility to incorporate the most technically-advanced components into their infrastructure, and a limited waiver gives them the ability to incorporate the latest technologies. Third, consistent with the Recovery Act, a limited waiver will help stimulate job growth for construction workers, technicians, equipment designers, engineers, and others who will operate the broadband infrastructure. Fourth, while OMB has clarified which countries would be exempt from the Buy American provision, some of the key countries that produce broadband equipment would not be exempt. Finally, the broadband industry is very dynamic and global, and equipment can change over the course of a build out. Subjecting public applicants for BIP funds to the Buy American provision ultimately would slow broadband deployment and undermine President Obama's broadband initiatives.

III. Waiver

Based on the public interest finding discussed above and pursuant to section 1605(c), RUS is granting a limited waiver of the Recovery Act's Buy American requirements with respect to BIP funds used for the following essential components of a modern broadband infrastructure:

- **Broadband Switching Equipment**—Equipment necessary to establish a broadband communications path between two points.
- **Broadband Routing Equipment**—Equipment that routes data packets throughout a broadband network.
- **Broadband Transport Equipment**—Equipment for providing interconnection within the broadband provider's network.
- **Broadband Access Equipment**—Equipment facilitating the last mile connection to a broadband subscriber.
- **Broadband Customer Premises Equipment and End-User Devices**—End-

user equipment that connects to a broadband network.

- **Billing/Operations Systems**—Equipment that is used to manage and operate a broadband network or offer a broadband service.

Note that this list does not include fiber optic cables, cell towers, and other facilities that are produced in the United States in sufficient quantities to be reasonably available as end products. To the extent that an applicant wishes to use equipment that is not covered by the proposed waiver, it may seek a waiver on a case-by-case basis as part of its application for BIP funds, stating the statutory exemption upon which it is relying and its rationale for receiving a waiver.

This supplementary information constitutes the "detailed written justification" required by Section 1605(c) of the Recovery Act and Section 176.80 of OMB's rules for waivers of the Buy American provisions.

Authority: Public Law 111–5 § 1605, 123 Stat. 115; 2 CFR 176.10 *et seq.*

Dated: June 26, 2009.

Thomas J. Vilsack,

Secretary, United States Department of Agriculture.

[FR Doc. E9–15511 Filed 6–30–09; 8:45 am]

BILLING CODE 3410–15–P

DEPARTMENT OF AGRICULTURE

Forest Service

Lake Tahoe Basin Federal Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Lake Tahoe Basin Federal Advisory Committee will hold a meeting tentatively on July 15, 2009 at the Sierra Nevada College, 999 Tahoe Boulevard, Incline Village, NV 89451. This Committee, established by the Secretary of Agriculture on December 15, 1998 (64 FR 2876), is chartered to provide advice to the Secretary on implementing the terms of the Federal Interagency Partnership on the Lake Tahoe Region and other matters raised by the Secretary.

DATES: The meeting will be held July 15, 2009, beginning at 9 a.m. and ending at 12 p.m.

ADDRESSES: The meeting will be held at Sierra Nevada College, 999 Tahoe Boulevard, Incline Village, NV 89451.

For Further Information or to Request an Accommodation (one week prior to meeting date) Contact: Linda Lind, Lake Tahoe Basin Management Unit, Forest

Service, 35 College Drive, South Lake Tahoe, CA 96150, (530) 543-2787.

SUPPLEMENTARY INFORMATION: Items to be covered on the agenda include: (1) Lake Tahoe Southern Nevada Public Land Act (SNPLMA) Round 10 update; (2) Status and preparation for SNPLMA Round 11; and, (3) Public Comment. All Lake Tahoe Basin Federal Advisory Committee meetings are open to the public. Interested citizens are encouraged to attend at the above address. Issues may be brought to the attention of the Committee during the open public comment period at the meeting or by filing written statements with the secretary for the Committee before or after the meeting. Please refer any written comments to the Lake Tahoe Basin Management Unit at the contact address stated above.

Dated: June 23, 2009.

Cheva Heck,

Acting Forest Supervisor.

[FR Doc. E9-15393 Filed 6-30-09; 8:45 am]

BILLING CODE 3410-11-M

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Meetings

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of meetings.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) plans to hold its regular committee and Board meetings in Arlington, VA, Wednesday through Friday, July 15-17, 2009, at the times and location noted below.

DATES: The schedule of events is as follows:

Wednesday, July 15, 2009

9:30-Noon Planning and Evaluation Committee (Closed to Public).

1:30-3 p.m. Technical Programs Committee.

3-4 Budget Committee.

Thursday, July 16, 2009

9:30-5 p.m. Ad Hoc Committee Meetings (Closed to Public).

Friday, July 17, 2009

9:30-Noon Committee of the Whole: Board structure discussion.

1:30-3 p.m. Board Meeting.

ADDRESSES: All meetings will be held at the Westin Arlington Gateway Hotel, 801 North Glebe Road, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: For further information regarding the meetings, please contact David Capozzi, Executive Director, (202) 272-0010 (voice) and (202) 272-0082 (TTY).

SUPPLEMENTARY INFORMATION: At the Board meeting scheduled on Friday, July 17, the Access Board will consider the following agenda items:

- Election of Vice Chairs for Standing Committees
- Approval of the draft March 2009 Board Meeting Minutes
- Technical Programs Committee Report
- Budget Committee Report
- Planning and Evaluation Committee Report
- Accessible Design in Education
- Acoustics
- Airport Terminal Access
- Emergency Transportable Housing
- Information and Communications Technologies
- Outdoor Developed Areas
- Passenger Vessels
- Public Rights-of-Way
- Transportation Vehicles
- Election Assistance Commission Report
- Executive Director's Report
- ADA and ABA Guidelines; Federal Agency Updates

All meetings are accessible to persons with disabilities. An assistive listening system, computer assisted real-time transcription (CART), and sign language interpreters will be available at the Board meeting. Persons attending Board meetings are requested to refrain from using perfume, cologne, and other fragrances for the comfort of other participants.

David M. Capozzi,

Executive Director.

[FR Doc. E9-15502 Filed 6-30-09; 8:45 am]

BILLING CODE 8150-01-P

COMMISSION ON CIVIL RIGHTS

Sunshine Act Notice

AGENCY: United States Commission on Civil Rights.

ACTION: Notice of meeting.

DATE AND TIME: Friday, July 10, 2009; 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. Approval of Minutes of June 12, 2009 Meeting
 - III. Announcements

IV. Program Planning:

- National Civil Rights Conference;
- Update on Status of 2009 Statutory Report;
- Discussion of 2010 Statutory Report Topic;
- Approval of Briefing Report on Title IX.

V. State Advisory Committee Issues:

- Virginia SAC.

VI. Adjourn

FOR FURTHER INFORMATION CONTACT:

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: June 29, 2009.

David Blackwood,

General Counsel.

[FR Doc. E9-15709 Filed 6-29-09; 4:15 pm]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Paperwork Submissions Under the Coastal Zone Management Act Federal Consistency Requirements

AGENCY: National Oceanic and Atmospheric Administration (NOAA).
ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before August 31, 2009.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to David Kaiser, 603-862-2719 or at david.kaiser@noaa.gov.