

interested persons of their right to comment on and/or to request a hearing. Comments and requests for a hearing with respect to the proposed exemption are due within 60 days of the publication of this pendency notice in the **Federal Register**.

#### General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act does not relieve a fiduciary or other party in interest from certain other provisions of the Act, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which require, among other things, a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act;

(2) The proposed exemption, if granted, will not extend to any transaction prohibited under section 406(b)(3);

(3) Before an exemption can be granted under section 408(a) of the Act, the Department must find that the exemption is administratively feasible, in the interest of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan;

(4) The proposed exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act, including statutory or administrative exemptions. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(5) This proposed exemption, if granted, is subject to the express condition that the facts and representations set forth in the notice of proposed exemption accurately describe, where relevant, the material terms of the transaction that will be consummated if this exemption is granted.

#### Written Comments and Hearing Requests

All interested persons are invited to submit written comments or requests for a hearing on the pending exemption to the address above, within the time frame set forth above, after the publication of this proposed exemption in the **Federal Register**. All comments will be made a part of the record.

Comments received will be available for public inspection with the referenced applications at the address set forth above.

#### Proposed Exemption

Based on the facts and representations set forth in the application, the Department is considering granting an exemption under the authority of section 408(a) of the Act and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). If the exemption is granted, the restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act shall not apply to the purchase by the Plan of certain unimproved real property (the Property) from the Alaska Construction & General Laborers 942 Building Association, Inc. (the Building Association), an entity owned by Local 942, Laborers International Union of North America, a party in interest with respect to the Plan, provided that the following conditions are satisfied:

(a) The terms and conditions of the proposed transaction are no less favorable to the Plan than those which the Plan would receive in an arm's length transaction with an unrelated party.

(b) The purchase of the Property is a one-time transaction for cash.

(c) The Plan does not pay any real estate commissions, fees, or other similar expenses to any party as a result of the proposed transaction.

(d) The Plan purchases the Property from the Building Association for the lesser of (1) \$62,791 or (2) the fair market value of the Property as determined on the date of such transaction by a qualified, independent appraiser.

(e) The proposed transaction is consummated only after an independent fiduciary (1) determines that proceeding with the transaction is in the best interests of the Plan and its participants and beneficiaries and (2) negotiates the relevant terms and conditions of such transaction.

(f) The independent fiduciary calculates, on the date of the transaction (using the applicable certificate of deposit rate in effect), the amount of interest owed to the Plan based upon its earnest money deposit for the Property.

(g) On the date of the transaction, the Plan's legal counsel pays all interest owed the Plan resulting from counsel's placement of the Plan's earnest money deposit for the Property in a non-interest bearing account.

(h) The independent fiduciary monitors the proposed transaction on

behalf of the Plan to ensure compliance with the agreed upon terms.

The availability of this proposed exemption is subject to the express condition that the material facts and representations contained in the application for exemption are true and complete and accurately describe all material terms of the Covered Transactions.

Signed at Washington, DC, this 24th day of August 2009.

**Ivan L. Strasfeld,**

*Director of Exemption Determinations,  
Employee Benefits Security Administration,  
U.S. Department of Labor.*

[FR Doc. E9-20737 Filed 8-27-09; 8:45 am]

**BILLING CODE 4510-29-P**

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#### MILLENNIUM CHALLENGE CORPORATION

[MCC FR 09-15]

#### Notice of the September 9, 2009 Millennium Challenge Corporation Board of Directors Meeting; Sunshine Act Meeting

**AGENCY:** Millennium Challenge Corporation.

**TIME AND DATE:** 3 p.m. to 5 p.m., Wednesday, September 9, 2009.

**PLACE:** Department of State, 2201 C Street, NW., Washington, DC 20520.

**FOR FURTHER INFORMATION CONTACT:** Information on the meeting may be obtained from Romell Cummings via e-mail at [Board@mcc.gov](mailto:Board@mcc.gov) or by telephone at (202) 521-3600.

**STATUS:** Meeting will be closed to the public.

**MATTERS TO BE CONSIDERED:** The Board of Directors (the "Board") of the Millennium Challenge Corporation ("MCC") will hold a meeting to initiate the Fiscal Year 2010 country selection process by identifying countries that will be candidates for Millennium Challenge Account ("MCA") assistance in Fiscal Year 2010 based on the per capita income and other requirements of 606(a) of the Millennium Challenge Act of 2003 (Pub. L. 108-199 (Division D)) (the "Act") and to discuss other Compact development efforts with MCA-eligible countries; the MCC's Threshold Program; and consider certain administrative matters. The agenda items are expected to involve the consideration of classified information and the meeting will be closed to the public.

Dated: August 26, 2009.

**Henry C. Pitney,**

(Acting) Vice President and General Counsel,  
Millennium Challenge Corporation.

[FR Doc. E9-20944 Filed 8-26-09; 4:15 pm]

**BILLING CODE 9211-03-P**

## NATIONAL SCIENCE FOUNDATION

### Advisory Committee for International Science & Engineering; Notice of Meeting

In accordance with Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Advisory Committee for International Science and Engineering (#25104).

*Date/Time:* September 28, 2009; 8:30 a.m. to 5 p.m.; September 29, 2009; 8:30 a.m. to 12 p.m.

*Place:* National Science Foundation, 4201 Wilson Boulevard, Room 920, Arlington, VA.

*Type of Meeting:* Open.

*Contact Person:* Edward Murdy, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230 (703) 292-8710.

If you are attending the meeting and need access to the NSF, please contact the individual listed above so your name may be added to the building access list.

*Purpose of Meeting:* To provide advice on the programs and activities of the Office of International Science and Engineering.

*Agenda:*

*September 28, 2009*

AM: Introductions and Updates—  
Presentation and Discussion of 2009 activities.

PM: Presentation and Discussion—Meet with NSF Director; Committee Discussion.

*September 30, 2009*

AM: Presentation and Discussion—  
Activities and initiatives for the coming year. Planning for the next meeting.

Dated: August 25, 2009.

**Susanne Bolton,**

Committee Management Officer.

[FR Doc. E9-20771 Filed 8-27-09; 8:45 am]

**BILLING CODE 7555-01-P**

## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permits issued under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

### FOR FURTHER INFORMATION CONTACT:

Nadene G. Kennedy, Permit Office, Office of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

**SUPPLEMENTARY INFORMATION:** On July 15, 2009, the National Science Foundation published a notice in the **Federal Register** of a permit application received. A permit was issued on August 24, 2009 to: Charles D. Amsler, Jr., Permit No. 2010-007.

**Nadene G. Kennedy,**

Permit Officer.

[FR Doc. E9-20734 Filed 8-27-09; 8:45 am]

**BILLING CODE 7555-01-P**

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on the Medical Uses of Isotopes: Call for Nominations

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Call for Nominations.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is advertising for nominations for the nuclear medicine physician position and the radiation oncologist position on the Advisory Committee on the Medical Uses of Isotopes (ACMUI). Nuclear medicine physician nominees should currently be practicing nuclear medicine in a clinical setting. Radiation oncologist nominees should currently be practicing radiation oncology to include clinical use of the Gamma Knife® unit.

**DATES:** Nominations are due on or before October 27, 2009.

*Nomination Process:* Submit an electronic copy of resume or curriculum vitae, along with a cover letter, to Ms. Ashley Cockerham, [ashley.cockerham@nrc.gov](mailto:ashley.cockerham@nrc.gov). The cover letter should describe the nominee's current duties and responsibilities and express the nominee's interest in the position. Please ensure that resume or curriculum vitae includes the following information, if applicable: Education; certification; professional association membership and committee membership activities; duties and responsibilities in current and previous clinical, research, and/or academic position(s).

**FOR FURTHER INFORMATION CONTACT:** Ms. Ashley Cockerham, U.S. Nuclear Regulatory Commission, Office of Federal and State Materials and Environmental Management Programs; (240) 888-7129; [ashley.cockerham@nrc.gov](mailto:ashley.cockerham@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The ACMUI nuclear medicine physician provides advice to NRC staff on issues associated with the regulation of diagnostic and therapeutic applications of byproduct material. This advice includes providing input on NRC proposed rules and guidance documents, providing recommendations on the training and experience requirements for physicians specializing in diagnostic and therapeutic nuclear medicine, identifying medical events associated with these uses, evaluating non-routine medical uses of byproduct material, bringing key issues in the nuclear medicine community to the attention of NRC staff, and other nuclear medicine issues as they relate to radiation safety and NRC medical-use policy.

The ACMUI Gamma Stereotactic Radiosurgery (GSR) radiation oncologist provides advice on issues associated with radiation oncology and the clinical use of GSR. This advice includes providing input on NRC proposed rules and guidance documents, providing recommendations on the training and experience requirements for physicians specializing in this use, identifying medical events associated with this use, evaluating new models of GSR units, bringing key issues in the radiation oncology community to the attention of NRC staff, and other radiation oncology issues as they relate to radiation safety and NRC medical-use policy.

ACMUI members are selected based on their educational background, certification(s), work experience, involvement and/or leadership in professional society activities, and other information obtained in letters or during the selection process. ACMUI members currently serve a four-year term and may be considered for reappointment to an additional term. The current membership is comprised of the following professionals: (a) Nuclear medicine physician; (b) nuclear cardiologist; (c) nuclear medicine physicist; (d) therapy medical physicist; (e) radiation safety officer; (f) nuclear pharmacist; (g) two radiation oncologists; (h) patients' rights advocate; (i) Food and Drug Administration representative; (j) Agreement State representative; and (k) health care administrator. For additional information about membership on the ACMUI, visit the ACMUI Membership Web page, <http://www.nrc.gov/about-nrc/regulatory/advisory/acmui/membership.html>.

Nominees must be U.S. citizens and be able to devote approximately 160 hours per year to Committee business. Members are expected to attend semi-