

a matched individual (unless the Postal Service determines that public health or safety may be affected or threatened pursuant to 5 U.S.C. 552a(p)(3)).

The privacy of employees will be safeguarded and protected. The Postal Service will manage all data in strict accordance with the Privacy Act of 1974. Data extracted from the relevant Postal Service System of Records (USPS 100.400) for comparison will not be shared with the DOJ, state agencies, territories, Indian Nations, or any other person or organization, except as authorized by the Privacy Act or required by the Freedom of Information Act. Any verified data that is maintained will be managed within the parameters of the Privacy Act System of Records USPS 700.000, Inspection Service Investigative File System (last published April 29, 2005 (Volume 70, Number 82)); and, for cases referred to the OIG, data that is maintained will also be managed within the parameters of Privacy Act System of Records USPS 700.300, Inspector General Investigative Records (last published June 14, 2006 (Volume 71, Number 114)).

Key privacy features of the data comparison program include the following:

- Requiring that the identity of matched individuals be verified and that the relevant facts of the offense be confirmed;
- Requiring appropriate security controls for the comparison;
- Providing protections for employees who appear as an initial match but who are not subsequently verified as belonging on the state registry of offenders; and
- Requiring the Postal Service to complete the verification and provide at least 30 days advance notice prior to the initiation of any adverse action against a matched individual (unless the Postal Service determines that public health and safety may be affected or threatened pursuant to 5 U.S.C. 552a(p)(3), or as otherwise provided by 5 U.S.C. 7513(b), relevant collective bargaining provisions, and Postal Service regulations).

**Neva Watson,**

*Attorney, Legislative.*

[FR Doc. E9-29383 Filed 12-8-09; 8:45 am]

**BILLING CODE 7710-12-P**

## OFFICE OF SCIENCE AND TECHNOLOGY POLICY

### Aeronautics Science and Technology Subcommittee; Committee on Technology; National Science and Technology Council

**ACTION:** Notice of Meeting—Public input is requested on development of the draft National Aeronautics Research, Development, Test and Evaluation (RDT&E) Infrastructure Plan.

**SUMMARY:** The Aeronautics Science and Technology Subcommittee (ASTS) of the National Science and Technology Council's (NSTC) Committee on Technology will hold a public meeting to discuss the development of the National Aeronautics RDT&E Infrastructure Plan. Executive Order (E.O.) 13419—National Aeronautics Research and Development—signed December 20, 2006, calls for the development of this plan. The plan is guided by both the National Aeronautics Research and Development (R&D) Policy and the National Plan for Aeronautics Research and Development and Related Infrastructure that were developed by the NSTC in consonance with E.O. 13419. The draft National Aeronautics RDT&E Infrastructure Plan is to be completed in 2010.

**Dates and Addresses:** The meeting will be held in conjunction with the 48th AIAA Aerospace Sciences Meeting at the Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida 32821 on Thursday, January 7, 2010, from 1 p.m. to 3:30 p.m. in the Crystal Ballroom A. Information regarding the 48th AIAA Aerospace Sciences Meeting is available at the <http://www.aiaa.org> Web site. Note: Persons solely attending this ASTS public meeting do not need to register for the AIAA Conference and Exhibit to attend this public meeting. There will be no admission charge for persons solely attending the public meeting. Seating is limited and will be on a first come, first served basis.

**FOR FURTHER INFORMATION CONTACT:** Additional information and links to E.O. 13419, the National Aeronautics R&D Policy, the National Plan for Aeronautics Research and Development and Related Infrastructure, and the Technical Appendix—National Plan for Aeronautics Research and Development and Related Infrastructure are available by visiting the Office of Science and Technology Policy's NSTC Web site at: <http://www.ostp.gov/nstc/aeroplans> or by calling 202-456-6012.

**SUPPLEMENTARY INFORMATION:** E.O. 13419 and the National Aeronautics

R&D Policy call for executive departments and agencies conducting aeronautics R&D to engage industry, academia and other non-Federal stakeholders in support of government planning and performance of aeronautics R&D. At this meeting, ASTS members will discuss the proposed structure and draft content (to date) of the National Aeronautics RDT&E Infrastructure Plan and receive input to help inform further development of the draft National Aeronautics RDT&E Infrastructure Plan. The desired outcome of the meeting is to obtain facts and information from individuals on the RDT&E infrastructure requirements to support the national aeronautics R&D goals and objectives related to: Mobility; national defense; aviation safety; and energy and the environment.

**M. David Hodge,**

*Operations Manager, OSTP.*

[FR Doc. E9-29317 Filed 12-8-09; 8:45 am]

**BILLING CODE 3170-W9-P**

## OFFICE OF SCIENCE AND TECHNOLOGY POLICY

### Public Access Policies for Science and Technology Funding Agencies Across the Federal Government

**AGENCY:** Office of Science and Technology Policy (OSTP), Executive Office of the President.

**ACTION:** Notice; request for public comment.

**SUMMARY:** With this notice, the Office of Science and Technology Policy (OSTP) within the Executive Office of the President, requests input from the community regarding enhancing public access to archived publications resulting from research funded by Federal science and technology agencies. This RFI will be active from December 10, 2009 to January 7, 2010. Respondents are invited to respond online via the Public Access Policy Forum at <http://www.whitehouse.gov/open>, or may submit responses via electronic mail. Responses will be re-posted on the online forum. Instructions and a timetable for daily blog topics during this period are described at <http://www.whitehouse.gov/open>.

**DATES:** Comments must be received by January 7, 2010.

**ADDRESSES:** Submit comments by one of the following methods:

*Public Access Policy Forum:* <http://www.whitehouse.gov/open>.

*Via E-mail:* [publicaccess@ostp.gov](mailto:publicaccess@ostp.gov).

*Mail:* Office of Science and Technology Policy, *Attn:* Open

Government Recommendations, 725 17th Street, Washington, DC 20502.

Comments submitted in response to this notice could be made available to the public online or by alternative means. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you submit an e-mail comment, your e-mail address will be captured automatically and included as part of the comment that is placed in the public docket and made available on the Internet.

**FOR FURTHER INFORMATION CONTACT:** Dr. Diane DiEuliis, Assistant Director, Life Sciences, Office of Science and Technology Policy, *Attn:* Open Government, 725 17th Street, NW., Washington, DC 20502, 202-456-6059.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On his first day in office, the President issued a *Memorandum on Transparency and Open Government* that called for an “unprecedented level of openness in government” and the rapid disclosure of one of our nation’s great assets—information. Moreover, the Administration is dedicated to maximizing the return on Federal investments made in R&D. Consistent with this policy, the Administration is exploring ways to leverage Federal investments to increase access to information that promises to stimulate scientific and technological innovation and competitiveness. The results of government-funded research can take many forms, including data sets, technical reports, and peer-reviewed scholarly publications, among others. This RFI focuses on approaches that would enhance the public’s access to scholarly publications resulting from research conducted by employees of a Federal agency or from research funded by a Federal agency.

Increasing public access to scholarly publications resulting from federally funded research may enhance the return on federal investment in research in the following ways:

(a) More timely, easier, and less costly access to scholarly publications resulting from federally funded research for commercial and noncommercial scientists has the potential to promote advances in science and technology, thereby enhancing the return on federal investment in research;

(b) Creating an easily searchable permanent electronic archive of scholarly publications resulting from federally funded research has the potential to allow cross-referencing,

continuous long-term access, and retrieval of information whose initial value may only be theoretical, but may eventually have important applications;

(c) Ensuring that the federal agencies that support this research can access the published results has the potential to promote improved cross-government coordination of government funding, and thus improved management of the federal research investments;

(d) More timely, easier, and less costly access to scholarly publications resulting from federally funded research for educators and students, and “end users” of research, such as clinicians, patients, farmers, engineers, and practitioners in virtually all sectors of the economy, has the potential to promote the diffusion of knowledge.

The Executive Branch is considering ways to enhance public access to peer reviewed papers arising from all federal science and technology agencies. One potential model, implemented by the National Institutes of Health (NIH) pursuant to Division G, Title II, Section 218 of Pub. L. 110-161 (<http://publicaccess.nih.gov/>) requires that all investigators funded by the NIH submit an electronic version of their final, peer-reviewed manuscript upon acceptance for publication no later than 12 months after the official date of publication. Articles collected under the NIH Public Access Policy are archived in PubMed Central and linked to related scientific information contained in other NIH databases. More information about PubMed Central is available: <http://www.pubmedcentral.nih.gov/about/faq.html>.

The NIH model has a variety of features that can be evaluated, and there are other ways to offer the public enhanced access to peer-reviewed scholarly publications. The best models may be influenced by agency mission, the culture and rate of scientific development of the discipline, funding to develop archival capabilities, and research funding mechanisms.

**II. Invitation To Comment**

Input is welcome on any aspect of expanding public access to peer reviewed publications arising from federal research. Questions that individuals may wish to address include, but are not limited to, the following (please respond to questions individually):

1. How do authors, primary and secondary publishers, libraries, universities, and the federal government contribute to the development and dissemination of peer reviewed papers arising from federal funds now, and

how might this change under a public access policy?

2. What characteristics of a public access policy would best accommodate the needs and interests of authors, primary and secondary publishers, libraries, universities, the federal government, users of scientific literature, and the public?

3. Who are the users of peer-reviewed publications arising from federal research? How do they access and use these papers now, and how might they if these papers were more accessible? Would others use these papers if they were more accessible, and for what purpose?

4. How best could federal agencies enhance public access to the peer-reviewed papers that arise from their research funds? What measures could agencies use to gauge whether there is increased return on federal investment gained by expanded access?

5. What features does a public access policy need to have to ensure compliance?

6. What version of the paper should be made public under a public access policy (e.g., the author’s peer reviewed manuscript or the final published version)? What are the relative advantages and disadvantages to different versions of a scientific paper?

7. At what point in time should peer-reviewed papers be made public via a public access policy relative to the date a publisher releases the final version? Are there empirical data to support an optimal length of time? Should the delay period be the same or vary for levels of access (e.g., final peer reviewed manuscript or final published article, access under fair use versus alternative license), for federal agencies and scientific disciplines?

8. How should peer-reviewed papers arising from federal investment be made publicly available? In what format should the data be submitted in order to make it easy to search, find, and retrieve and to make it easy for others to link to it? Are there existing digital standards for archiving and interoperability to maximize public benefit? How are these anticipated to change?

9. Access demands not only availability, but also meaningful usability. How can the federal government make its collections of peer-reviewed papers more useful to the American public? By what metrics (e.g., number of articles or visitors) should the Federal government measure success of its public access collections? What are the best examples of usability in the private sector (both domestic and international)? And, what makes them exceptional? Should those who access

papers be given the opportunity to comment or provide feedback?

Dated: December 3, 2009.

**M. David Hodge,**

*Operations Manager.*

[FR Doc. E9-29322 Filed 12-8-09; 8:45 am]

BILLING CODE 3170-W7-P

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29066; File No. 812-13640]

### PNC Bank, National Association; Notice of Application

December 3, 2009.

**AGENCY:** Securities and Exchange Commission (“Commission”).

**ACTION:** Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (“Act”) granting an exemption from section 18(f)(1) of the Act.

**APPLICANT:** PNC Bank, National Association (“PNC Bank”).

**SUMMARY OF THE APPLICATION:** Applicant requests an order that that would permit certain registered open-end management investment companies to participate as borrowers in loan facilities to be administered by PNC Bank.

**FILING DATES:** The application was filed on March 11, 2009, and amended on November 30, 2009.

**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 December 28, 2009 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 by writing to the Commission’s Secretary.

**ADDRESSES:** Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090. Applicant, PNC Bank, National Association, One PNC Plaza, 21st Floor, 249 Fifth Avenue, Pittsburgh, PA 15222.

**FOR FURTHER INFORMATION CONTACT:** Lewis B. Reich, Senior Counsel, at (202) 551-6919, or Mary Kay Frech, 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 for an applicant using the Company name box at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

### Applicant’s Representations

1. PNC Bank, a wholly-owned indirect subsidiary of The PNC Financial Services Group, Inc. (“PNC Financial”), is a national banking association with its principal office in Pittsburgh, Pennsylvania. PNC Financial is one of the largest diversified financial services companies in the United States based on assets, with businesses engaged in retail banking, corporate and institutional banking, asset management, and global fund processing services. PNC Bank has extensive experience and expertise as an administrator of asset-backed commercial paper programs, having administered the commercial paper program of Market Street Funding LLC (“Market Street”), a limited purpose securitization entity, since 1995.

2. Market Street is organized as a Delaware limited liability company and is exempt from registration under the Act in reliance on section 3(c)(7) of the Act. All of the membership interests of Market Street are owned by Market Street Holding Corporation (“MSHC”). All of the capital stock of MSHC is owned by Amacar Investments, LLC, an entity unaffiliated with PNC Financial. As of September 30, 2009, Market Street’s purchase commitments totaled approximately \$6.0 billion, and its outstanding loans and other assets totaled approximately \$3.3 billion.

3. PNC Bank requests relief to permit any registered open-end management investment company or series thereof to participate from time to time as a borrower (“Borrowing Fund”) in a loan facility to be administered by PNC Bank (“Loan Facility”). Market Street, which would be the principal source of financing for each Loan Facility, will issue commercial paper and will utilize liquidity support provided by highly rated financial institutions that are “banks” within the meaning of section 2(a)(5) of the Act (“Liquidity Providers”). Market Street issues unsecured commercial paper with maturities of up to 270 days (“Promissory Notes”) to fund uncommitted purchases of and uncommitted loans secured by various types of financial assets.

4. The Promissory Notes issued by Market Street are sold only to institutional investors that are “accredited investors” as defined in rule 501(a) of Regulation D under the Securities Act of 1933 (the “Securities Act”) or to “qualified institutional buyers” as defined in rule 144A under the Securities Act. PNC Bank, which has extensive experience as an administrator of asset-backed commercial paper programs, will perform the administrative functions for Market Street. PNC Bank will negotiate the business arrangements on behalf of Market Street, including loan amounts, interest rates, and fees. PNC Bank will act as agent for Market Street and the related Liquidity Providers under the agreements executed with each Borrowing Fund and in such capacity will exercise rights and enforce remedies on behalf of Market Street and Liquidity Providers.

5. As security for a loan, Borrowing Funds will pledge assets (“Pledged Assets”) for the benefit of Market Street and the applicable Liquidity Provider. The Pledged Assets will meet eligibility criteria set by Market Street that will be consistent with the Borrowing Fund’s investment objectives and policies. For each loan transaction, PNC Bank will evaluate: (a) The type and nature of a Borrowing Fund’s Pledged Assets to determine whether they meet Market Street’s standards for collateral; (b) the operations and history of the Borrowing Fund; and (c) the financial position and operations of the Borrowing Fund’s investment adviser.

6. Applicant states that Market Street would make loans to a Borrowing Fund on an uncommitted basis and the applicable Liquidity Provider would be obligated to make loans to the Borrowing Fund in the event Market Street was unable or unwilling to make such loans. Market Street will have the right in its sole discretion to require the Liquidity Providers to acquire outstanding loans made by Market Street to a Borrowing Fund at an agreed-upon amount determined pursuant to the formula set forth in the related agreements. Applicant states that these liquidity support arrangements provide additional assurances to the holders of Promissory Notes that they will be paid at maturity, as well as protection for Borrowing Funds.

7. Applicant states that Market Street currently provides financing for assets originated by customers of PNC Bank and their affiliates as sellers of those assets to Market Street. The assets purchased by Market Street include financial assets and securities backed by financial assets. Some transactions are