

| State                  | Incentive grants<br>PY 2008–FY 2009 exceeded state performance levels |                         |                        |
|------------------------|-----------------------------------------------------------------------|-------------------------|------------------------|
|                        | WIA (title IB)                                                        | AEFLA (adult education) | WIA title IB;<br>AEFLA |
| <b>Kentucky</b> .....  | X                                                                     | X                       | X                      |
| Louisiana .....        |                                                                       |                         |                        |
| Maine .....            |                                                                       | X                       |                        |
| Maryland .....         |                                                                       |                         |                        |
| Massachusetts .....    |                                                                       | X                       |                        |
| Michigan .....         | X                                                                     |                         |                        |
| <b>Minnesota</b> ..... | X                                                                     | X                       | X                      |
| Mississippi .....      |                                                                       | X                       |                        |
| <b>Missouri</b> .....  | X                                                                     | X                       | X                      |
| Montana .....          |                                                                       | X                       |                        |
| <b>Nebraska</b> .....  | X                                                                     | X                       | X                      |
| Nevada .....           |                                                                       |                         |                        |
| New Hampshire .....    |                                                                       |                         |                        |
| New Jersey .....       |                                                                       |                         |                        |
| New Mexico .....       |                                                                       |                         |                        |
| <b>New York</b> .....  | X                                                                     | X                       | X                      |
| North Carolina .....   |                                                                       | X                       |                        |
| North Dakota .....     | X                                                                     |                         |                        |
| Ohio .....             |                                                                       | X                       |                        |
| Oklahoma .....         |                                                                       |                         |                        |
| Oregon .....           |                                                                       |                         |                        |
| Pennsylvania .....     |                                                                       | X                       |                        |
| Puerto Rico .....      | X                                                                     |                         |                        |
| Rhode Island .....     |                                                                       | X                       |                        |
| South Carolina .....   |                                                                       |                         |                        |
| South Dakota .....     |                                                                       | X                       |                        |
| <b>Tennessee</b> ..... | X                                                                     | X                       | X                      |
| Texas .....            |                                                                       | X                       |                        |
| Utah .....             |                                                                       |                         |                        |
| Vermont .....          |                                                                       |                         |                        |
| Virginia .....         |                                                                       |                         |                        |
| Washington .....       |                                                                       |                         |                        |
| West Virginia .....    |                                                                       | X                       |                        |
| Wisconsin .....        |                                                                       | X                       |                        |
| Wyoming .....          |                                                                       |                         |                        |

States in **bold** exceeded their performance levels for both AEFLA and WIA Title IB programs.

[FR Doc. 2010–10930 Filed 5–6–10; 8:45 am]

BILLING CODE 4510–FN–P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Workforce Investment Act; Lower Living Standard Income Level

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of Determination of Lower Living Standard Income Level.

**SUMMARY:** Under Title I of the Workforce Investment Act (WIA) of 1998 (Pub. L. 105–220), the Secretary of Labor annually determines the Lower Living Standard Income Level (LLSIL) for uses described in the law. WIA defines the term “Low Income Individual” as one who qualifies under various criteria, including an individual who received income for a six-month period that does not exceed the higher level of the poverty line or 70 percent of the LLSIL.

This issuance provides the Secretary’s annual LLSIL for 2010 and references the current 2009 Health and Human Services “Poverty Guidelines.” Congress has taken action to keep the 2009 HHS poverty guidelines in effect until at least May 31, 2010.

**DATES:** *Effective Date:* This notice is effective on the date of publication in the **Federal Register**.

**ADDRESSES:** Send questions about the Lower Living Standard Income Level calculations: Mr. Samuel Wright, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room S–4231, Washington, DC 20210.

Send written youth program comments to: Mr. Evan Rosenberg, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room N–4464, Washington, DC 20210.

*For Further Information on LLSIL:* Please contact Mr. Samuel Wright, Telephone 202–693–2870; Fax 202–693–3015 (these are not toll free

numbers); e-mail address [wright.samuel.e@dol.gov](mailto:wright.samuel.e@dol.gov).

*For Further Information on Federal Youth Programs:* Evan Rosenberg, Telephone 202–693–3593; Fax 202–693–3532 (these are not toll free numbers).

**SUPPLEMENTARY INFORMATION:** It is the purpose of the Workforce Investment Act of 1998 “to provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation.”

The LLSIL is used for several purposes under WIA. Specifically, WIA Section 101(25) defines the term “low income individual” for eligibility purposes, and Sections 127(b)(2)(C) and 132(b)(1)(B)(v)(IV) define the terms “disadvantaged youth” and “disadvantaged adult” in terms of the

poverty line or LLSIL for state formula allotments. The Governor and state/local workforce investment boards (WIBs) use the LLSIL for determining eligibility for youth, eligibility for employed adult workers for certain services and for the Work Opportunity Tax Credit (WOTC). We encourage the Governors and state/local WIBs to consult WIA regulations and the preamble to the WIA Final Rule (published at 65 FR 49294 August 11, 2000) for more specific guidance in applying the LLSIL to program requirements. The Department of Health and Human Services (HHS) published the most current poverty-level guidelines in the **Federal Register** at 74 FR 4199–4201 on Jan. 23, 2009. The HHS 2009 Poverty guidelines may also be found on the Internet at: <http://aspe.hhs.gov/poverty/09fedreg.pdf>. ETA plans to have the 2010 LLSIL available on its Web site at [<http://www.doleta.gov/llsil/2010/>].

WIA Section 101(24) defines the LLSIL as “that income level (adjusted for regional, metropolitan, urban and rural differences and family size) determined annually by the Secretary [of Labor] based on the most recent lower living family budget issued by the Secretary.” The most recent lower living family budget was issued by the Secretary in the fall of 1981. The four-person urban family budget estimates, previously published by the Bureau of Labor Statistics (BLS), provided the basis for the Secretary to determine the LLSIL. BLS terminated the four-person family budget series in 1982, after publication of the fall 1981 estimates. Currently, BLS provides data to ETA through which ETA develops the LLSIL tables, as provided in the Appendices.

ETA published the 2009 updates to the LLSIL in the **Federal Register** of March 26, 2009, at 74 FR 13262. This notice again updates the LLSIL to reflect cost of living increases for 2009, by applying the percentage change in the most recent 2009 Consumer Price Index for All Urban Consumers (CPI-U) for an area, compared with the 2008 CPI-U to each of the March 26, 2009 LLSIL figures. Those updated figures for a family-of-four are listed in Appendix A, Table 1, by region for both metropolitan and non-metropolitan areas. Figures in all of the accompanying tables, in the Appendices, are rounded up to the nearest dollar. Since low income individuals, “disadvantaged adult” and “disadvantaged youth” may be determined by family income at 70 percent of the LLSIL, pursuant to WIA Sections 101(25), 127(b)(2)(C), and 132(b)(1)(B)(v)(IV), respectively, those figures are listed as well.

*Jurisdictions included in the various regions, based generally on Census Divisions of the U.S. Department of Commerce, are as follows:*

#### **Northeast**

Connecticut  
Maine  
Massachusetts  
New Hampshire  
New Jersey  
New York  
Pennsylvania  
Rhode Island  
Vermont  
Virgin Islands

#### **Midwest**

Illinois  
Indiana  
Iowa  
Kansas  
Michigan  
Minnesota  
Missouri  
Nebraska  
North Dakota  
Ohio  
South Dakota  
Wisconsin

#### **South**

Alabama  
American Samoa  
Arkansas  
Delaware  
District of Columbia  
Florida  
Georgia  
Northern Marianas  
Oklahoma  
Palau  
Puerto Rico  
South Carolina  
Kentucky  
Louisiana  
Marshall Islands  
Maryland  
Micronesia  
Mississippi  
North Carolina  
Tennessee  
Texas  
Virginia  
West Virginia

#### **West**

Arizona  
California  
Colorado  
Idaho  
Montana  
Nevada  
New Mexico  
Oregon  
Utah  
Washington  
Wyoming

Additionally, separate figures have been provided for Alaska, Hawaii, and

Guam as indicated in Appendix B, Table 2.

For Alaska, Hawaii, and Guam, the year 2009 figures were updated from the April, 2009 “State Index” based on the ratio of the urban change in the state (using Anchorage for Alaska and Honolulu for Hawaii and Guam) compared to the West regional metropolitan change, and then applying that index to the West regional metropolitan change.

Data on 23 selected MSAs are also available. These are based on semiannual CPI-U changes for a 12-month period ending in June 2009. The updated LLSIL figures for these MSAs and 70 percent of the LLSIL are reported in Appendix C, Table 3.

Appendix D, Table 4 lists each of the various figures at 70 percent of the updated 2009 LLSIL for family sizes of one to six persons. Because tables 1–3 only list the LLSIL for a family of four, table 4 can be used to determine the LLSIL for families of one to six persons. For families larger than six persons, an amount equal to the difference between the six-person and the five-person family income levels should be added to the six-person family income level for each additional person in the family. Where the poverty level for a particular family size is greater than the corresponding LLSIL figure, the figure is indicated in parentheses. A modified Excel version of Appendix D, Table 4, with the area names, will be available on the Department of Labor, Employment and Training Administration LLSIL Webpage at [<http://www.doleta.gov/llsil/2010/>]. Appendix E, Table 5, indicates 100 percent of LLSIL for family sizes of one to six and is used to determine self-sufficiency as noted at 20 CFR 663.230 of the WIA regulations and WIA Section 134(d)(3)(A)(ii).

#### **Use of These Data**

Governors should designate the appropriate LLSILs for use within the state from Appendices A, B, and C, containing Tables 1 through 3. Appendices D and E, which contain Tables 4 and 5, which adjusts a family of four figure for larger and smaller families, may be used with any LLSIL designated. The Governor’s designation may be provided by disseminating information on MSAs and metropolitan and non-metropolitan areas within the state or it may involve further calculations. For example, the State of New Jersey may have four or more LLSIL figures for Northeast metropolitan, Northeast non-metropolitan, portions of the State in the New York City MSA, and those in

the Philadelphia MSA. If a workforce investment area includes areas that would be covered by more than one figure, the Governor may determine which is to be used.

Under 20 CFR 661.110, a state's policies and measures for the workforce investment system shall be accepted by the Secretary to the extent that they are consistent with the WIA and the WIA regulations.

#### Disclaimer on Statistical Uses

It should be noted, the publication of these figures is only for the purpose of meeting the requirements specified by WIA as defined in the law and regulations. BLS has not revised the lower living family budget since 1981, and has no plans to do so. The four-person urban family budget estimates series has been terminated. The CPI-U adjustments used to update the LLSIL for this publication are not precisely comparable, most notably because certain tax items were included in the 1981 LLSIL, but are not in the CPI-U. Thus, these figures should not be used for any statistical purposes, and are valid only for those purposes under WIA as defined in the law and regulations.

#### Lower Living Standard Income Level for 2010

Under Title I of the Workforce Investment Act of 1998 (Pub. L. 105-220), the Secretary of Labor annually determines the Lower Living Standard Income Level (LLSIL). This Notice

announces the LLSIL Tables for 2010. WIA requires the Department of Labor to update and publish the LLSIL tables annually. The LLSIL tables are used for several purposes under WIA, including determining eligibility for youth and for the Work Opportunity Tax Credit.

Signed at Washington, DC, this 30th day of April 2010.

Jane Oates,

Assistant Secretary, Employment and Training Administration.

#### Attachments

##### Appendix A

TABLE 1—LOWER LIVING STANDARD INCOME LEVEL (FOR A FAMILY OF FOUR PERSONS) BY REGION <sup>1</sup>

| Region <sup>2</sup>        | 2010 adjusted LLSIL | 70 percent LLSIL |
|----------------------------|---------------------|------------------|
| Northeast:                 |                     |                  |
| Metro .....                | \$38,759            | \$27,131         |
| Non-Metro <sup>3</sup> ... | 37,060              | 25,942           |
| Midwest:                   |                     |                  |
| Metro .....                | 34,161              | 23,913           |
| Non-Metro .....            | 33,026              | 23,118           |
| South:                     |                     |                  |
| Metro .....                | 33,043              | 23,130           |
| Non-Metro .....            | 32,318              | 22,623           |
| West:                      |                     |                  |
| Metro .....                | 37,471              | 26,230           |
| Non-Metro <sup>4</sup>     | 35,758              | 25,031           |

<sup>1</sup> For ease of use, these figures are rounded to the next highest dollar.

<sup>2</sup> Metropolitan area measures were calculated from the weighted average CPI-U for city size classes A and B/C. Non-metropolitan area measures were calculated from the CPI-U for city size class D.

<sup>3</sup> Non-metropolitan area percent changes for the Northeast region are no longer available. The Non-metropolitan percent change was calculated using the U.S. average CPI-U for city size class D.

<sup>4</sup> Non-metropolitan area percent changes for the West region are unpublished data.

##### Appendix B

TABLE 2—LOWER LIVING STANDARD INCOME LEVEL (FOR A FAMILY OF FOUR PERSONS)—ALASKA, HAWAII AND GUAM <sup>1</sup>

| Region                     | 2010 adjusted LLSIL | 70 percent LLSIL |
|----------------------------|---------------------|------------------|
| Alaska:                    |                     |                  |
| Metro .....                | \$45,047            | \$31,533         |
| Non-Metro <sup>2</sup> ... | 44,866              | 31,406           |
| Hawaii, Guam:              |                     |                  |
| Metro .....                | 48,432              | 33,902           |
| Non-Metro <sup>2</sup> ... | 47,898              | 33,529           |

<sup>1</sup> For ease of use, these figures are rounded to the next highest dollar.

<sup>2</sup> Non-Metropolitan percent changes for Alaska, Hawaii and Guam were calculated from the CPI-U for city size class D in the Western Region.

##### Appendix C

TABLE 3—LOWER LIVING STANDARD INCOME LEVEL (FOR A FAMILY OF FOUR PERSONS) 23 MSAs <sup>1</sup>

| Metropolitan statistical areas (MSAs)                    | 2010 Adjusted LLSIL | 70 Percent LLSIL |
|----------------------------------------------------------|---------------------|------------------|
| Anchorage, AK .....                                      | \$46,172            | \$32,320         |
| Atlanta, GA .....                                        | 31,353              | 21,947           |
| Boston—Brockton—Nashua, MA/NH/ME/CT .....                | 41,891              | 29,324           |
| Chicago—Gary—Kenosha, IL/IN/WI .....                     | 35,821              | 25,075           |
| Cincinnati—Hamilton, OH/KY/IN .....                      | 34,327              | 24,029           |
| Cleveland—Akron, OH .....                                | 35,129              | 24,590           |
| Dallas—Ft. Worth, TX .....                               | 31,646              | 22,152           |
| Denver—Boulder—Greeley, CO .....                         | 35,695              | 24,987           |
| Detroit—Ann Arbor—Flint, MI .....                        | 32,916              | 23,041           |
| Honolulu, HI .....                                       | 49,497              | 34,648           |
| Houston—Galveston—Brazoria, TX .....                     | 30,562              | 21,393           |
| Kansas City, MO/KS .....                                 | 33,064              | 23,145           |
| Los Angeles—Riverside—Orange County, CA .....            | 39,521              | 27,665           |
| Milwaukee—Racine, WI .....                               | 34,073              | 23,851           |
| Minneapolis—St. Paul, MN/WI .....                        | 34,156              | 23,909           |
| New York—Northern NJ—Long Island, NY/NJ/CT/PA .....      | 41,130              | 28,791           |
| Philadelphia—Wilmington—Atlantic City, PA/NJ/DE/MD ..... | 37,407              | 26,185           |
| Pittsburgh, PA .....                                     | 41,025              | 28,718           |
| St. Louis, MO/IL .....                                   | 32,268              | 22,588           |
| San Diego, CA .....                                      | 43,298              | 30,309           |
| San Francisco—Oakland—San Jose, CA .....                 | 39,916              | 27,941           |
| Seattle—Tacoma—Bremerton, WA .....                       | 40,784              | 28,549           |
| Washington—Baltimore, DC/MD/VA/WV <sup>2</sup> .....     | 41,669              | 29,168           |

<sup>1</sup> For ease of use, these figures are rounded to the next highest dollar.

<sup>2</sup> Baltimore and Washington are now calculated as a single metropolitan statistical area.

**Appendix D****Table 4—Seventy Percent of Updated 2010 Lower Living Standard Income Level (LLSIL), by Family Size**

To use the seventy percent LLSIL value, where it is stipulated for WIA programs, begin by locating the region or metropolitan area where they reside. These are listed in Tables 1, 2 and 3. After locating the appropriate region or metropolitan statistical area, find the seventy percent LLSIL amount for that location. The seventy percent LLSIL figures are listed in the last column to the right on each of the three tables. These

figures apply to a family of four. Larger and smaller family eligibility is based on a percentage of the family of four. To determine eligibility for other size families consult Table 4 and the instructions below.

To use Table 4, locate the seventy percent LLSIL value that applies to the individual's region or metropolitan area from Tables 1, 2 or 3. Find the same number in the "family of four" column of Table 4. Move left or right across that row to the size that corresponds to the individual's family unit. That figure is the maximum household income the individual is permitted in order to qualify as economically disadvantaged under WIA.

Where the HHS poverty level for a particular family size is greater than the corresponding LLSIL figure, the LLSIL figure appears in a shaded block. Individuals from these size families may consult the 2009 HHS poverty guidelines found in the **Federal Register**, Vol. 74, No. 14, January 23, 2009, pp. 4199–4201 (on the Internet at <http://aspe.hhs.gov/poverty/09fedreg.htm>) to find the higher eligibility standard. Individuals from Alaska and Hawaii should consult the HHS guidelines for the generally higher poverty levels that apply in their states.

| Family of one | Family of two | Family of three | Family of four | Family of five | Family of six |
|---------------|---------------|-----------------|----------------|----------------|---------------|
| 7,708         | 12,628        | 17,332          | 21,393         | 25,248         | 29,527        |
| 7,902         | 12,951        | 17,784          | 21,947         | 25,901         | 30,289        |
| 7,980         | 13,077        | 17,949          | 22,152         | 26,146         | 30,575        |
| 8,138         | 13,332        | 18,299          | 22,588         | 26,657         | 31,172        |
| 8,151         | 13,353        | 18,326          | 22,623         | 26,697         | 31,222        |
| 8,298         | 13,595        | 18,667          | 23,041         | 27,190         | 31,796        |
| 8,329         | 13,644        | 18,730          | 23,118         | 27,287         | 31,910        |
| 8,331         | 13,650        | 18,736          | 23,130         | 27,299         | 31,928        |
| 8,331         | 13,658        | 18,753          | 23,145         | 27,314         | 31,944        |
| 8,587         | 14,074        | 19,322          | 23,851         | 28,148         | 32,918        |
| 8,611         | 14,110        | 19,372          | 23,909         | 28,218         | 33,000        |
| 8,609         | 14,112        | 19,370          | 23,913         | 28,217         | 33,006        |
| 8,653         | 14,183        | 19,469          | 24,029         | 28,358         | 33,163        |
| 8,854         | 14,515        | 19,921          | 24,590         | 29,021         | 33,936        |
| 8,999         | 14,747        | 20,245          | 24,987         | 29,486         | 34,486        |
| 9,013         | 14,770        | 20,279          | 25,031         | 29,541         | 34,550        |
| 9,028         | 14,800        | 20,311          | 25,075         | 29,593         | 34,610        |
| 9,342         | 15,312        | 21,020          | 25,942         | 30,617         | 35,801        |
| 9,431         | 15,453        | 21,213          | 26,185         | 30,904         | 36,138        |
| 9,443         | 15,476        | 21,247          | 26,230         | 30,951         | 36,201        |
| 9,771         | 16,014        | 21,978          | 27,131         | 32,020         | 37,444        |
| 9,960         | 16,322        | 22,409          | 27,665         | 32,645         | 38,182        |
| 10,064        | 16,491        | 22,633          | 27,941         | 32,974         | 38,564        |
| 10,284        | 16,846        | 23,128          | 28,549         | 33,692         | 39,400        |
| 10,344        | 16,950        | 23,267          | 28,718         | 33,893         | 39,635        |
| 10,366        | 16,991        | 23,321          | 28,791         | 33,974         | 39,738        |
| 10,505        | 17,216        | 23,631          | 29,168         | 34,425         | 40,261        |
| 10,559        | 17,303        | 23,759          | 29,324         | 34,607         | 40,468        |
| 10,917        | 17,884        | 24,555          | 30,309         | 35,768         | 41,832        |
| 11,311        | 18,530        | 25,442          | 31,406         | 37,062         | 43,341        |
| 11,358        | 18,606        | 25,546          | 31,533         | 37,212         | 43,522        |
| 11,641        | 19,076        | 26,183          | 32,320         | 38,146         | 44,604        |
| 12,074        | 19,787        | 27,161          | 33,529         | 39,565         | 46,271        |
| 12,212        | 20,005        | 27,466          | 33,902         | 40,008         | 46,792        |
| 12,478        | 20,444        | 28,065          | 34,648         | 40,886         | 47,821        |

**Appendix E****Table 5—Updated 2010 LLSIL (100%), By Family Size**

To use the LLSIL to determine the minimum level for establishing self-sufficiency criteria at the state or local level,

begin by locating the metropolitan area or region from Table 1, 2 or 3. Then locate the appropriate region or metropolitan statistical area and then find the 2010 Adjusted LLSIL amount for that location. These figures apply to a family of four. Locate the corresponding number in the family of four in the column

below. Move left or right across that row to the size that corresponds to the individual's family unit. That figure is the minimum figure States must set for determining whether employment leads to self-sufficiency under WIA programs.

| Family of one | Family of two | Family of three | Family of four | Family of five | Family of six |
|---------------|---------------|-----------------|----------------|----------------|---------------|
| \$11,011      | \$18,040      | \$24,760        | \$30,562       | \$36,069       | \$42,182      |
| 11,289        | 18,501        | 25,406          | 31,353         | 37,002         | 43,270        |
| 11,400        | 18,681        | 25,641          | 31,646         | 37,352         | 43,678        |
| 11,625        | 19,045        | 26,142          | 32,268         | 38,081         | 44,531        |
| 11,644        | 19,075        | 26,180          | 32,318         | 38,139         | 44,603        |
| 11,854        | 19,421        | 26,667          | 32,916         | 38,843         | 45,423        |
| 11,899        | 19,491        | 26,757          | 33,026         | 38,981         | 45,586        |
| 11,901        | 19,500        | 26,765          | 33,043         | 38,999         | 45,611        |

| Family of one | Family of two | Family of three | Family of four | Family of five | Family of six |
|---------------|---------------|-----------------|----------------|----------------|---------------|
| 11,902        | 19,511        | 26,790          | 33,064         | 39,020         | 45,634        |
| 12,267        | 20,106        | 27,603          | 34,073         | 40,211         | 47,025        |
| 12,301        | 20,157        | 27,674          | 34,156         | 40,312         | 47,143        |
| 12,299        | 20,160        | 27,671          | 34,161         | 40,310         | 47,151        |
| 12,361        | 20,261        | 27,813          | 34,327         | 40,511         | 47,375        |
| 12,649        | 20,736        | 28,459          | 35,129         | 41,459         | 48,480        |
| 12,856        | 21,067        | 28,922          | 35,695         | 42,123         | 49,265        |
| 12,875        | 21,100        | 28,970          | 35,758         | 42,201         | 49,357        |
| 12,897        | 21,143        | 29,015          | 35,821         | 42,275         | 49,443        |
| 13,345        | 21,874        | 30,028          | 37,060         | 43,739         | 51,144        |
| 13,473        | 22,075        | 30,304          | 37,407         | 44,149         | 51,625        |
| 13,490        | 22,108        | 30,353          | 37,471         | 44,216         | 51,716        |
| 13,958        | 22,877        | 31,397          | 38,759         | 45,743         | 53,491        |
| 14,229        | 23,317        | 32,013          | 39,521         | 46,636         | 54,546        |
| 14,377        | 23,558        | 32,333          | 39,916         | 47,105         | 55,092        |
| 14,692        | 24,065        | 33,040          | 40,784         | 48,131         | 56,285        |
| 14,777        | 24,214        | 33,238          | 41,025         | 48,418         | 56,622        |
| 14,809        | 24,273        | 33,316          | 41,130         | 48,534         | 56,769        |
| 15,007        | 24,594        | 33,758          | 41,669         | 49,179         | 57,515        |
| 15,084        | 24,719        | 33,941          | 41,891         | 49,438         | 57,811        |
| 15,596        | 25,548        | 35,078          | 43,298         | 51,097         | 59,760        |
| 16,159        | 26,472        | 36,346          | 44,866         | 52,945         | 61,916        |
| 16,225        | 26,580        | 36,494          | 45,047         | 53,160         | 62,174        |
| 16,630        | 27,252        | 37,404          | 46,172         | 54,494         | 63,720        |
| 17,249        | 28,267        | 38,801          | 47,898         | 56,522         | 66,102        |
| 17,445        | 28,578        | 39,237          | 48,432         | 57,154         | 66,845        |
| 17,826        | 29,205        | 40,093          | 49,497         | 58,409         | 68,316        |

[FR Doc. 2010-10794 Filed 5-6-10; 8:45 am]

BILLING CODE 4510-FT-P

## NATIONAL LABOR RELATIONS BOARD

### Sunshine Act Meetings

#### TIME AND DATES:

All meetings are held at 2:30 p.m.  
 Tuesday, May 4, Wednesday, May 5,  
 Thursday, May 6, 2010;  
 Tuesday, May 11, Wednesday, May 12,  
 Thursday, May 13, 2010;  
 Tuesday, May 18, Wednesday, May 19,  
 Thursday, May 20, 2010;  
 Tuesday, May 25, Wednesday, May 26,  
 Thursday, May 27, 2010.

**PLACE:** Board Agenda Room, No. 11820,  
 1099 14th St., NW., Washington DC  
 20570.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Pursuant to § 102.139(a) of the Board's Rules and Regulations, the Board or a panel thereof will consider "the issuance of a subpoena, the Board's participation in a civil action or proceeding or an arbitration, or the initiation, conduct, or disposition ... of particular representation or unfair labor practice proceedings under section 8, 9, or 10 of the [National Labor Relations] Act, or any court proceedings collateral or ancillary thereto." See also 5 U.S.C. 552b(c)(10).

#### CONTACT PERSON FOR MORE INFORMATION:

Lester A. Heltzer, Executive Secretary,  
 (202) 273-1067.

**Lester A. Heltzer,**  
*Executive Secretary.*

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)

**AGENCY:** National Science Foundation.

**ACTION:** Notice of Permit Applications Received under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

**DATES:** Interested parties are invited to submit written data, comments, or views with respect to this permit application by June 7, 2010. This application may be inspected by interested parties at the Permit Office, address below.

**ADDRESSES:** Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

#### FOR FURTHER INFORMATION CONTACT:

Nadene G. Kennedy at the above address or (703) 292-7405.

**SUPPLEMENTARY INFORMATION:** The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

1. *Applicant:* Permit Application No. 2011-004. Sam Feola, Director, Raytheon Polar Services Company, 7400 S. Tucson Way, Centennial, CO 80112.

#### Activity for Which Permit is Requested

Introduce into Antarctica. The applicant plans to import commercially available bacterial host cell, *Escherichia coli*, for experimental use at the science laboratories at McMurdo and Palmer Stations. The experimental purpose is to generate clones of genes and gene fragments. In both cases the