

development and evolution of the digital library will be informed by the research communities that NSF supports, and it will serve as a living resource of multimedia materials that may be used to train current and future generations of scientists and engineers in the responsible and ethical conduct of research.

Invitation to Comment: The Foundation welcomes public comment on any aspect of the proposed Implementation Plan. Issues that responders may wish to address include, but are not limited to, the following:

- What challenges do institutions face in meeting the new RCR requirement?
- What role should Principal Investigators play in meeting NSF's RCR requirement?
- There are likely to be differences in the RCR plans that institutions develop to respond to this new requirement. What are the pros and cons of exploring a diversity of approaches?
- How might online resources be most effective in assisting with training students and postdocs in the responsible and ethical conduct of research?
- Discuss possible approaches to verifying that the requisite RCR training has been provided.

Comments: Comments regarding NSF's proposed implementation should be e-mailed to RCRinput@nsf.gov by March 31, 2009. Please include your comments in the body of the e-mail and in an attachment. Include your name, title, organization, postal address, telephone number, and e-mail address in your message.

FOR FURTHER INFORMATION CONTACT: For information on the NSF's implementation of the America COMPETES Act, contact Jean Feldman; Head, Policy Office, Division of Institution & Award Support; National Science Foundation; 4201 Wilson Blvd.; Arlington, VA 22230; e-mail: jfeldman@nsf.gov; telephone: (703) 292-8243; fax: (703) 292-9171.

Dated: February 23, 2009.

Suzanne H. Plimpton,
Reports Clearance Officer, National Science Foundation.

[FR Doc. E9-4100 Filed 2-25-09; 8:45 am]

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OFFICE OF MANAGEMENT AND BUDGET

Federal Regulatory Review

AGENCY: Office of Management and Budget, Executive Office of the President.

ACTION: Request for comments.

SUMMARY: The Director of the Office of Management and Budget (OMB) is developing a set of recommendations to the President for a new Executive Order on Federal Regulatory Review, and invites public comments on how to improve the process and principles governing regulation.

DATES: Comments must be in writing and received by March 16, 2009.

ADDRESSES: Submit comments by one of the following methods:

- *E-mail:*
oira_submission@omb.eop.gov.
- *Fax:* (202) 395-7245.
- *Mail:* Office of Information and Regulatory Affairs, Records Management Center, Office of Management and Budget, Attn: Mabel Echols, Room 10102, NEOB, 725 17th Street, NW., Washington, DC 20503. We are still experiencing delays in the regular mail, including first class and express mail. To ensure that your comments are received on time, we recommend that comments be electronically submitted.

All comments submitted in response to this notice will be made available to the public on OMB's Web site. 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 send an e-mail comment directly to OMB, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet.

FOR FURTHER INFORMATION CONTACT: Mabel Echols, Office of Information and Regulatory Affairs, Records Management Center, Office of Management and Budget, Room 10102, NEOB, 725 17th Street, NW., Washington, DC 20503. Telephone: (202) 395-6880.

SUPPLEMENTARY INFORMATION: For well over two decades, the Office of Information and Regulatory Affairs (OIRA) at OMB has reviewed Federal regulations. The purposes of such review have been to ensure consistency with Presidential priorities, to coordinate regulatory policy, and to offer a dispassionate and analytical "second opinion" on agency actions.

In a recent Memorandum for the Heads of Executive Departments and Agencies, published in the **Federal Register** [74 FR 5977], the President directed the Director of OMB to produce a set of recommendations for a new Executive Order on Federal regulatory review. Among other things, he stated

that the recommendations should offer suggestions for the following:

- The relationship between OIRA and the agencies;
- Disclosure and transparency;
- Encouraging public participation in agency regulatory processes;
- The role of cost-benefit analysis;
- The role of distributional considerations, fairness, and concern for the interests of future generations;
- Methods of ensuring that regulatory review does not produce undue delay;
- The role of the behavioral sciences in formulating regulatory policy; and
- The best tools for achieving public goals through the regulatory process.

Executive Orders are not subject to notice and comment procedures, and as a general rule, public comment is not formally sought before they are issued. In this case, however, there has been an unusually high level of public interest, and because of the evident importance and fundamental nature of the relevant issues, the Director of OMB invites public comments on the principles and procedures governing regulatory review. These comments will be read and considered seriously even though no responses will be given.

This public process is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Kevin F. Neyland,

Acting Administrator, Office of Information and Regulatory Affairs.

[FR Doc. E9-4080 Filed 2-25-09; 8:45 am]

BILLING CODE 3110-01-P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Meeting of the Industry Trade Advisory Committee on Small and Minority Business (ITAC-11)

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of a partially opened meeting.

SUMMARY: The Industry Trade Advisory Committee on Small and Minority Business (ITAC-11) will hold a meeting on Monday, March 23, 2009, from 9 a.m. to 3:30 p.m. The meeting will be closed to the public from 9 a.m. to 12:30 p.m. and opened to the public from 1 p.m. to 3:30 p.m.

DATES: The meeting is scheduled for March 23, 2009, unless otherwise notified.

ADDRESSES: The meeting will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Laura Hellstern, DFO for ITAC-11 at (202) 482-3222, Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION: During the opened portion of the meeting the following agenda items will be considered.

- Status of U.S. Commercial Service Activities for FY09.
- The TPCC Agencies and Their Role in Export Promotion and Trade Policy.

Christina R. Sevilla,

Acting Assistant U.S. Trade Representative for Intergovernmental Affairs and Public Liaison.

[FR Doc. E9-4138 Filed 2-25-09; 8:45 am]

BILLING CODE 3190-W9-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-28619; File No. 812-13515]

MainStay VP Series Fund, Inc.

February 20, 2009.

AGENCY: Securities and Exchange Commission "SEC" or "Commission").

ACTION: Notice of application for an order pursuant to Section 6(c) of the Investment Company Act of 1940, as amended, (the "Act") granting relief from the provisions of Section 9(a), 13(a), 15(a) and 15(b) of the Act and Rules 6e-2(b)(15) and 6e-3(T)(b)(15) thereunder.

APPLICANTS: MainStay VP Series Fund, Inc. (the "Fund") and New York Life Investment Management LLC ("NYLIM") (together the "Applicants").

FILING DATE: The application was filed on April 2, 2008, and amended and restated applications were filed on November 20, 2008 and February 17, 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 March 18, 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 notification by writing to the Secretary of the Commission.

ADDRESSES: Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549. Applicants: Marguerite E.H. Morrison, New York Life Investment Management LLC, 51 Madison Avenue, New York, NY 10010, with a copy to Christopher E. Palmer, Goodwin Procter LLP, 901 New York Avenue, NW., Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT:

Patrick Scott, Senior Counsel, at 202-551-6763, or Zandra Bailes, Branch Chief, Office of Insurance Products, Division of Investment Management, Commission SEC at (202) 551-6975.

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch, 100 F Street, NE., Washington, DC 20549 (tel. (202) 551-8090).

SUMMARY OF APPLICATION: Applicants seek exemption of each life insurance company separate account supporting variable life insurance contracts ("VLI Accounts") (and its insurance company depositor) that may invest in shares of the Fund or a "future fund" as defined below, from the provisions of Sections 9(a), 13(a), 15(a) and 15(b) of the Act and Rules 6e-2(b)(15) and 6e-3(T)(b)(15) (or any comparable provisions of a permanent rule that replaces Rule 6e-3(T)(b)(15)) thereunder to the extent necessary to permit such VLI Accounts to hold shares of the Fund or a future fund when one or more of the following other types of investors also hold shares of the Fund or a future fund: (1) Life insurance company separate accounts supporting variable annuity contracts ("VA Accounts"), whether or not the life insurance company is an affiliated person of the insurance company depositor of any VLI Account, (2) VLI Accounts supporting scheduled or flexible premium variable life insurance contracts, whether or not the life insurance company is an affiliated person of the insurance company depositor of any other VLI Account, (3) general accounts of insurance company depositors of VA Accounts and/or VLI Accounts, (4) the Fund's investment adviser or future fund's investment adviser (or an affiliated person of the investment adviser), or (5) qualified group pension plans and group retirement plans ("Plans") in accordance with Section 817(h) of the Internal Revenue Code (the "Code") and the U.S. Treasury regulations and

Internal Revenue Service guidelines thereunder, as described in more detail below, outside the separate account context. A "future fund" is any investment company (or investment portfolio or series thereof), other than the Fund, shares of which are sold to VLI Accounts and to which NYLIM or its affiliates may in the future serve as investment adviser, investment subadviser, investment manager, administrator, principal underwriter or sponsor. Investment portfolios or series of the Fund or any future fund are referred to herein as "Insurance Funds."

SUPPLEMENTARY INFORMATION:

The following is a summary of the application. The complete application is available for a fee from the Public Reference Branch of the Commission, 100 F Street, NE., Washington, DC 20549, (202) 551-8090.

Applicants' Representations:

1. The Fund was formed as a Maryland corporation on June 3, 1983. The Fund was formerly known as the New York Life MFA Series Fund, Inc. On August 22, 1996, the Fund's name changed to its present form. The Fund is registered under the Act as an open-end management investment company (Reg. File No. 811-03833-01). The Fund is a series investment company as defined by Rule 18f-2 under the Act and is currently comprised of twenty-four series ("Portfolios"): (1) MainStay VP Balanced Portfolio, (2) MainStay VP Bond Portfolio, (3) MainStay VP Capital Appreciation Portfolio, (4) MainStay VP Cash Management Portfolio, (5) MainStay VP Common Stock Portfolio, (6) MainStay VP Conservative Allocation Portfolio, (7) MainStay VP Convertible Portfolio, (8) MainStay VP Developing Growth Portfolio, (9) MainStay VP Floating Rate Portfolio, (10) MainStay VP Government Portfolio, (11) MainStay VP Growth Allocation Portfolio, (12) MainStay VP High Yield Corporate Bond Portfolio, (13) MainStay VP ICAP Select Equity Portfolio, (14) MainStay VP International Equity Portfolio, (15) MainStay VP Large Cap Growth Portfolio, (16) MainStay VP Mid Cap Core Portfolio, (17) MainStay VP Mid Cap Growth Portfolio, (18) MainStay VP Mid Cap Value Portfolio, (19) MainStay VP Moderate Allocation Portfolio, (20) MainStay VP Moderate Growth Allocation Portfolio, (21) MainStay VP S&P 500 Index Portfolio, (22) MainStay VP Small Cap Growth Portfolio, (23) MainStay VP Total Return Portfolio, and (24) MainStay VP Value Portfolio. The Fund issues a separate series of shares of beneficial interest for each Portfolio and has filed a registration statement under the