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April 23, 2010

### **GENERAL MEMORANDUM 10-053**

#### **OMB Issues Correction on Notice of Deadline for Filing Comments on Proposed Guidance on "Inherent Federal Functions"**

On April 19, 2010, the Office of Management and Budget (OMB) issued a correction to its notice of March 31, 2010, concerning draft guidelines for Federal agencies on those activities designated as "inherent governmental functions" which cannot be delegated to contractors. We reported on this OMB notice in our General Memorandum 10-044 (April 2, 2010) as we believe tribes may wish to submit comments with regard to the status of contracts under the Indian Self-Determination and Education Assistance Act in order to avoid misunderstandings by Federal agencies.

The attached April 19, 2010, notice corrects the addresses and instructions for submitting and viewing public comments. The deadline for receipt of comments is the same as reported in the original notice – *June 1, 2010*.

Please let us know if we may provide additional information or assistance in drafting comments on the proposed OMB guidance.

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Inquiries may be directed to:  
S. Bobo Dean ([sdean@hobbsstraus.com](mailto:sdean@hobbsstraus.com)) or  
Geoff Strommer ([gstrommer@hobbsstraus.com](mailto:gstrommer@hobbsstraus.com))

be attributed to a loss of exports and thus is not affected by imports.

During the initial investigation, the subject firm provided sales and contact information for its major declining customers: one domestic customer and three foreign customers. The sole domestic customer constituted 16 percent of the sales decline experienced by the subject firm and the three foreign customers constituted 72 percent of the subject firm's sales decline.

The Department confirmed during the initial investigation that the three foreign customers were purchasing finished articles and not component parts of construction equipment from the subject firm, and determined that the subject firm's declining sales with the three foreign customers was loss of export business by the subject firm. Further, during the initial investigation, the Department had collected aggregate data that shows that imports into the United States of agricultural and construction machinery decreased by almost 40 percent during the relevant period.

Because the export losses and the losses to the sole domestic customer account for 88 percent of the decline in sales for the subject firm and there were decreasing aggregate imports of construction equipment, the Department determined that the customer survey conducted during the initial investigation was appropriate.

The petitioner did not supply facts not previously considered; nor provide additional documentation indicating that there was either (1) a mistake in the determination of facts not previously considered or (2) a misinterpretation of facts or of the law justifying reconsideration of the initial determination.

After careful review of the request for reconsideration, the Department determines that 29 CFR 90.18(c) has not been met.

### Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed in Washington, DC this 1st day of April 2010.

**Del Min Amy Chen,**  
Certifying Officer, Division of Trade  
Adjustment Assistance.

[FR Doc. 2010-8875 Filed 4-16-10; 8:45 am]

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## OFFICE OF MANAGEMENT AND BUDGET

### Work Reserved for Performance by Federal Government Employees; Correction

**AGENCY:** Office of Federal Procurement Policy, Office of Management and Budget.

**ACTION:** Notice; Correction.

**SUMMARY:** The Office of Federal Procurement Policy (OFPP) in the Office of Management and Budget (OMB) is making corrections to the addresses and instructions for submitting and viewing public comments on the Proposed Policy Letter "Work Reserved for Performance by Federal Government Employees" (75 FR 16188-16197, March 31, 2010). The **ADDRESSES** section and updated Web site below should be used in place of those previously published in the March 31, 2010 notice. All other information from the March 31st notice, including the June 1, 2010, deadline for submission of comments, remains unchanged. The full text of the original notice is available at <http://edocket.access.gpo.gov/2010/2010-7329.htm>.

**FOR FURTHER INFORMATION CONTACT:** Mathew Blum, OFPP, (202) 395-4953 or [mblum@omb.eop.gov](mailto:mblum@omb.eop.gov).

### Corrections

In the **Federal Register** on March 31, 2010, beginning at the top of page 16189, correct the **ADDRESSES** to read:

**ADDRESSES:** All comments should be submitted via one of the following methods:

- **Online:** <http://www.regulations.gov>.
- **Fax:** 202-395-5105.
- **Mail:** Office of Federal Procurement Policy, Attn: Mathew Blum, New Executive Office Building, Room 9013, 725 17th Street, NW., Washington, DC 20503.
- **Instructions:** Please submit comments only and include your name, company name (if any), and cite "Proposed OFPP Policy Letter" in all correspondence. All comments received will be posted, without change, to <http://www.regulations.gov>, without redaction, so commenters should not include information that they do not wish to be posted (for example because they consider it personal or business confidential).

In the **Federal Register** on March 31, 2010, correct the hyperlink in the last sentence on page 16189 to read:

For a copy of public comments, go to <http://www.whitehouse.gov/omb/assets/>

[procurement\\_gov\\_contracting/public\\_comments.pdf](#).

**Daniel I. Gordon,**

Administrator, Office of Federal Procurement Policy.

[FR Doc. 2010-8824 Filed 4-16-10; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee On Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee On Plant License Renewal

The ACRS Subcommittee on Plant License Renewal will hold a meeting on May 5, 2010, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

**Wednesday, May 5, 2010—8:30 a.m. until 12 p.m.**

The Subcommittee will discuss the Cooper Nuclear Station License Renewal Application and the associated Safety Evaluation Report (SER) with Open Items prepared by the staff. The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff, Nebraska Public Power District, and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Mrs. Kathy Weaver (Telephone 301-415-6236 or E-mail [Kathy.Weaver@nrc.gov](mailto:Kathy.Weaver@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least 30 minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal**