

when there are few synergies to be captured by combining licenses.

38. For Auction 86, it is not possible to combine licenses across multiple frequency blocks in a given geographic area, and opportunities for combining licenses in adjacent areas are somewhat limited, so there is likely to be little need to use withdrawals to protect against incomplete aggregations. Therefore, the Bureau proposes to establish the percentage of the withdrawn bid to be assessed as an interim bid withdrawal payment at fifteen percent for this auction. The Bureau seeks comment on this proposal.

ii. Establishing the Additional Default Payment Percentage

39. Any winning bidder that, after the close of an auction, defaults—by, for example, failing to remit the required down payment within the prescribed period of time, to submit a timely long-form application, or to make full payment—or is otherwise disqualified is liable for a default payment under 47 CFR 1.2104(g)(2). This payment consists of a deficiency payment, equal to the difference between the amount of the bidder's bid and the amount of the winning bid the next time a license covering the same spectrum is won in an auction, plus an additional payment equal to a percentage of the defaulter's bid or of the subsequent winning bid, whichever is less.

40. As previously noted by the Commission, defaults weaken the integrity of the auctions process and impede the deployment of service to the public. Given the nature of the service and the inventory of the licenses being offered in Auction 86, the Bureau believes that an additional default payment percentage of fifteen percent will provide a sufficient deterrent to defaults. Accordingly, the Bureau proposes an additional default payment of fifteen percent of the relevant bid for Auction 86 and seeks comment on this proposal.

### III. Commission *ex parte* Rules

41. This proceeding has been designated as a permit-but-disclose proceeding in accordance with the Commission's *ex parte* rules. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. Other rules pertaining to oral and written *ex parte* presentations in

permit-but-disclose proceedings are set forth in 47 CFR 1.1206(b).

Federal Communications Commission.

**Gary D. Michaels,**

*Deputy Chief, Auctions and Spectrum Access Division, WTB.*

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**BILLING CODE 6712-01-P**

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## FEDERAL RESERVE SYSTEM

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Board of Governors of the Federal Reserve System.

**TIME AND DATE:** 11:30 a.m., Monday, May 18, 2009.

**PLACE:** Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, N.W., Washington, D.C. 20551.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:**

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

**FOR FURTHER INFORMATION CONTACT:**

Michelle Smith, Director, or Dave Skidmore, Assistant to the Board, Office of Board Members at 202-452-2955.

**SUPPLEMENTARY INFORMATION:** You may call 202-452-3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may contact the Board's Web site at <http://www.federalreserve.gov> for an electronic announcement that not only lists applications, but also indicates procedural and other information about the meeting.

Board of Governors of the Federal Reserve System, May 8, 2009.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E9-11199 Filed 5-8-09; 4:15 pm]

**BILLING CODE 6210-01-S**

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Biodefense Science Board; Notification of a Public Teleconference

**AGENCY:** Department of Health and Human Services, Office of the Secretary.

**ACTION:** Notice.

**SUMMARY:** As stipulated by the Federal Advisory Committee Act, the U.S.

Department of Health and Human Services is hereby giving notice that the National Biodefense Science Board (NBSB) will be holding a public teleconference. The meeting is open to the public.

**DATES:** The NBSB will hold a public teleconference on May 22, 2009. The teleconference will be held from 2 p.m. to 4 p.m. EDT.

**ADDRESSES:** The conference will be conducted by phone. Public Conference Call-in Number is available by e-mailing [NBSB@hhs.gov](mailto:NBSB@hhs.gov) and will be posted on the NBSB Web site at <http://www.hhs.gov/aspr/omsph/nbsb/index.html> prior to the meeting. Participants should call in 15 minutes prior to the call and will be asked to provide their name, title, and organization.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing to obtain general information concerning this public teleconference should contact [NBSB@hhs.gov](mailto:NBSB@hhs.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to section 319M of the Public Health Service Act (42 U.S.C. 247d-7f) and section 222 of the Public Health Service Act (42 U.S.C. 217a), the Department of Health and Human Services established the National Biodefense Science Board. The Board shall provide expert advice and guidance to the Secretary on scientific, technical, and other matters of special interest to the Department of Health and Human Services regarding current and future chemical, biological, nuclear, and radiological agents, whether naturally occurring, accidental, or deliberate. The Board may also provide advice and guidance to the Secretary on other matters related to public health emergency preparedness and response.

*Background:* The purpose of the May 22, 2009 teleconference is to discuss issues regarding the 2009 H1N1 influenza outbreak. A special meeting of the Board is being convened to assure that the public is given the opportunity to provide comments on the actions and deliberations of the Board regarding the ongoing response to the H1N1 influenza. There will be time for members of the public to present their comments to the Board on this subject matter.

*Availability of Materials:* The agenda and other materials will be posted on the NBSB Web site at <http://www.hhs.gov/aspr/omsph/nbsb/index.html> prior to the meeting.

*Procedures for Providing Public Input:* Interested members of the public may submit relevant written or oral