

specifications to indicate that Greensand Plus be used for the project. Ultimately the project specifications were not modified after the pilot testing showed Greensand Plus to be the selected filter media for this project because all of the project bids were based on Greensand Plus.

Furthermore, the purpose of the ARRA provisions was to stimulate economic recovery by funding current infrastructure construction, not to delay projects that are already shovel ready by requiring entities, like the City, to revise their design and potentially choose a more costly and less effective project. The implementation of ARRA Buy American requirements on such projects eligible for DWSRF assistance would result in unreasonable delay and thus displace the "shovel ready" status for this project. To further delay construction is in direct conflict with the most fundamental economic purposes of ARRA to create or retain jobs.

The Drinking Water Unit has reviewed this waiver request and has determined that the supporting documentation provided by the City is sufficient to meet the following criteria listed under Section 1605(b) and in the April 28, 2009, Implementation of Buy American provisions of Public Law 111-5, the "American Recovery and Reinvestment Act of 2009" Memorandum:

Iron, steel, and the manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality.

The basis for this project waiver is the authorization provided in Section 1605(b)(2), due to the lack of production of this product in the United States in sufficient and reasonably available quantities and of a satisfactory quality in order to meet the City's design specifications. The March 31, 2009 Delegation of Authority Memorandum provided Regional Administrators with the authority to issue exceptions to Section 1605 of ARRA within the geographic boundaries of their respective regions and with respect to requests by individual assistance recipients. Having established both a proper basis to specify the particular good required for this project and that this manufactured good was not available from a manufacturer in the United States, the City is hereby granted a waiver from the Buy American requirements of Section 1605(a) of Public Law 111-5 for the purchase of Greensand Plus pressure filter media, manufactured in Brazil, for a shallow aquifer water treatment plant project

specified in the City's waiver request of February 11, 2011. This supplementary information constitutes the detailed written justification required by Section 1605(c) for waivers based on a finding under subsection (b).

**Authority:** Pub. L. 111-5, section 1605.

Dated: June 13, 2011.

**Dennis J. McLerran,**

*Regional Administrator, EPA, Region 10.*

[FR Doc. 2011-17061 Filed 7-13-11; 8:45 am]

**BILLING CODE 6560-50-P**

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## EXPORT-IMPORT BANK OF THE UNITED STATES

### Sunshine Act Meeting

**ACTION:** Notice of a Partially Open Meeting of the Board of Directors of the Export-Import Bank of the United States.

**TIME AND PLACE:** Thursday, July 14, 2011 at 9:30 a.m. The meeting will be held at Ex-Im Bank in Room 1143, 811 Vermont Avenue, NW., Washington, DC 20571.

**OPEN AGENDA ITEMS:** Item No. 1: Resolution honoring the service of Ex-Im Bank's outgoing Director, Diane Farrell.

**PUBLIC PARTICIPATION:** The meeting will be open to public observation for Item No. 1 only.

**FURTHER INFORMATION CONTACT:** Office of the Secretary, 811 Vermont Avenue, NW., Washington, DC 20571, (202) 565-3957.

**Lisa V. Terry,**

*Assistant General Counsel for Administration (Acting).*

[FR Doc. 2011-17527 Filed 7-13-11; 8:45 am]

**BILLING CODE 6690-01-M**

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## FEDERAL COMMUNICATIONS COMMISSION

### Privacy Act System of Records

**AGENCY:** Federal Communications Commission (FCC or Commission).

**ACTION:** Notice; one altered Privacy Act system of records.

**SUMMARY:** Pursuant to subsection (e)(4) of the Privacy Act of 1974, as amended (Privacy Act), 5 U.S.C. 552a, the FCC proposes to alter one system of records, FCC/OSP-1, "Broadband Dead Zone Report and Consumer Broadband Test." The altered system of records incorporates more details about the voluntary fixed and mobile consumer broadband test. The FCC will also alter the categories of individuals; categories

of records; the purposes for which the information is maintained; the retrievability procedures; Routine Use (5); and delete Routine Use (2); and make other edits and revisions as necessary to update the information and to comply with the requirements of the Privacy Act.

**DATES:** In accordance with 5 U.S.C. 552a(e)(4) and (e)(11) of the Privacy Act, any interested person may submit written comments concerning the alteration of this system of records on or before August 15, 2011. The Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act to review the system of records, and Congress may submit comments on or before August 23, 2011. The proposed altered system of records will become effective on August 23, 2011 unless the FCC receives comments that require a contrary determination. The Commission will publish a document in the **Federal Register** notifying the public if any changes are necessary. As required by 5 U.S.C. 552a(r) of the Privacy Act, the FCC is submitting reports on this proposed altered system to OMB and Congress.

**ADDRESSES:** Address comments to Leslie F. Smith, Privacy Analyst, Performance Evaluation and Records Management (PERM), Room 1-C216, Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554, or via the Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** Contact Leslie F. Smith, Performance Evaluation and Records Management (PERM), Room 1-C216, Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554, (202) 418-0217, or via the Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**SUPPLEMENTARY INFORMATION:** As required by the Privacy Act of 1974, as amended, 5 U.S.C. 552a(e)(4) and (e)(11), this document sets forth notice of the proposed alteration of one system of records maintained by the FCC. The FCC previously gave complete notice of the system of records (FCC/OSP-1, "Broadband Dead Zone Report and Consumer Broadband Test") covered under this Notice by publication in the **Federal Register** on April 7, 2010 (75 FR 17738). This notice is a summary of the more detailed information about the proposed altered system of records, which may be viewed at the location given above in the "**ADDRESSES**" section. The purposes for altering FCC/OSP-1, "Broadband Dead Zone Report and Consumer Broadband Test" are to revise

the categories of individuals; to revise the categories of records; to the revise purposes for which the information is maintained; to revise Routine Use (5); to delete Routine Use (2); to revise the retrievability procedures; and to make other edits and revisions as necessary to update the information and to comply with the requirements of the Privacy Act.

The FCC will achieve these purposes by altering this system of records with these changes: Revision of the language regarding the categories of individuals in the system, for clarity and to add that the categories of individuals in this system include individuals who participate in the Broadband Dead Zone Report voluntary survey and individuals who participate in both the fixed and mobile versions of the voluntary Consumer Broadband Test.

Revision of the language regarding the categories of records in the system, for clarity and to add that the categories of records in this system include the street address, city, state, zip code, of each individual who selects to participate in the Broadband Dead Zone Report voluntary survey and each individual who participates in both the fixed and mobile versions of the voluntary Consumer Broadband Test. The voluntary fixed and mobile Consumer Broadband Test also collects the "Internet Protocol (IP) address" of each user who selects to participate. The voluntary fixed and mobile consumer broadband test collects the "unique handset identification number" of each individual's smartphone used to access the test, and collects the location reported by each user's handset (reported as a latitude and longitude point) at the moment the user initiates the test.

Revision of the language regarding the purposes for which the information is maintained, for clarity and to add that the Commission uses the records in this system collected from the Broadband Dead Zone Report and the voluntary fixed and mobile Consumer Broadband Test to determine the access of US residents to broadband—cable, DSL, fiber, mobile wireless, and other broadband services, and to gather data on the quality of the broadband services being provided. The Consumer Broadband Test permits users to measure the quality of their fixed or mobile Internet broadband connection. Individual street addresses, IP addresses, mobile handset location, and unique handset identification numbers are not made public by the FCC, but aggregated or anonymized data from the database may be made public. Additionally, IP addresses, mobile

handset location, and unique handset identification numbers may be shared with FCC software partners as part of the Consumer Broadband Test application. These partners may publish the IP address, mobile handset location, unique handset identification numbers, and broadband performance data, or otherwise make this information available to the public (but the IP address is not associated with a street address). These data may be used to inform implementation of the National Broadband Plan, the National Broadband Map, and other proceedings related to the provisioning of broadband services.

Minor revision to each of the Routine Uses to add a title to each use for clarity; Deletion of Routine Use (2) which the Commission has determined is duplicated by Routine Use (3) and its, therefore, redundant;

Revision of Routine Use (5) to add the Department of Justice (DOJ) and the Office of Management and Budget (OMB) to the Federal agencies to whom the Commission may disclose information in this system of records and for the reasons listed: Government-wide Program Management and Oversight—A record from this system of records may be disclosed to General Services Administration (GSA) and to the National Archives and Records Administration (NARA) for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906; to the U.S. Department of Justice (DOJ) in order to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act; or to the Office of Management and Budget (OMB) in order to obtain that office's advice regarding obligations under the Privacy Act. Such disclosure shall not be used to make a determination about individuals; and

Revision of the language regarding the policy and practice for retrieving records in the system, for clarity and to add a fifth and a sixth broadband Internet access question so that [i]nformation in the Broadband Dead Zone Report and voluntary fixed and mobile Consumer Broadband Test system may be retrieved by the responses to the broadband Internet access questions: (1) Broadband access (yes/no); (2) broadband service availability (check boxes for types of broadband services available at an individual's home); (3) the individual's home address: Street address, city, state, and zip code; (4) the individual's IP address; (5) the individual's reported handset location; and (6) the individual's unique handset

identification number. Furthermore, the information may be retrieved and/or aggregated based upon other voluntary fixed and mobile Consumer Broadband Test variables, such as broadband speed, latency, jitter, and packet loss, among other broadband quality variables.

This notice meets the requirement of documenting the changes to this system of records that the FCC maintains, and provides the public, OMB, and Congress an opportunity to comment.

#### **FCC/OSP-1**

##### **SYSTEM NAME:**

Broadband Dead Zone Report and Consumer Broadband Test.

##### **SECURITY CLASSIFICATION:**

The FCC's Security Operations Center (SOC) has not assigned a security classification to this system of records.

##### **SYSTEM LOCATION:**

Office of Strategic Planning (OSP), Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554.

##### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

The categories of individuals in this system include individuals who participate in the Broadband Dead Zone Report voluntary survey and individuals who participate in both the fixed and mobile versions of the voluntary Consumer Broadband Test.

##### **CATEGORIES OF RECORDS IN THE SYSTEM:**

The categories of records in this system include the street address, city, state, zip code, of each individual who selects to participate in the Broadband Dead Zone Report voluntary survey and each individual who participates in both the fixed and mobile versions of the voluntary Consumer Broadband Test. The voluntary fixed and mobile Consumer Broadband Test also collects the "Internet Protocol (IP) address" of each user who selects to participate. The voluntary fixed and mobile consumer broadband tests collect the "unique handset identification number" of each individual's smartphone used to access the test, and collect the location reported by each user's handset (reported as a latitude and longitude point) at the moment the user initiates the test.

##### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Broadband Data Improvement Act of 2008, Public Law 110-385, Stat 4096 § 103(c)(1); American Reinvestment and Recovery Act of 2009 (ARRA), Public Law 111-5, 123 Stat 115 (2009); and Communications Act, 47 U.S.C. 154(i).

**PURPOSES:**

The Commission uses the records in this system collected from the Broadband Dead Zone Report and the voluntary fixed and mobile Consumer Broadband Test to determine the access of U.S. residents to broadband—cable, DSL, fiber, mobile wireless, and other broadband services, and to gather data on the quality of the broadband services being provided. The Consumer Broadband Test permits users to measure the quality of their fixed or mobile Internet broadband connection. Individual street addresses, IP addresses, mobile handset location, and unique handset identification numbers are not made public by the FCC, but aggregated or anonymized data from the database may be made public. Additionally, IP addresses, mobile handset location, and unique handset identification numbers may be shared with FCC software partners as part of the Consumer Broadband Test application. These partners may publish the IP address, mobile handset location, unique handset identification numbers, and broadband performance data, or otherwise make this information available to the public (but the IP address is not associated with a street address). These data may be used to inform implementation of the National Broadband Plan, the National Broadband Map, and other proceedings related to the provisioning of broadband services.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

Information about individuals in this system of records may routinely be disclosed under the following conditions:

1. Law Enforcement and Investigation—Where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be referred to the appropriate Federal, state, or local agency responsible for investigating or prosecuting a violation or for implementing or enforcing the statute, rule, regulation, or order.

2. Department of Justice, Courts, and Adjudicative Bodies—A record from this system of records may be disclosed to the Department of Justice (DOJ) or in a proceeding before a court or adjudicative body when:

(a) The United States, the Commission, a component of the Commission, or, when represented by the government, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and

(b) The Commission determines that the disclosure is relevant or necessary to the litigation.

3. Congressional Inquiries—A record on an individual in this system of records may be disclosed to a Congressional office in response to an inquiry the individual has made to the Congressional office.

4. Government-wide Program Management and Oversight—A record from this system of records may be disclosed to General Services Administration (GSA) and to the National Archives and Records Administration (NARA) for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906; to the U.S. Department of Justice (DOJ) in order to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act; or to the Office of Management and Budget (OMB) in order to obtain that office's advice regarding obligations under the Privacy Act. Such disclosure shall not be used to make a determination about individuals.

5. Data Breach—A record from this system may be disclosed to appropriate agencies, entities, and persons when (1) The Commission suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the Commission has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Commission or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Commission's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

6. Public-Private Partnerships and the USDA Rural Development Agency's Telecommunications Program—The information collected through the Broadband Dead Zone Report and voluntary fixed and mobile Consumer Broadband Test, with the exception of any personally identifiable information (PII), may be shared with public-private partnerships and with the Telecommunications Program of the United States Department of Agriculture (USDA) Rural Development Agency. This sharing regime is described in the Commission's Broadband Data Order of 2008 (FCC 08–89).

7. NTIA and State Designated Entities—The information collected through the Broadband Dead Zone Report and voluntary fixed and mobile Consumer Broadband Test, including the personally identifiable information (PII), may be shared with the National Telecommunications and Information Administration (NTIA) and the 56 State Designated Entities for the State Broadband Data & Development Grant Program, who are tasked with gathering broadband availability information that is delivered to the FCC and NTIA for compilation into the National Broadband Map. Any PII shared with these entities is disclosed under the rules of the agreement between NTIA and the state grantees governing the protection of sensitive, protected, or classified data collected pursuant to the grant program. The NTIA and the state grantees do not make any PII publicly available.

In each of these cases, the FCC will determine whether disclosure of the records is compatible with the purpose for which the records were collected.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

The information includes the electronic data and records that are stored in the FCC's computer network databases.

**RETRIEVABILITY:**

Information in the Broadband Dead Zone Report and voluntary fixed and mobile Consumer Broadband Test system may be retrieved by the responses to the broadband Internet access questions: (1) Broadband access (yes/no); (2) broadband service availability (check boxes for types of broadband services available at an individual's home); (3) the individual's home address: street address, city, state, and zip code; (4) the individual's IP address; (5) the individual's reported handset location; and (6) the individual's unique handset identification number. Furthermore, the information may be retrieved and/or aggregated based upon other voluntary fixed and mobile Consumer Broadband Test variables, such as broadband speed, latency, jitter, and packet loss, among other broadband quality variables.

**SAFEGUARDS:**

Access to the information in the Broadband Dead Zone Report or the

voluntary fixed and mobile Consumer Broadband Test database, which is housed in the FCC's computer network databases, is restricted to authorized supervisors and staff in the Office of Strategic Planning (OSP) and the Information Technology Center's (ITC) Planning and Support Group, who maintain these computer databases. Additionally, staff of the National Broadband Map may be granted access to this data. Other FCC employees and contractors may be granted access on a "need-to-know" basis. The FCC's computer network databases are protected by the FCC's security protocols, which include controlled access, passwords, and other security features. Information resident on the database servers is backed-up routinely onto magnetic media. Back-up tapes are stored on-site and at a secured, off-site location.

#### RETENTION AND DISPOSAL:

The information in this system is limited to electronic files, records, and data, which pertains to the Dead Zone Report, which includes:

- (1) The information obtained from individuals who participated in the Consumer Information survey; and
- (2) The information obtained from individuals who participated in the voluntary fixed and mobile Consumer Broadband Test.

Until the National Archives and Records Administration (NARA) approves the retention and disposal schedule, these records will be treated as permanent.

#### SYSTEM MANAGER(S) AND ADDRESS(ES):

Address inquiries to the Office of Strategic Planning (OSP), Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554.

#### NOTIFICATION PROCEDURE:

Address inquiries to the Office of Strategic Planning (OSP), Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554.

#### RECORD ACCESS PROCEDURES:

Address inquiries to the Office of Strategic Planning (OSP), Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554.

#### CONTESTING RECORD PROCEDURES:

Address inquiries to the Office of Strategic Planning (OSP), Federal Communications Commission (FCC), 445 12th Street, SW., Washington, DC 20554.

#### RECORD SOURCE CATEGORIES:

The sources for the information in this system are the Broadband Dead Zone Report survey respondents and voluntary fixed and mobile Consumer Broadband Test participants.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 2011-17775 Filed 7-13-11; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL ELECTION COMMISSION

### Sunshine Act Notice

**AGENCY:** Federal Election Commission.

**DATE AND TIME:** Tuesday, July 19, 2011, at 10 a.m.

**PLACE:** 999 E Street, NW., Washington, DC.

**STATUS:** This Meeting Will Be Closed to the public.

**ITEMS TO BE DISCUSSED:** Compliance matters pursuant to 2 U.S.C. 437g.

Audits conducted pursuant to 2 U.S.C. 437g, § 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

\* \* \* \* \*

#### PERSON TO CONTACT FOR INFORMATION:

Judith Ingram, Press Officer, *Telephone:* (202) 694-1220.

**Shelley E. Garr,**

*Deputy Secretary of the Commission.*

[FR Doc. 2011-17910 Filed 7-12-11; 4:15 pm]

**BILLING CODE 6715-01-P**

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of a Bank or Bank Holding Company

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at

the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than July 29, 2011.

A. Federal Reserve Bank of Chicago (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *David E. Kirschner and Margaret Kirschner, as co-trustees of the Henry C. Kirschner Trust B1, and David E. Kirschner and Margret Kirschner, individually and as co-trustees of the Henry C. Kirschner Trust A2, acting in concert with The Noble Foundation, Philip and Cheryl Kirschner, Khajha Kirschner, Pamela Kirschner Bolduc, and the Mary C. Kirschner 2007 Trust with David E. Kirschner acting as trustee;* to acquire 25 percent or more of the voting shares of Town and Country Financial Corporation, Springfield, Illinois, and thereby indirectly acquire control of Town and Country Bank, Springfield, Illinois, and Logan County Bank, Lincoln, Illinois.

Board of Governors of the Federal Reserve System, July 11, 2011.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 2011-17706 Filed 7-13-11; 8:45 am]

**BILLING CODE 6210-01-P**

## FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

### Sunshine Act; Notice of Meeting

**TIME AND DATE:** 9 a.m. (EST) July 18, 2011.

**PLACE:** 4th Floor Conference Room, 1250 H Street, NW., Washington, DC.

**STATUS:** Open.

#### MATTERS TO BE CONSIDERED:

1. Approval of the minutes of the June 23, 2011 Board member meeting.
2. Thrift Savings Plan activity report by the Executive Director.
  - a. Monthly Performance Activity Report.
  - b. Legislative Report.
3. Quarterly Reports.
  - a. Investment Policy Report.
  - b. Vendor Financial Report.
4. Budget Estimate for Fiscal Year 2012.

#### CONTACT PERSON FOR MORE INFORMATION:

Thomas J. Trabucco, Director, Office of External Affairs, (202) 942-1640.

Dated: July 11, 2011.

**Thomas K. Emswiler,**

*General Counsel, Federal Retirement Thrift Investment Board.*

[FR Doc. 2011-17820 Filed 7-12-11; 11:15 am]

**BILLING CODE 6760-01-P**