

Federal officials are paid at the rate set for positions at Level I of the Executive Schedule (5 U.S.C. 5312). During calendar year 2011, the pay for Level I positions was \$199,700, as set forth in Schedule 5 to Executive Order 13561 of December 22, 2010 (75 FR 81817, 81822; December 29, 2010).

The President's proposal was in response to the fact that the existing statutory formula (enacted in 1997) has resulted in the reimbursement cap tripling since the mid-1990s: whereas the reimbursement ceiling for 1995 was \$250,000, the statutory formula has resulted in substantial annual increases in the subsequent years, so that by FY 2010 the reimbursement ceiling had reached \$693,951. And, as this notice announces, the statutory formula has resulted in a reimbursement ceiling for FY 2011 of \$763,029. This is an increase in just one year of nearly \$70,000—and of 10%—in the amount that the taxpayers can be required to reimburse Federal contractors for the compensation that the contractors have decided to pay their executives. This rate of growth in the cap (both from 1995 onward, and in this most recent year) has far outpaced the rate of inflation, the rate of growth of private-sector salaries generally, and the rate of growth of Federal salaries—forcing our taxpayers to reimburse contractors for levels of executive compensation that cannot be justified for Federal contract work.

This is the direct result of the fact that the statutory formula sets the reimbursement ceiling, and increases it from one year to the next, by reference to considerations that have no relationship to the type of work that contractors are actually performing under Federal contracts that are cost-reimbursable or are otherwise cost-based. As noted above, the formula under Section 39 requires that the reimbursement ceiling be set, and adjusted annually, by reference to the amount that equals the following: the median (50th percentile) amount of compensation, over a recent 12-month period, that all publicly-owned companies with annual sales over \$50 million have paid to their five most highly compensated employees in management positions at each home office and each segment. It is this formula, and not any comparable improvement in contractor performance (and the benefits that the taxpayers receive from these contracts), that has resulted in the one-year increase of \$70,000 (10%) from FY 2010 to FY 2011, and the tripling from 1995 to FY 2011, in the amount that the taxpayers can be required to reimburse Federal

contractors for the compensation that the contractors have chosen to pay to their senior executives.

By proposing to replace the existing statutory formula with a reimbursement cap that is tied to the salary of a Cabinet official (such as the Secretary of Defense), the President's Plan would bring parity between the amount that the American public pays for the senior executives of the Federal Government and for the senior executives of those contractors who perform work for the Federal Government on a cost-reimbursable or other cost-based arrangement. (As is the case with the current formula under Section 39 of the OFPP Act, the proposal in the President's Plan would not impose any limits on the amount of compensation that a contractor pays to its executives; the proposed cap at the level of the salaries of Cabinet officials would limit only how much the taxpayers will reimburse the contractors for the compensation decisions that the contractors have chosen.)

To date, Congress has not adopted the Administration's proposal to replace the existing statutory formula for determining the reimbursement cap. However, in Section 803 of the recently-enacted National Defense Authorization Act for FY 2012 (H.R. 1540; P.L. 112-81, December 31, 2011) (NDAA), Congress did extend the applicability of the existing cap to any contractor employee performing under a "covered contract" under 10 U.S.C. 2324 (which are contracts awarded by the Department of Defense, the Coast Guard, and NASA), with the exception that "the Secretary of Defense may establish one or more narrowly targeted exceptions for scientists and engineers upon a determination that such exceptions are needed to ensure that the Department of Defense has continued access to needed skills and capabilities."

The effect of this new statutory provision is that, while the cap on reimbursement based on the Section 39 formula is retained, it will now apply to more employees—essentially all employees performing covered contracts for the Department of Defense, Coast Guard, and NASA (with narrowly targeted exceptions). This means that, for the first time, there will be a statutory cap (at the Section 39 level) on reimbursement for employee compensation for all employees performing under covered contracts, rather than only for a limited number of executives as has been the rule under Section 39 until now.

However, this broader application of the Section 39 cap does not apply to FY

2011. That is because Section 803 of the NDAA provides that its amendments "shall apply with respect to costs of compensation incurred after January 1, 2012." Accordingly, the benchmark compensation amount in this notice, for FY 2011, applies only to the same limited number of contractor executives as did the Section 39 caps for FY 2010 and prior years. The broader application called for in Section 803 of the NDAA will be implemented through regulation and addressed in future notices.

Questions concerning this memorandum may be addressed to Raymond Wong, OFPP, at 202-395-6805.

[FR Doc. 2012-9747 Filed 4-20-12; 8:45 am]

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## NATIONAL SCIENCE FOUNDATION

### Proposal Review Panel for Social and Economic Sciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463 as amended), the National Science Foundation announces the following meeting:

*Name:* Site visit review of the Nanoscale Science and Engineering Center (NSEC) at Arizona State University by the Division Social and Economic Sciences (#10748).

*Dates & Times:*

May 2, 2012; 7 p.m.–9 p.m.

May 3, 2012; 7:45 a.m.–9:15 p.m.

May 4, 2012; 8 a.m.–3:30 p.m.

*Place:* Arizona State University, Tempe, AZ.

*Type of Meeting:* Part open.

*Contact Person:* Dr. Frederick Kronz, Program Director; Science, Technology and Society Program; Division of Social and Economic Sciences, Room 990, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone (703) 292-7283.

*Purpose of Meeting:* To provide advice and recommendations concerning further support of the NSEC at the Arizona State University.

*Agenda:*

#### Wednesday, May 2, 2012

7 p.m.–9 p.m. Closed—Executive Session

#### Thursday, May 3, 2012

7:45 a.m.–4:30 p.m. Open—Review of the NSEC

4:15 p.m.–5:45 p.m. Closed—Executive Session

5:45 p.m.–9:15 p.m. Open—Poster Session; Dinner

**Friday, May 4, 2012**

8 a.m.–9 a.m. Closed—Executive session

9 a.m.–10:30 a.m. Open—Review of the NSEC

10:30 a.m.–3:30 p.m. Closed—Executive Session, Draft and Review Report

*Reason for Late Notice:* Scheduling complications and the necessity to proceed with the review.

*Reason for Closing:* The work being reviewed may include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the MRSEC. These matters are exempt under 5 U.S.C. 552 b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 18, 2012.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 2012–9694 Filed 4–20–12; 8:45 am]

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**NATIONAL SCIENCE FOUNDATION****Proposal Review Panel for Social and Economic Sciences; Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463 as amended), the National Science Foundation announces the following meeting:

*Name:* Site visit review of the Nanoscale Science and Engineering Center (NSEC) at University of California—Santa Barbara by the Division of Social and Economic Sciences (10748).

*Dates & Times:* May 6, 2012; 7 p.m.–9 p.m., May 7, 2012; 8 a.m.–9:15 p.m., May 8, 2012; 8 a.m.–3:30 p.m.

*Place:* University of California, Santa Barbara, California.

*Type Of Meeting:* Part open.

*Contact Person:* Dr. Frederick Kronz, Program Director; Science, Technology, and Society Program; Division of Social and Economic Sciences, Room 990, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone (703) 292–7283.

*Purpose of Meeting:* To provide advice and recommendations concerning further support of the NSEC at the University of California, Santa Barbara.

*Agenda:*

**Sunday, May 6, 2012**

7 p.m.–9 p.m. Closed—Executive Session

**Monday, May 7, 2012**

8 a.m.–4 p.m. Open—Review of the NSEC

4 p.m.–5:30 p.m. Closed—Executive Session

5:30 p.m.–9 p.m. Open—Poster Session; Dinner

**Tuesday, May 8, 2012**

8 a.m.–9 a.m. Closed—Executive session  
9 a.m.–10:30 a.m. Open—Review of the NSEC

10:45 a.m.–4:15 p.m. Closed—Executive Session, Draft and Review Report

*Reason for Closing:* The work being reviewed may include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the MRSEC. These matters are exempt under 5 U.S.C. 552 b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 18, 2012.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 2012–9695 Filed 4–20–12; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

**[NRC–2010–0202]**

**Condition Monitoring Techniques for Electric Cables Used in Nuclear Power Plants**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory guide; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC or the Commission) is issuing a new guide regulatory guide, (RG) 1.218, “Condition Monitoring Techniques for Electric Cables Used in Nuclear Power Plants.” This guide describes techniques that the staff of the NRC considers acceptable for condition monitoring of electric cables for nuclear power plants. RG 1.218 is not intended to be prescriptive, instead it provides a description of many available techniques for testing cables of various configurations typically found in a nuclear power plant and discusses the potential suitability and known limitations of each.

**ADDRESSES:** Please refer to Docket ID NRC–2010–0202 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and is publicly available, using the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2010–0202. Address questions about NRC dockets to Carol Gallagher; telephone: 301–492–3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC

Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “ADAMS Public Documents” and then select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. Regulatory Guide 1.218, is available in ADAMS under Accession No. ML103510447. The regulatory analysis may be found in ADAMS under Accession No. ML103510458.

- *NRC’s PDR:* You may examine and purchase copies of public documents at the NRC’s PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

**FOR FURTHER INFORMATION CONTACT:**

Richard Jervey, U. S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: (301) 251–7404 or email [Richard.Jervey@nrc.gov](mailto:Richard.Jervey@nrc.gov).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

The NRC is issuing a new guide in the NRC’s “Regulatory Guide” series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency’s regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

RG 1.218, “Condition Monitoring Techniques for Electric Cables Used in Nuclear Power Plants”, was issued for public comment with a temporary identification as Draft Regulatory Guide, DG–1240. This guide describes techniques that the staff of the NRC considers acceptable for condition monitoring of electric cables for nuclear power plants. RG 1.218 is not intended to be prescriptive, instead it provides a description of many available techniques for testing cables of various configurations typically found in a nuclear power plant and discusses the potential suitability and known limitations of each.

**II. Further Information**

DG–1240, was published in the **Federal Register** on June 15, 2010, for