

distribution so long as they are obtained from the intended recipient's own directory, advertisement, or Internet site; (2) Reasonable steps to verify that a recipient has agreed to make available a facsimile number for public distribution may include methods other than direct contact with the recipient; and (3) a description of the facsimile sender's opt-out mechanism on the first webpage to which recipients are directed in the opt-out notice satisfies the requirement that such a description appear on the first page of the Web site.

The Commission believes these clarifications will assist senders of facsimile advertisements in complying with the Commission's rules in a manner that minimizes regulatory compliance costs while maintaining the protections afforded consumers under the Telephone Consumer Protection Act (TCPA).

Federal Communications Commission.  
**Marlene H. Dortch**,  
*Secretary,*  
*Office of the Secretary,*  
*Office of Managing Director.*  
 [FR Doc. 2010-6139 Filed 3-19-10; 8:45 am]  
**BILLING CODE 6712-01-S**

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Update to Notice of Financial Institutions for Which the Federal Deposit Insurance Corporation Has Been Appointed Either Receiver, Liquidator, or Manager**

**AGENCY:** Federal Deposit Insurance Corporation.  
**ACTION:** Update listing of financial institutions in liquidation.  
**SUMMARY:** Notice is hereby given that the Federal Deposit Insurance

Corporation (Corporation) has been appointed the sole receiver for the following financial institutions effective as of the Date Closed as indicated in the listing. This list (as updated from time to time in the **Federal Register**) may be relied upon as "of record" notice that the Corporation has been appointed receiver for purposes of the statement of policy published in the July 2, 1992 issue of the **Federal Register** (57 FR 29491). For further information concerning the identification of any institutions which have been placed in liquidation, please visit the Corporation Web site at <http://www.fdic.gov/bank/individual/failed/banklist.html> or contact the Manager of Receivership Oversight in the appropriate service center.

Dated: March 16, 2010.  
 Federal Deposit Insurance Corporation.  
**Robert E. Feldman**,  
*Executive Secretary.*

INSTITUTIONS IN LIQUIDATION  
 [In alphabetical order]

FDIC Ref. No.	Bank name	City	State	Date closed
10194 .....	LibertyPointe Bank .....	New York .....	NY .....	3/11/2010
10197 .....	Old Southern Bank .....	Orlando .....	FL .....	3/12/2010
10195 .....	Park Avenue Bank, The .....	New York .....	NY .....	3/12/2010
10196 .....	Statewide Bank .....	Covington .....	LA .....	3/12/2010

[FR Doc. 2010-6143 Filed 3-19-10; 8:45 am]  
**BILLING CODE 6714-01-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Decision To Evaluate a Petition To Designate a Class of Employees for the De Soto Facility in Los Angeles County, CA, To Be included in the Special Exposure Cohort**

**AGENCY:** National Institute for Occupational Safety and Health (NIOSH), Department of Health and Human Services (HHS).  
**ACTION:** Notice.

**SUMMARY:** HHS gives notice as required by 42 CFR 83.12(e) of a decision to evaluate a petition to designate a class of employees for the De Soto Facility in Los Angeles County, California, to be included in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program Act of 2000. The initial proposed definition for the class being evaluated, subject to revision as warranted by the evaluation, is as follows:

*Facility:* De Soto facility.

*Location:* Los Angeles County, California.

*Job Titles and/or Job Duties:* All employees of the Department of Energy, its predecessor agencies, and their contractors and subcontractors.

*Period of Employment:* January 1, 1959 through December 31, 1964.

**FOR FURTHER INFORMATION CONTACT:** Stuart L. Hinnefeld, Interim Director, Division of Compensation Analysis and Support, National Institute for Occupational Safety and Health (NIOSH), 4676 Columbia Parkway, MS C-46, Cincinnati, OH 45226, Telephone 877-222-7570. Information requests can also be submitted by e-mail to [OCAS@CDC.GOV](mailto:OCAS@CDC.GOV).

**John Howard**,  
*Director, National Institute for Occupational Safety and Health.*  
 [FR Doc. 2010-6226 Filed 3-19-10; 8:45 am]  
**BILLING CODE 4163-19-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Decision To Evaluate a Petition To Designate a Class of Employees for the Downey Facility in Los Angeles County, CA, To Be Included in the Special Exposure Cohort**

**AGENCY:** National Institute for Occupational Safety and Health (NIOSH), Department of Health and Human Services (HHS).  
**ACTION:** Notice.

**SUMMARY:** HHS gives notice as required by 42 CFR 83.12(e) of a decision to evaluate a petition to designate a class of employees for the Downey Facility in Los Angeles County, California, to be included in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program Act of 2000. The initial proposed definition for the class being evaluated, subject to revision as warranted by the evaluation, is as follows:

*Facility:* Downey facility.  
*Location:* Los Angeles County, California.

*Job Titles and/or Job Duties:* All employees of the Department of Energy,