

information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation for BLS, ETA, PWBA, and OASAM contact Karin Kurz ((202) 693-4127 or by E-mail to Kurz-Karin@dol.gov). To obtain documentation for ESA, MSHA, OSHA, and VETS contact Darrin King ((202) 693-4129 or by E-Mail to King-Darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Type of Review: Extension of a currently approved collection.

Agency: Mine Safety and Health Administration (MSHA).

Title: Gamma Radiation Exposure Records.

OMB Number: 1219-0039.

Affected Public: Business or other for-profit.

Frequency: Annually.

Number of Respondents: 2.

Number of Annual Responses: 2.

Estimated Time Per Response: 1-hour.

Total Burden Hours: 2.

Total Annualized Capital/Startup

Costs: \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$0.

Description: Title 30 CFR 57.5047 requires that gamma radiation surveys be conducted annually in all underground mines where radioactive ores are mined. The Standard also requires, where average gamma radiation measurements are in excess of 2.0 milliroentgens per hour in the working place, that gamma radiation dosimeters be provided for all persons affected, and that records of cumulative individual gamma radiation exposure be kept. These recordkeeping requirements are necessary to protect miners from adverse health affects resulting from occupational exposure to gamma radiation.

Ira L. Mills,

Departmental Clearance Officer.

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BILLING CODE 4510-43-M

DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed extension collection of the following information collections: (1) Certification by School Official (CM-981); and (2) Records to be Kept by Employers (Fair Labor Standards Act). Copies of the proposed information collection requests can be obtained by contacting the office listed below in the addressee section of this Notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before February 9, 2001.

ADDRESSES: Ms. Patricia A. Forkel, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington,

DC 20210, telephone (202) 693-0339 (this is not a toll-free number), fax (202) 693-1451.

SUPPLEMENTARY INFORMATION:

Certification by School Official (CM-981)

I. Background

In order to be a dependent who is eligible for black lung benefits, a child aged 18 to 23 must be a full-time student as described in the Black Lung Benefits Act, 30 U.S.C. 902(g), and 20 CFR 725.209 or 20 CFR 410.370. The form is partially completed by the school registrar and is used to verify full-time status of the student.

II. Review Focus

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. Current Actions

The Department of Labor seeks the extension of approval to collect this information in order to determine continued eligibility of the student.

Type of Review: Extension.

Agency: Employment Standards Administration.

Title: Certification by School Official (CM-981).

OMB Number: 1215-0061.

Affected Public: Not-for-profit institutions; State, Local, or Tribal Government.

Frequency: Annually.

No. of Respondents: 1,000.

No. of Responses: 1,000.

Burden per Response: 10 minutes.

Estimated Total Burden Hours: 167.

Total Burden Cost (capital/startup): \$0.

Total Burden Cost (operating/maintenance): \$0.

Records To Be Kept by Employers (Fair Labor Standards Act)**I. Background**

The Fair Labor Standards Act sets minimum wage, overtime pay, child labor and recordkeeping standards for employees engaged in interstate commerce or in the production of good for interstate commerce and to employees in certain enterprises. The Fair Labor Standards Act requires that all employers covered by the Act make, keep, and preserve records of employees and of wages, hours, an other conditions and practices of employment.

II. Review Focus

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. Current Actions

The Department of Labor seeks the extension of approval to collect this information in order to carry out its responsibility to enforce the provisions of the Fair Labor Standards Act.

Review: Extension.

Agency: Employment Standards Administration.

Title: Records to be Kept by Employers (Fair Labor Standards Act).

OMB Number: 1215-0017.

Affected Public: Business or other for-profit; Individuals or households; Farms; Not-for-profit institutions; Federal government; State, local or Tribal government.

Total Recordkeepers: 3.7 million.

Frequency: Weekly.

Average Time per Recordkeeper: 1 hour.

Estimated Total Burden Hours: 926,156.

Total Burden Cost (capital/startup): \$0.

Total Burden Cost (operating/maintenance): \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: December 5, 2000.

Margaret J. Sherrill,

Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.

[FR Doc. 00-31453 Filed 12-8-00; 8:45 am]

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LIBRARY OF CONGRESS**Copyright Office**

[Docket No. 2000-9 CARP DTRA1 & 2]

Digital Performance Right in Sound Recordings and Ephemeral Recordings

AGENCY: Copyright Office, Library of Congress.

ACTION: Notices of intent to participate; Announcement of precontroversy discovery schedule.

SUMMARY: Due to the ruling by the Copyright Office that broadcasters are not exempt from copyright liability when they retransmit over the Internet copyrighted works contained on their AM and FM radio signals, the Library of Congress is providing an additional time period for filing Notices of Intent to Participate in the above-captioned consolidated proceedings. In addition, the Library is announcing the precontroversy discovery schedule for these consolidated proceedings.

DATES: Notices of Intent to Participate are due no later than January 10, 2001.

ADDRESSES: An original and five copies of a Notice of Intent to Participate should be delivered to: Office of the General Counsel, Copyright Office, James Madison Building, Room LM-403, First and Independence Avenue, SE, Washington, DC 20559-6000; or mailed to: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: David O. Carson, General Counsel, or Tanya M. Sandros, Senior Attorney, Copyright Arbitration Royalty Panel, P.O. Box 70977, Southwest Station, Washington, DC 20024. Telephone (202) 707-8380. Telefax (202) 252-3423.

SUPPLEMENTARY INFORMATION: In today's **Federal Register** the Copyright Office announces a final rule in Docket No. RM 2000-3 concerning the definition of a "Service" for purposes of the statutory license governing the public performance of sound recordings by means of digital audio transmissions. The Office has determined that broadcasters retransmitting copyrighted programming contained on their AM and FM radio signals over digital communications networks, such as the Internet, are not exempt from copyright liability under section 114(d)(1)(A) of the Copyright Act. Because such retransmissions are not exempt, a public performance of a copyrighted work contained on a radio signal occurs each time it is retransmitted over a digital communications network, such as the Internet. Consequently, broadcasters must license the copyrights to the programming contained on such radio signals.

Licensing may be accomplished in one of two ways, depending upon the nature of the retransmissions. Broadcasters may enter into private licensing arrangements with the copyright holders of the programming they wish to retransmit. Or, broadcasters may be eligible for the statutory licenses under sections 114(f) and 112(e) of the Copyright Act to retransmit the works. The Library of Congress is currently conducting Copyright Arbitration Royalty Panel (CARP) proceedings to establish royalty rates and terms for these licenses.

Because today's rulemaking proceeding makes clear that broadcasters are not exempt, those broadcasters who intend to use the section 114(f) and 112(e) licenses may wish to participate in these CARP proceedings. The time periods for filing Notices of Intent to Participate in this proceeding, however, has passed. See 64 FR 52107 (September 27, 1999) (1998-2000 period) and 65 FR 55302 (September 13, 2000) (2001-2002 period). The Library has determined that, given the uncertainty surrounding today's rulemaking decision, it is appropriate to reopen the filing period for a limited time to allow additional participants in these proceedings.

Notices of Intent To Participate

Any interested party that has not filed a Notice of Intent to Participate in the rate proceeding for 1998-2000 or the rate proceeding for 2001-2002 may do so on or before January 10, 2001. The Notice of Intent to Participate should clearly specify whether it applies to the 1998-2000 proceeding, the 2001-2002 proceeding, or both. Failure to submit a