

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 201

[Docket No. RM 2010–1]

Section 111 and Interest Payments

AGENCY: Copyright Office, Library of Congress.**ACTION:** Final rule; technical amendment.**SUMMARY:** The Copyright Office makes a technical amendment to its rule on interest payments by cable operators.**DATES:** This technical amendment is effective April 20, 2010.**FOR FURTHER INFORMATION CONTACT:** Ben E. Golant, Assistant General Counsel or Tanya M. Sandros, Deputy General Counsel, Copyright GC/I&R, P.O. Box 70400, Washington, DC 20024. Telephone: (202) 707–8380. Telefax: (202) 707–8366.

SUPPLEMENTARY INFORMATION: Cable systems submitting statutory payments in an untimely fashion, or who have underpaid the amount due, must include the proper interest charge along with their royalties. *See Assessment of Interest Regarding the Cable Compulsory License*, 54 FR 14217, 14220–21 (Apr. 10, 1989). It has been the Office's longstanding practice that interest is not due when the amount has been less than or equal to five dollars. Section 201.17(i)(2)(iii) had codified this practice. However, this rule was inadvertently removed when the Office updated its electronic funds transfer requirements four years ago. Prior to the adoption of these regulations, Section 201.17(i)(2)(iii) read as follows, "Interest is not required to be paid on any royalty underpayment or late payment from a particular accounting period if the interest charge is less than or equal to five dollars." To correct this error we are amending Section 201.17(i)(4) to restore this language on the five dollar threshold.

List of Subjects in 37 CFR Part 201

Copyright, General provisions.

Final Rule

■ In consideration of the foregoing, part 201 of 37 CFR chapter II is amended as follows:

PART 201—GENERAL PROVISIONS

■ 1. The authority citation for part 201 continues to read as follows:

Authority: 17 U.S.C. 702.

§ 201.17 [Amended]

■ 2. Amend § 201.17(i)(4) by adding "Interest is not required to be paid on any royalty underpayment or late payment from a particular accounting period if the interest charge is less than or equal to five dollars." after "then the accrual period shall end on the date of the actual receipt by the Copyright Office."

Dated: April 14, 2010

Tanya Sandros,

Deputy General Counsel,

U.S. Copyright Office

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 0911161406–0170–03]

RIN 0648–AY37

Fisheries of the Exclusive Economic Zone Off Alaska; Individual Fishing Quota Program; Correction

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.**ACTION:** Final rule; correction.

SUMMARY: This action corrects a final rule published on December 15, 2008, that revised the Individual Fishing Quota (IFQ) Program for the sablefish and halibut fisheries off Alaska. The December 2008 final rule erroneously removed a paragraph requiring the IFQ permit holder be aboard the vessel at all times during a fishing trip and be present during the landing of harvested fish. This action corrects the error by restoring the removed paragraph, thereby eliminating the public's possible confusion about the program's owner-on-board requirements and restoring NMFS' ability to enforce the provision. This action is intended to promote the goals and objectives of the Northern Pacific Halibut Act of 1982 (Halibut Act), the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), and other applicable law.

DATES: Effective April 20, 2010.**FOR FURTHER INFORMATION CONTACT:**

Patsy A. Bearden, 907–586–7228.

SUPPLEMENTARY INFORMATION:

Background

The IFQ Program, a limited access management system for the fixed gear Pacific halibut (*Hippoglossus stenolepis*) and sablefish (*Anoplopoma fimbria*) fisheries off Alaska, was recommended by the Council in 1992 and approved by NMFS in January 1993. Initial implementing rules were published on November 9, 1993 (58 FR 59375). Fishing under the IFQ program began on March 15, 1995. The IFQ Program limits access to the halibut and sablefish fisheries to those persons holding quota share (QS) in specific management regions. The IFQ Program for the sablefish fishery is implemented by Amendment 15 to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands area (BSAI), Amendment 20 to the FMP for Groundfish Fishery of the Gulf of Alaska (GOA), and implemented by Federal regulations at 50 CFR part 679 under authority of the Magnuson-Stevens Act. The IFQ Program for the halibut fishery is implemented by Federal regulations at 50 CFR part 679 under the authority of the Halibut Act.

The IFQ Program's principal management measures, with certain exceptions, were: to limit the amount of QS that could be used by any person; to limit the amount of IFQ halibut or sablefish that could be harvested on a vessel; and for catcher vessels, to require the IFQ permit holder to be onboard the vessel during fishing operations. An IFQ permit authorizes participation in fixed-gear harvests of Pacific halibut off Alaska, and most sablefish fisheries off Alaska. The requirement for the IFQ permit holder to be on board the vessel at all times during the fishing trip and to be present at the landing of fish ensures active participation in the fishery by IFQ permit holders, which has an important objective of the Council. The requirement also guaranteed the IFQ permit holder's presence at landing for interviews by the enforcement personnel and to resolve any issues regarding QS account management, such as landing fish in excess of the permit holder's IFQ account. Although the requirement was published in the IFQ program's initial regulations in 1993, the regulatory text was revised at paragraph 679.42(c)(1)(ii) by a final rule (68 FR 44473) published July 29, 2003.

Need for Correction

On June 29, 2007, NMFS published a proposed rule to implement a new Internet-based fisheries landings information system, called "eLandings," and revise other recordkeeping and