

should a work submitted for registration using a deferred examination option when the claim has not yet been examined and registered be eligible for selection for the Library's collections? What are the potential benefits and drawbacks to such an approach?

14. How, if at all, might a deferred examination option affect the ability to bring suit in light of the Supreme Court's decision in *Fourth Estate Public Benefit Corp. v. Wall-Street.com, LLC*? For example, should a later request for examination be sufficient to bring suit?<sup>51</sup> What are the potential benefits and drawbacks to such an approach?

15. Could a deferred examination option be used for improper purposes, such as to obtain an official record for material that is non-copyrightable in an effort to harass or defraud others? If so, how might such abuses be prevented?

16. How, if at all, might a deferred examination option affect enforcement of a copyright by the U.S. Customs and Border Protection?<sup>52</sup>

#### D. Alternative Approaches

17. Could the same goals that a deferred examination option is meant to achieve be accomplished through alternative means, such as by amending the preregistration regime or the eligibility for statutory damages, or by reducing filing fees or adding new or expanded group registration options? Responses should discuss the potential benefits and drawbacks of any alternatives and why they may or may not be preferable.

#### E. Other Issues

18. Please identify any pertinent issues not referenced above that the Office should consider in conducting its study.

unpublished works, the Library is entitled, under regulations that the Register of Copyrights shall prescribe, to select any deposits for its collections.").

<sup>51</sup> See CVA Registration Modernization 2018 NOI Comments at 19 ("The Copyright Office should consider whether an application to finalize a provisional registration should be sufficient for filing a lawsuit.").

<sup>52</sup> U.S. Customs and Border Protection ("CBP") has the authority to detain, seize, forfeit, and ultimately destroy merchandise seeking entry into the United States if it bears an infringing copyright that has been registered with the Office, and has subsequently been recorded with CBP. U.S. Customs & Border Protection, *Intellectual Property Rights e-Recordation*, <https://iprr.cbp.gov/> (last visited Dec. 6, 2021). Congress has further required the CBP to implement a process by which it will "enforce a copyright for which the owner has submitted an application for registration under title 17 with the United States Copyright Office, to the same extent and in the same manner as if the copyright were registered with the Copyright Office." 19 U.S.C. 4343 (emphasis added).

Dated: December 6, 2021.

**Shira Perlmutter,**

*Register of Copyrights and Director of the U.S. Copyright Office.*

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**BILLING CODE 1410-30-P**

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Arts

#### Arts Advisory Panel Meetings

**AGENCY:** National Endowment for the Arts, National Foundation on the Arts and the Humanities.

**ACTION:** Notice of meetings.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, as amended, notice is hereby given that 7 meetings of the Arts Advisory Panel to the National Council on the Arts will be held by teleconference or videoconference.

**DATES:** See the **SUPPLEMENTARY INFORMATION** section for individual meeting times and dates. All meetings are Eastern time and ending times are approximate:

**ADDRESSES:** National Endowment for the Arts, Constitution Center, 400 7th St. SW, Washington, DC 20506.

**FOR FURTHER INFORMATION CONTACT:** Further information with reference to these meetings can be obtained from Ms. Sherry Hale, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC 20506; [haless@arts.gov](mailto:haless@arts.gov), or call 202/682-5696.

**SUPPLEMENTARY INFORMATION:** The closed portions of meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of September 10, 2019, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of title 5, United States Code.

The upcoming meetings are:

*Our Town (review of applications):*

This meeting will be closed.

*Date and time:* January 12, 2022;

11:00 a.m. to 1:00 p.m.

*Our Town (review of applications):*

This meeting will be closed.

*Date and time:* January 12, 2022; 2:30

p.m. to 4:30 p.m.

*National Heritage Fellowships (review of applications):* This meeting will be closed.

*Date and time:* January 13, 2022; 1:00 p.m. to 3:00 p.m.

*Our Town (review of applications):* This meeting will be closed.

*Date and time:* January 13, 2022;

11:00 a.m. to 1:00 p.m.

*Jazz Masters Tribute Concert (review of applications):* This meeting will be closed.

*Date and time:* February 3, 2022;

12:00 p.m. to 2:00 p.m.

*Jazz Masters Fellowships (review of applications):* This meeting will be closed.

*Date and time:* February 10, 2022;

2:00 p.m. to 3:00 p.m.

*Jazz Masters Fellowships (review of applications):* This meeting will be closed.

*Date and time:* February 10, 2022;

3:00 p.m. to 4:00 p.m.

Dated: December 7, 2021.

**Sherry P. Hale,**

*Staff Assistant, National Endowment for the Arts.*

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## NATIONAL SCIENCE FOUNDATION

### Agency Information Collection Activities: Comment Request; Antarctic Emergency Response Plan and Environmental Protection Information

**AGENCY:** National Science Foundation.

**ACTION:** Notice.

**SUMMARY:** The National Science Foundation (NSF) is announcing plans to renew this collection. In accordance with the requirements of the Paperwork Reduction Act of 1995, we are providing opportunity for public comment on this action. After obtaining and considering public comment, NSF will prepare the submission requesting Office of Management and Budget (OMB) clearance of this collection for no longer than 3 years.

**DATES:** Written comments on this notice must be received by February 8, 2022 to be assured consideration. Comments received after that date will be considered to the extent practicable. Send comments to address below.

**FOR FURTHER INFORMATION CONTACT:** Suzanne H. Plimpton, Reports Clearance Officer, National Science Foundation, 2415 Eisenhower Avenue, Suite W18200, Alexandria, Virginia 22314; telephone (703) 292-7556; or send email to [splimpto@nsf.gov](mailto:splimpto@nsf.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).