

and five copies of a comment or reply comment should be brought to the Library of Congress, U.S. Copyright Office, Room LM-401, James Madison Building, 101 Independence Ave., SE., Washington, DC 20559, between 8:30 a.m. and 5 p.m. The envelope should be addressed as follows: Office of the General Counsel, U.S. Copyright Office.

If delivered by a commercial courier, an original and five copies of a comment or reply comment must be delivered to the Congressional Courier Acceptance Site ("CCAS") located at 2nd and D Streets, SE., Washington, DC between 8:30 a.m. and 4 p.m. The envelope should be addressed as follows: Office of the General Counsel, U.S. Copyright Office, LM-403, James Madison Building, 101 Independence Avenue, SE., Washington, DC 20559. Please note that CCAS will not accept delivery by means of overnight delivery services such as Federal Express, United Parcel Service or DHL.

If sent by mail (including overnight delivery using U.S. Postal Service Express Mail), an original and five copies of a comment or reply comment should be addressed to U.S. Copyright Office, Copyright GC/I&R, P.O. Box 70400, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or Chris Weston, Attorney Advisor, Copyright GC/I&R, P.O. Box 70400, Washington, DC 20024. *Telephone:* (202) 707-8380. *Telefax:* (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** To assist in the preparation of its study on federal protection for pre-1972 sound recordings, the Office published a Notice of Inquiry seeking comments on many detailed questions regarding various aspects of the study. *See* 75 FR 67777 (November 3, 2010). Initial comments, which were due on January 31, 2011, have been received and are posted on the Copyright Office Web site at <http://www.copyright.gov/docs/sound/comments/initial/>. Reply comments were due to be filed by March 2, 2011.

The Copyright Office has received a request from the Association of Recorded Sound Collections (ARSC) to extend the reply comment period by 42 days in order to allow sufficient time to provide the Office with comprehensive comments on issues relating to copyright law, licensing, and the marketing of sound recordings raised by the initial comments. ARSC points out that at the request of another commenter, the deadline for initial comments was extended by 42 days, and that the initial comments raised

"[m]any complex issues relating to copyright law, licensing, and the marketing of sound recordings." ARSC states that a 42-day extension of the deadline for submission of reply comments would assure that all parties have ample time to craft responses.

Given the complexity of the issues addressed by the initial comments, and in the interest in developing a thorough record, the Office has decided to extend the deadline for filing reply comments by a period of 42 days, making reply comments due by April 13, 2011.

The Office received one initial comment after the January 31 deadline. Because of the extension of the deadline for reply comments, the Office has decided to accept that comment, which has been posted on the Copyright Office Web site at <http://www.copyright.gov/docs/sound/comments/initial/> as Comment Number 59.

Dated: February 18, 2011.

**Maria Pallante,**

*Acting Register of Copyrights.*

[FR Doc. 2011-4126 Filed 2-23-11; 8:45 am]

**BILLING CODE 1410-30-P**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice.

**SUMMARY:** NARA is giving public notice that the agency has submitted to OMB for approval the information collection described in this notice. The public is invited to comment on the proposed information collection pursuant to the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted to OMB at the address below on or before March 28, 2011 to be assured of consideration.

**ADDRESSES:** Send comments to Mr. Nicholas A. Fraser, Desk Officer for NARA, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-5167; or electronically mailed to [Nicholas\\_A\\_Fraser@omb.eop.gov](mailto:Nicholas_A_Fraser@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the proposed information collection and supporting statement should be directed to Tamee Fechhelm at telephone number 301-713-1694 or fax number 301-713-7409.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Paperwork Reduction Act of 1995

(Pub. L. 104-13), NARA invites the general public and other Federal agencies to comment on proposed information collections. NARA published a notice of proposed collection for this information collection on November 12, 2010 (75 FR 69474). No comments were received. NARA has submitted the described information collection to OMB for approval. In response to this notice, comments and suggestions should address one or more of the following points: (a) Whether the proposed information collection is necessary for the proper performance of the functions of NARA; (b) the accuracy of NARA's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of information technology; and (e) whether small businesses are affected by this collection. In this notice, NARA is soliciting comments concerning the following information collection:

*Title:* Application and Permit for Use of Space in Presidential Library and Grounds.

*OMB number:* 3095-0024.

*Agency form number:* NA Form 16011.

*Type of review:* Regular.

*Affected public:* Private organizations.

*Estimated number of respondents:* 1,000.

*Estimated time per response:* 20 minutes.

*Frequency of response:* On occasion.

*Estimated total annual burden hours:* 333 hours.

*Abstract:* The information collection is prescribed by 36 CFR 1280.94. The application is submitted to a Presidential library to request the use of space in the library for a privately sponsored activity. NARA uses the information to determine whether use will meet the criteria in 36 CFR 1280.94 and to schedule the date.

Dated: February 17, 2011.

**Charles K. Piercy,**

*Acting Assistant Archivist for Information Services.*

[FR Doc. 2011-4256 Filed 2-23-11; 8:45 am]

**BILLING CODE 7515-01-P**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Records Schedules; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Requests for copies must be received in writing on or before March 28, 2011. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

**ADDRESSES:** You may request a copy of any records schedule identified in this notice by contacting the Life Cycle Management Division (NWML) using one of the following means:

*Mail:* NARA (NWML), 8601 Adelphi Road, College Park, MD 20740-6001.

*E-mail:* [request.schedule@nara.gov](mailto:request.schedule@nara.gov).

*FAX:* 301-837-3698.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

**FOR FURTHER INFORMATION CONTACT:** Laurence Brewer, Director, Life Cycle Management Division (NWML), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. *Telephone:* 301-837-1539. *E-mail:* [records.mgt@nara.gov](mailto:records.mgt@nara.gov).

**SUPPLEMENTARY INFORMATION:** Each year Federal agencies create billions of records on paper, film, magnetic tape,

and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1225.12(e).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

## Schedules Pending

1. Department of Agriculture, Animal and Plant Health Inspection Service (N1-463-09-9, 1 item, 1 temporary item). Master files of an electronic information system containing license, registration, and inspection data on businesses and organizations that buy, sell, exhibit, transport, or conduct research on animals.

2. Department of Agriculture, Farm Service Agency (N1-145-11-1, 1 item, 1 temporary item). Master files of an electronic information system used to track and disperse operating expense funds to farmers, vendors, and service center offices.

3. Department of Agriculture, Risk Management Agency (N1-258-10-2, 1 item, 1 temporary item). Master files of an electronic information system used to control the maintenance, use, and disposition of agency records to facilitate preservation, retrieval and use.

4. Department of the Army, Agency-wide (N1-AU-10-99, 1 item, 1 temporary item). Master files of an electronic information system that enables web-based ordering and tracking of subscriptions and Army publications.

5. Department of Commerce, Bureau of the Census (N1-29-10-1, 12 items, 10 temporary items). Records relating to the conduct of the Survey of Business Owners and Self-Employed Persons, including data processing records, special tabulations, correspondences, operation files, monthly activity reports, and working papers. Proposed for permanent retention are file documentation for electronic files designated as permanent and publications derived from survey data.

6. Department of Commerce, Bureau of Economic Analysis (N1-375-10-4, 10 items, 7 temporary items). Records of the National Income and Wealth Division, including general correspondence, data files, spreadsheets, secondary source materials, review packages, supporting papers, and processed materials. Proposed for permanent retention are program records documenting mission-related activities including memoranda, statement of procedures, data system documentation, special studies, and reports.

7. Department of Commerce, National Telecommunications and Information Administration (N1-417-10-1), 51 items, 47 temporary items). Records of agency program offices, including invitations, website updates, budget files, formulation files, submissions, subject files, chronological files, schedule books, calendars, and working

papers. Proposed for permanent retention are agency publications, high-level speeches and testimonies of agency officials, and Institute for Telecommunication Sciences history records.

8. Department of Commerce, National Institute of Standards and Technology (N1-167-11-2, 2 items, 2 temporary items). Records of the Construction Grant Program, including proposal packages, merit reviews, initial letters of intent, budget information, applicant correspondence, final selection outcomes, and the master files of an electronic information system used as a central repository for competition-specific data.

9. Department of Commerce, Office of Inspector General (N1-40-10-1, 8 items, 7 temporary items). Records of the Office of Counsel, including case files, opinions, interpretations, chronological files, audit review files, review files, subpoena logs, and routine office correspondence files. Proposed for permanent retention are legal opinions and interpretations.

10. Department of Commerce, Office of the Inspector General, (N1-40-10-2, 2 items, 1 temporary item). Chronological files of the Immediate Office of the Inspector General. Proposed for permanent retention are subject program operations files and correspondence.

11. Department of Defense, Office of the Secretary of Defense, (N1-330-10-4, 3 items, 3 temporary items). Records relating to Pentagon force protection projects including contracts, cost estimates, budget requests, and program objective memoranda.

12. Department of Defense, Office of the Secretary of Defense, (N1-330-10-5, 2 items, 2 temporary items). Records relating to fraud, waste, and abuse hotline investigative case files including general correspondence, interviews, and reports of findings.

13. Department of Defense, Office of the Secretary of Defense, (N1-330-10-6, 5 items, 1 temporary item). Records relating to the Special Inspector General For Iraq Reconstruction, including routine hotline investigative case files pertaining to waste, fraud, and abuse, general correspondence, notes, and working files. Proposed for permanent retention are investigative case files of historical significance.

14. Department of Defense, Office of the Secretary of Defense (N1-330-10-7, 1 item, 1 temporary item). Master files of an electronic information system containing records relating to civilian personnel injury claims including applications, examinations, treatment histories, and investigative files.

15. Department of Defense, Office of the Secretary of Defense (N1-330-10-8, 1 item, 1 temporary item). Master files of an electronic information system containing profile data on military dependent schools including number of student enrollments, demographic data, testing results, and staff background information.

16. Department of Education, Office of Postsecondary Education, (N1-441-09-24, 2 items, 2 temporary items). Records relating to the Department of Education's Organizational Assessment. Records include strategic plans; principal office improvement plans and contingency plans; progress reports; surveys and interviews; communication plans; and documentation of scores, results, priorities, and measures. Also included are master files of an electronic information system used to support the assessment process containing survey and interview results, agency reports, and strategic plans.

17. Department of Energy, Federal Energy Regulatory Commission (N1-138-11-1, 3 items, 2 temporary items). Master files of an electronic information system and associated records relating to drafts and revisions to agency orders, including process selections, administrative detail, participant lists and related information. Proposed for permanent retention are outputs from the system containing final orders, voting logs, and associated records.

18. Department of Health and Human Services, Centers for Medicare and Medicaid Services (N1-440-09-4, 4 items, 4 temporary items). Master files of electronic systems used to support the Medicare Part D program (prescription drug coverage), containing beneficiary information, prescription drug records, claims, and capitation rate records. Permanent records are captured in the Integrated Data Repository system.

19. Department of Homeland Security, Immigration and Customs Enforcement (N1-567-11-7, 1 item, 1 temporary item). Master files of an electronic information system containing information on the custody status of detainees.

20. Department of Justice, Agency-wide (N1-60-10-12, 5 items, 2 temporary items). Routine event recordings and photographs of agency events and programs. Proposed for permanent retention are photographs and video recordings that document significant actions relating to the agency's mission and the actions of the Attorney General.

21. Department of Justice, Federal Bureau of Investigation (N1-65-10-38, 4 items, 4 temporary items). Master files

and related records of an electronic information system used to track and manage information on visitors to the agency's facilities.

22. Department of Justice, Federal Bureau of Investigation (N1-65-10-39, 2 items, 2 temporary items). Audit logs recording activities of users in the agency's electronic systems.

23. Department of Justice, Federal Bureau of Investigation (N1-65-11-3, 3 items, 3 temporary items). This schedule increases the retention period from 50 years to 110 years for data files maintained in the National Crime Information Center. Also included are requests for access to the system and a database of originating agencies.

24. Department of Justice, Federal Bureau of Investigation (N1-65-11-10, 1 item, 1 temporary item). File Review Sheets used to track caseload workflow and performance deadlines.

25. Department of Justice, Justice Management Division (N1-60-11-9, 3 items, 3 temporary items). Human resource policy records, including compensation waivers, records relating to salary determination, and position coverage determinations.

26. Department of Justice, Office of the Attorney General (N1-60-11-10, 3 items, 3 temporary items.) Incomplete microfilm copies of paper records scheduled as permanent under N1-60-94-2.

27. Department of Justice, Office of General Counsel (N1-60-11-7, 1 item, 1 temporary item). Master files of an electronic information system used to track the status of incoming correspondence and other items for review.

28. Department of State, Bureau of Democracy, Human Rights, and Labor (N1-059-09-38, 1 item, 1 temporary item). Master files of an electronic information system used to vet training requests for foreign security forces.

29. Department of State, Bureau of Diplomatic Security (N1-84-10-1, 25 items, 25 temporary items). Records of the Office of Diplomatic Courier Service relating to the delivery of diplomatic pouches such as courier checklists, pouch invoices, transportation request files, vendor contract files, and vehicle registration files.

30. Department of State, Bureau of Diplomatic Security (N1-59-10-24, 3 items, 2 temporary items). Records include regional and geographic assessments of threats against Americans; U.S. diplomatic and consular personnel and facilities; and a list of categories of security threats by country. Proposed for permanent retention are annual reports on political violence against Americans.

31. Department of State, Bureau of Diplomatic Security (N1-59-10-25, 2 items, 2 temporary items). Records of the Diplomatic Security Command Center's initial reporting on domestic and overseas security incidents, including brief summaries of possible security incidents and daily multiple-source synopses of events and concerns in countries around the world. Permanent, substantive reports on security concerns and incidents are captured elsewhere in the bureau's records.

32. Department of Transportation, Federal Highway Administration (N1-406-09-26, 22 items, 20 temporary items). Planning and program development records of the Federal Aid program, including airport access files, annual statistical data, Appalachian development highway system program records, certification of public mileage, coastal zone management files, coal haul road study files, smart growth files, economic studies and surveys, State-wide transportation improvement program and transportation improvement plans files, Federal Aid system files, map files, metropolitan planning organizations files, State-wide planning and research status reports, public transportation files, non-motorized needs files, State obligations, highway systems correspondence, State traffic count data and size and weight program files. Proposed for permanent retention are planning and research subject files and National Scenic Byways studies.

33. Environmental Protection Agency, Agency-wide (N1-412-10-2, 2 items, 2 temporary items). Case files of the Environmental Alternative Dispute Resolution Program.

34. Export-Import Bank of the United States, Agency-wide (N1-275-10-7, 1 item, 1 temporary item). Copies of Department of State cables used by the agency for informational purposes.

35. National Aeronautics and Space Administration, Agency-wide (N1-255-09-2, 1 item, 1 temporary item). Records relating to general employee suggestions including background papers, suggestions, approvals, disapprovals, and review processes.

36. National Aeronautics and Space Administration, Agency-wide (N1-255-10-3, 6 items, 5 temporary items). Records relating to the agency's education programs including education packages, project descriptions, funding sources, participant records, and survey responses. Proposed for permanent retention are curriculum materials.

Dated: February 17, 2011.

**Michael J. Kurtz,**

*Assistant Archivist for Records Services—Washington, DC.*

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**BILLING CODE 7515-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 50-346; NRC-2010-0253]**

### **License No. NPF-3; FirstEnergy Nuclear Operating Company Notice of Issuance of Director's Decision**

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation of the U.S. Nuclear Regulatory Commission (NRC), has issued a Director's Decision with regard to a petition dated April 5, 2010, filed by David Lochbaum, hereafter referred to as the "Petitioner." The petition concerns the operation of the Davis-Besse Nuclear Power Station, Unit 1 (DBNPS).

The petition requested that the NRC issue a Show Cause Order, or comparable enforcement action, preventing the DBNPS from restarting following the shutdown in February 2010, until adequate protection standards were met.

As the basis for the April 5, 2010, request, the Petitioner states that FirstEnergy Nuclear Operating Company (the licensee for DBNPS) has violated Federal regulations and the explicit conditions of its operating license by operating for longer than 6 hours with pressure boundary leakage. The Petitioner considers such operation to be potentially unsafe and to be in violation of Federal regulations. To support the Petitioner's belief that the facility is prohibited from operating longer than 6 hours with pressure boundary leakage, the petition references the facility operating license; the technical specifications for DBNPS; Title 10 of the Code of Federal Regulations (10 CFR) part 50, "Domestic Licensing of Production and Utilization Facilities," Appendix A, "General Design Criteria for Nuclear Power Plants"; and the Standard Technical Specifications.

The petition of April 5, 2010, states that the licensee for DBNPS has repeatedly violated Federal regulations and the explicit conditions of its operating license by operating the reactor longer than 6 hours with pressure boundary leakage. In doing so, the Petitioner states that the public was exposed to elevated and undue risk. The NRC's regulations and the operating

license the NRC issued for DBNPS define adequate protection standards, which include zero reactor coolant pressure boundary leakage during operation, with the requirement to shut down the reactor within 6 hours if such leakage exists. The Petitioner states that with regard to the DBNPS, evidence demonstrates that the adequate protection standard was not met on multiple occasions and that it is imperative for the NRC to act now to protect the public.

The NRC sent a copy of the proposed Director's Decision to the Petitioner and to the licensee on November 10, 2010. The Petitioner responded with comments on November 23, 2010, and the licensee did not provide comments. The final Director's Decision includes a summary of the comments and the NRC staff's response to them.

The Director of the Office of Nuclear Reactor Regulation has determined that the request to issue a Show Cause Order or comparable enforcement-related action to the licensee for DBNPS is denied. The Director's Decision [DD-11-02] pursuant to 10 CFR 2.206, "Requests for Action under This Subpart," explains the reasons for this decision. The complete text of the Director's Decision is available for inspection in the Agencywide Documents Access and Management System at the Commission's Public Document Room, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland, and from the ADAMS Public Library component on the NRC's Web site, <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room), ADAMS Accession No. ML110250189).

In summary, the NRC has completed a rigorous Special Inspection and determined that enforcement is not required for this matter and that the NRC has reasonable assurance that adequate protection standards have been met and will continue to be met at DBNPS. NRC Region III Inspection Report 05000346/2010-008, dated October 22, 2010, focused on these concerns. The NRC Special Inspection Team was chartered to assess the circumstances surrounding the identification of the flaws in the reactor pressure vessel head control rod drive mechanism (CRDM) nozzle penetrations at DBNPS. The NRC has reviewed in detail the CDRM nozzle cracking, as well as the circumstances surrounding the causes of this cracking and previous opportunities for identification and intervention. The NRC's inspection determined that the public health and safety have not been, nor are likely to