

applicant's representative: Myles L. Tobin, Illinois Central Railroad Company, 455 North Cityfront Plaza Drive, 20th Floor, Chicago, IL 60611.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

IC has filed an environmental report which addresses the abandonment's effects, if any, on the environmental or historic resources. The Commission's Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by March 10, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: February 24, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 95-5391 Filed 3-3-95; 8:45 am]

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[Finance Docket Nos. 32476, 32623 and 32624]

Northern Nevada Railroad Corporation—Construction and Operation Exemption—White Pine County, NV; Northern Nevada Railroad Corporation—Modified Rail Certificate—Between McGill Junction and Keystone, NV, and Northern Nevada Railroad Corporation—Modified Rail Certificate—Between Cobre and McGill Junction, NV

The Northern Nevada Railroad Corporation (Northern Nevada) has petitioned the Interstate Commerce Commission (Commission) for authority to construct and operate a 3.13 mile rail line in White Pine County, NV. The Commission's Section of Environmental Analysis (SEA) has prepared its Environmental Assessment (EA) which analyzes the environmental impacts associated with this construction project and related operations over rail lines between McGill Junction and Keystone, Nevada and Cobre and McGill Junction, Nevada. Based on the information provided and the environmental analysis conducted to date, this EA concludes that this proposal should not significantly affect the quality of the

human environment if the recommended mitigation measures set forth in the EA are implemented.

Accordingly, SEA preliminarily recommends that the Commission impose on any decision approving the proposed construction and operation conditions that would implement the mitigation measures contained in the EA.

The EA will be served on all parties of record as well as all appropriate Federal, state and local officials and will be made available to the public upon request. SEA will consider all comments received in response to the EA in making final environmental recommendations to the Commission. The Commission will then consider SEA's final recommendations and the environmental record in making its final decision in this proceeding.

Comments (an original and 10 copies) and any questions regarding this EA should be filed with the Commission's Section of Environmental Analysis, Office of Economic and Environmental Analysis, Room 3219, Interstate Commerce Commission, Washington, DC 20423, to the attention of Mr. Harold McNulty (202) 927-6217. Requests for copies of the EA should also be directed to Mr. McNulty.

Date made available to the public: March 3, 1995.

Comment due date: April 3, 1995.

By the Commission, Elaine K. Kaiser, Chief, Section of Environmental Analysis, Office of Economic and Environmental Analysis.

Vernon A. Williams,
Secretary.

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. 95-1 CARP DD 92-94]

Ascertainment of Controversy for 1994 Digital Audio Recording Royalty Funds

AGENCY: Copyright Office, Library of Congress.

ACTION: Notice with request for comments.

SUMMARY: The Copyright Office directs all claimants to royalty fees collected for Digital Audio Recording Devices and Media (DART) for the 1992 and 1993 Musical Works Fund, and the 1994 Musical Works and Sound Recordings Funds, to submit comments as to whether a controversy exists as to the distribution of these funds. The Office

also announces the deadline for filing Notices of Intent to Participate in royalty distribution.

DATES: Written comments due by April 15, 1995. Notices of Intent to Participate are due May 5, 1995.

ADDRESSES: If sent by mail, an original and five copies of written comments and Notices of Intent to Participate should be addressed to: Copyright Arbitration Royalty Panel (CARP), PO Box 70977, Southwest Station, Washington, DC 20024. If delivered by hand, copies should be brought to: Office of the General Counsel, Copyright Office, Room LM-407, James Madison Memorial Building, 101 Independence Avenue SE., Washington, DC 20540. In order to ensure prompt receipt of these time sensitive documents, the Office recommends that the comments and Notices of Intent to Participate be delivered by private messenger service.

FOR FURTHER INFORMATION CONTACT: Marilyn Kretsinger, Acting General Counsel, Copyright GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024. Telephone (202)707-8380.

SUPPLEMENTARY INFORMATION:

I. Background

On October 28, 1992, Congress enacted the Audio Home Recording Act. This Act requires manufacturers and importers to pay royalties on digital audio recording devices and media (DART) that are distributed in the United States. The royalties are deposited with the Copyright Office and distributed by Copyright Arbitration Royalty Panels (CARPs)¹, convened by the Librarian of Congress, to interested copyright parties who file claims with the Copyright Office each year during January and February.

The Act provides that the royalties are to be divided into two funds—the Sound Recordings Fund, which accounts for 66⅔% of the royalties, and the Musical Works Fund, which accounts for 33⅓% of the royalties.

Within each fund, the Act establishes subfunds. The Sound Recordings Fund consists of four subfunds: the first of these—the Nonfeatured Musicians Subfund—is allocated 2⅝% of the Sound Recordings Fund, and the second subfund—the Nonfeatured Vocalists Subfund—gets a 1⅜% share. After the shares of these two subfunds are

¹ At the time of passage of the Audio Home Recording Act, the Copyright Royalty Tribunal conducted DART distribution proceedings. The Tribunal, however, was eliminated by the Copyright Royalty Tribunal Reform Act of 1993, Pub.L. No. 103-198, and the authority to distribute DART funds was given to the CARPs, as administered by the Librarian of Congress.