

* 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: Revision of a currently approved collection.

Agency: Bureau of Labor statistics (BLS).

Title: Current Population Survey (CPS) Basic Labor Force.

OMB Number: 1220-0110.

Affected Public: Individuals or households.

Frequency: Monthly.

Number of Respondents: 57,000.

Number of Annual Responses: 684,000.

Estimated Time Per Response: 7 minutes.

Total Burden Hours: 79,800.

Total Annualized Capital/startup Costs: \$0.

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

Description: Section 2 of Title 29, Chapter 1, Subchapter 1, United States Code Annotated directs the Bureau of Labor statistics (BLS), under the direction of the Secretary of Labor, to collect, collate, and report full and complete statistics of the conditions of labor and the products and distribution of the products of the same. The Current Population Survey (CPS) has been the principal source of the official Government statistics on employment and unemployment for nearly 60 years. The labor force information gathered through the survey is of paramount importance in keeping track of the economic health of the Nation. The survey also helps to determine the employment situation of specific population groups as well as general trends in employment and unemployment.

Marlene J. Howze,

Acting DOL Clearance Officer.

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DEPARTMENT OF LABOR

Employment and Training Administration

Workforce Investment Act, 1998; Supplemental Appropriation Act, 2001

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of Secretary's determination of the revised Program Year (PY) 2001 allotments for Dislocated Worker Activities.

SUMMARY: Public Law 107-20 Title II Chapter 7, the Supplemental Appropriation Act, 2001, rescinds \$177.5 million from the dislocated worker program for PY 2001. The Act calls for a reduction of \$110 million (8.6 percent of the amount previously appropriated) from the formula program and \$67.5 million (21.2 percent of the amount previously appropriated) from the Secretary's national reserve account. The level of funding for the dislocated worker program is reduced to \$1.413 billion due to the rescission. The Act requires the Secretary to implement the rescission based on each state's share of unexpended balances as of June 30, 2001. The procedures for implementing the rescission were provided in Training and Employment Guidance Letter (TEGL) 3-01, "PY 2001 Changes in Dislocated Worker and Youth Funds," dated August 16, 2001. This guidance letter was amended September 28, 2001 ("Change 2"). TEGL 3-01 stated that the rescission would take effect after additional time for review and analysis of expenditure reports on the dislocated worker program. TEGL 26-01 provided states advance notice of the Secretary's planned determination for the revised PY 2001 allotments for dislocated worker activities.

EFFECTIVE DATE: This notice is effective July 16, 2002.

FOR FURTHER INFORMATION CONTACT: Ms. Shirley M. Smith, Administrator, U.S. Department of Labor, Office of Adult Services, Employment and Training Administration, Room N-5426, 200 Constitution Avenue, NW., Washington, DC Telephone 202-693-3500; Fax (202) 693-3818.

SUPPLEMENTARY INFORMATION: TEGL 26-01, change 1 provided the states revised PY 2001 allotments for the dislocated worker program under Workforce Investment Act (WIA) Title I. The

revised allotments are the result of the reduction of \$110 million from the formula program. An additional \$67.5 million is rescinded from the Secretary's national reserve account in PY 2001 as required by Public Law 107-20. The outlying areas, which are funded from the Secretary's dislocated worker program national reserve account, will have a reduction of \$443,750 in available competitive funds for PY 2001.

The Secretary has made her determination as required by Public Law 107-20 ("Act"). The Act requires the Secretary to reduce the level of funding for states' formula funds for dislocated worker program activities by \$110 million and the Secretary's national reserve account by \$67.5 million. The attached table shows the revised funding levels for each state as a result of the rescission.

WIA section 132(c) requires the Secretary to conduct reallocation of dislocated worker formula funds based on state financial reports submitted at the end of the program year. The procedures the Secretary uses for recapture and reallocation of funds are described in WIA regulations at 20 CFR 667.150. As stated in TEGLs 12-00 and 5-99, it was intended that the first reallocation of funds under WIA would be in PY 2001 based on obligations of PY 2000 funds. Due to the rescission, the Secretary has determined that reallocation will not apply in PY 2001 based on our review of the rescission language in Public Law 107-20 (Supplemental Appropriation Act, 2001).

Notice of Obligation (NOO) for each State's dislocated worker program was adjusted to reflect the reduction in the level of funding required by the rescission. The adjustment of funds covers NOOs for PY 2001 (July 1 to June 30) allotments.

Attachment A provides the results of the Secretary's determination in a chart showing PY 2001 Dislocated Worker Activities State Allotments and Attachment B shows the Dislocated Worker State Formula PY 2001 Rescission Methodology.

Attachments

Signed at Washington, DC July 9, 2002.

Shirley M. Smith,

Administrator, Office of Adult Services.

BILLING CODE 4510-30-P

Attachment A

U. S. Department of Labor
Employment and Training Administration
WIA Dislocated Worker Activities State Allotments
Impact of PY 2001 Rescission

State/Outlying Area	PY 2001 Initial Allotments	Rescission	PY 2001 Revised Allotments	
			\$	% Change
Total	\$1,590,040,000	(\$177,500,000)	\$1,412,540,000	-11.2%
Alabama	15,068,548	(519,868)	14,548,680	-3.5%
Alaska	11,395,001	(551,285)	10,843,716	-4.8%
Arizona *	12,879,316	(977,998)	11,901,318	-7.6%
Arkansas	7,103,656	(1,022,179)	6,081,477	-14.4%
California	273,391,437	(23,003,656)	250,387,781	-8.4%
Colorado	8,255,862	(764,987)	7,490,875	-9.3%
Connecticut	7,406,982	(436,861)	6,970,121	-5.9%
Delaware	2,184,617	(68,936)	2,115,681	-3.2%
District of Columbia	8,433,959	(556,773)	7,877,186	-6.6%
Florida	39,311,417	(2,749,836)	36,561,581	-7.0%
Georgia	20,930,127	(1,933,764)	18,996,363	-9.2%
Hawaii	6,477,632	(1,229,909)	5,247,723	-19.0%
Idaho	3,898,217	(256,101)	3,642,116	-6.6%
Illinois	41,575,303	(2,183,309)	39,391,994	-5.3%
Indiana	10,682,428	(640,174)	10,042,254	-6.0%
Iowa	5,437,368	(302,246)	5,135,122	-5.6%
Kansas	5,502,565	(473,377)	5,029,188	-8.6%
Kentucky	11,735,435	(1,574,438)	10,160,997	-13.4%
Louisiana	23,158,418	(2,506,863)	20,651,555	-10.8%
Maine	3,214,945	(179,397)	3,035,548	-5.6%
Maryland	17,559,765	(1,377,309)	16,182,456	-7.8%
Massachusetts	15,134,353	(463,739)	14,670,614	-3.1%
Michigan	21,932,071	(773,029)	21,159,042	-3.5%
Minnesota	10,473,235	(346,103)	10,127,132	-3.3%
Mississippi	30,701,477	(1,443,863)	29,257,614	-4.7%
Missouri	12,374,521	(1,224,459)	11,150,062	-9.9%
Montana	7,084,638	(208,655)	6,875,983	-2.9%
Nebraska	2,997,707	(142,384)	2,855,323	-4.7%
Nevada	5,334,057	(409,307)	4,924,750	-7.7%
New Hampshire	1,877,882	(112,782)	1,765,100	-6.0%
New Jersey	30,498,439	(2,508,993)	27,989,446	-8.2%
New Mexico *	21,923,521	(1,813,649)	20,109,872	-8.3%
New York	105,559,534	(17,204,630)	88,354,904	-16.3%
North Carolina	16,959,265	(1,459,422)	15,499,843	-8.6%
North Dakota	1,279,725	(89,448)	1,190,277	-7.0%
Ohio	34,309,127	(2,900,698)	31,408,429	-8.5%
Oklahoma	6,561,865	(716,469)	5,845,396	-10.9%
Oregon	28,811,913	(1,449,099)	27,362,814	-5.0%
Pennsylvania	38,706,830	(3,666,625)	35,040,205	-9.5%
Puerto Rico	166,101,676	(16,523,469)	149,578,207	-9.9%
Rhode Island	2,885,714	(132,818)	2,752,896	-4.6%
South Carolina	11,936,257	(888,239)	11,048,018	-7.4%
South Dakota	1,283,809	(45,705)	1,238,104	-3.6%
Tennessee	12,771,543	(965,444)	11,806,099	-7.6%
Texas	63,747,179	(5,366,658)	58,380,521	-8.4%
Utah	4,430,131	(167,492)	4,262,639	-3.8%
Vermont	1,240,882	(18,345)	1,222,537	-1.5%
Virginia	12,424,713	(989,291)	11,435,422	-8.0%
Washington	27,119,437	(1,850,523)	25,268,914	-6.8%
West Virginia	25,423,973	(2,309,570)	23,114,403	-9.1%
Wisconsin	12,880,353	(387,017)	12,493,336	-3.0%
Wyoming	1,663,175	(112,809)	1,550,366	-6.8%
State Total	1,272,032,000	(110,000,000)	1,162,032,000	-8.6%
American Samoa	188,651	0	188,651	0.0%
Guam	742,196	0	742,196	0.0%
Marshall Islands	400,690	0	400,690	0.0%
Micronesia	703,169	0	703,169	0.0%
Northern Marianas	333,969	0	333,969	0.0%
Palau	125,530	0	125,530	0.0%
Virgin Islands	994,210	0	994,210	0.0%
Outlying Area Competitive	486,685	(443,750)	42,935	-91.2%
Outlying Area Total	3,975,100	(443,750)	3,531,350	-11.2%
National Reserve	314,032,900	(67,056,250)	246,976,650	-21.4%

* For Arizona and New Mexico, rescission amounts include amounts attributable to state share of funds transferred to Navajo Nation in accordance with WIA Sec 166(g)(6).

Attachment B

**U. S. Department of Labor
Employment and Training Administration**

**Dislocated Worker Program State Formula
Program Year 2001 Rescission Calculations**

- **Description:** Based on State (including Navajo Nation) share of Dislocated Worker unexpended balances as of 6/30/01
 - = 6/30/01 availability (reflecting transfers) less 6/30/01 cumulative expended
 - = Years: PY 1999, PY 2000, and FY 2001
 - = Sum of
 - Estimated Dislocated Worker portion of Statewide Activities
 - Rapid Response Activities
 - Estimated Dislocated Worker portion of Local Administration
 - Local Dislocated Worker Program

- **Source:** State Workforce Investment Act 6/30/01 reports for Statewide Activities, Rapid Response Activities, Local Administration, Local Youth Program, Local Adult Program, Local Dislocated Worker Program (plus Navajo Nation reports for Dislocated Worker program)

- **Methodology for Disaggregating Statewide/Local Admin Report Data by Program:**

		Statewide Activities	Local Adminstration
Auth	PY 1999	Prorated using State Allotment by pgm	Prorated using rptd Local Pgm Auth by pgm or State allotment by pgm, if no Local Pgm reported
	PY 2000/FY 2001	Fed NOO \$ to State by pgm less est Local Admin Auth by pgm less rptd Local Pgm Auth by pgm less rptd Rapid Response Auth (DW only)	Prorated using rptd Local Pgm Auth by pgm or Fed NOO by pgm, if no Local Pgm reported
Expend	All Years	Prorated using Statewide Auth est by pgm	Prorated using Local Adm Auth est by pgm
Unexpend	All Years	Auth less Expend by Pgm	Auth less Expend by Pgm

- **Rescission Calculations:**

- (1) Unexpended balances as of 6/30/01 for Dislocated Worker program are calculated: 6/30/01 total availability (reflecting transfers) less 6/30/01 cumulative expenditures.
- (2) Navajo Nation expended balances are prorated to Arizona and New Mexico based on each state's share of funds transferred to the Navajo Nation for PY 2000 and FY 2001. Each state's resulting share of the Navajo Nation's unexpended funds are added to the state's unexpended balance.
- (3) \$110 million rescission amount prorated on State share of Dislocated Worker unexpended balances as of 6/30/01.

[FR Doc. 02-17846 Filed 7-15-02; 8:45 am]

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LIBRARY OF CONGRESS**Copyright Office**

[Docket No. 2002-6 DD 99-01]

Ascertainment of Controversy for the Distribution of the 1999, 2000 and 2001 Digital Audio Recording Royalty Funds**AGENCY:** Copyright Office, Library of Congress.**ACTION:** Notice with request for comments and notices of intention to participate.

SUMMARY: The Copyright Office of the Library of Congress directs all claimants to royalty fees collected in 1999, 2000 and 2001 for the distribution of digital audio recording devices and media to submit comments as to whether a controversy exists as to the distribution of the royalty fees in the 1999, 2000 and 2001 Musical Works Funds.

DATES: Comments and Notices of Intention to Participate are due September 16, 2002.

ADDRESSES: If sent by mail, an original and five copies of written comments and a Notice of Intention to Participate should be addressed to: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024. If hand delivered, an original and five copies should be brought to the Office of the General Counsel, James Madison Memorial Building, Room LM-403, First and Independence Ave., SE., Washington, DC 20540.

FOR FURTHER INFORMATION CONTACT: 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:**I. Background**

The Audio Home Recording Act of 1992 (the "Act"), Public Law 102-563, requires manufacturers and importers to pay royalties on digital audio recording devices and media that are distributed in the United States. 17 U.S.C. 1003. These royalties are deposited with the Copyright Office for further distribution among interested copyright parties, provided that the copyright owners file a claim with the Copyright Office each year during January and February. 17 U.S.C. 1005, 1007.

The Act provides that the royalties are divided between two funds: the Sound Recordings Fund and the Musical Works Fund. The Sound Recordings Fund receives 66 2/3% of the royalties and the Musical Works Fund receives the remaining 33 1/3%. These fees are allocated further to specific subfunds.

The Sound Recordings Fund consists of four subfunds: the Featured Recording Artists Subfund, the Copyright Owners Subfund, the Nonfeatured Musicians Subfund, and the Nonfeatured Vocalists Subfund. The two subfunds created for the benefit of nonfeatured artists receive a total of 4% of the funds allocated to the Sound Recordings Fund. Of the remaining royalty fees in the Sound Recordings Fund, 60% is allocated to the Copyright Owners Subfund and 40% is allocated to the Featured Recording Artists Subfund. Similarly, the royalty fees allocated to the Musical Works Fund are equally divided between two subfunds, the Publishers Subfund and the Writers Subfund. 17 U.S.C. 1006(b).

Distribution of these fees may occur in one of two ways. If the claimants within each subfund agree among themselves how to distribute the royalty fees, the Librarian of Congress distributes the royalties to the claimants in accordance with their negotiated agreement.¹ 17 U.S.C. 1007(b). Alternatively, if the parties cannot reach an agreement, the Librarian of Congress must convene a copyright arbitration royalty panel ("CARP") to determine the distribution of royalty payments.² 17 U.S.C. 1007(c). Before commencing a distribution proceeding, however, the Copyright Office must first ascertain whether and to what extent a controversy exists concerning the distribution of the royalty fees among the copyright claimants to the funds

¹ Each year, the claimants to the royalty fees in the Sound Recordings Funds have negotiated a universal settlement agreement among themselves as to the proportionate share that each claimant receives from the subfunds. These agreements have made it unnecessary for the Librarian to convene a CARP and have allowed him to distribute all royalty fees allocated to the Sound Recordings Funds, including those fees allocated to the 1999, 2000 and 2001 Sound Recordings Funds. See Orders, Docket No. 2000-5 DD 99 (June 2, 2000); Docket No. 2001-4 CARP DD 2000 ((May 21, 2001); and Docket No. 2002-6 CARP DD 2001 (July 10, 2002).

² There have been two CARP proceedings to determine the final distribution of the royalty fees in the Musical Works Funds. In 1996, the Librarian convened a CARP to determine the distribution of the 1992, 1993, and 1994 Musical Works Funds, and in 1998, the Librarian convened a second CARP to determine the distribution of the 1995, 1996, 1997, and 1998 Musical Works Funds. See 62 FR 6558 (February 12, 1997) and 66 FR 9360 (February 7, 2001), respectively.

available for distribution. 17 U.S.C. 803(d) and 1007(b).

II. Ascertainment of Controversy and Notices of Intention To Participate

Section 251.45(a) of the Copyright Office regulations, title 37 of the Code of Federal Regulations, requires that:

[T]he Librarian of Congress shall, after the time period for filing claims, publish in the **Federal Register** a notice requesting each claimant on the claimant list to negotiate with each other a settlement of their differences, and to comment by a date certain as to the existence of controversies with respect to the royalty funds described in the notice. Such notice shall also establish a date certain by which parties wishing to participate in the proceeding must file with the Librarian a notice of intention to participate.

The purpose of the negotiation requirement is to make all of the claimants within each fund/subfund aware of each other and to encourage active participation and open discussion on how to resolve each party's claim. The Copyright Office has compiled a list of claimants who have timely filed a claim to either of the two subfunds comprising each of the 1999, 2000, and 2001 Musical Works Funds.³ Claimants must use these lists in negotiating settlement agreements concerning the distribution of the royalty fees.

At the conclusion of the negotiation period, the claimants must submit to the Copyright Office comments identifying the existence of any settlement agreements and the existence of any remaining controversies. Participants must identify each subfund in the Musical Works Funds by year and indicate whether any controversy remains over the distribution of the royalty fees in that subfund or whether an agreement has been reached. In the case of an agreement, the notice must list the name of all claimants covered by the agreement. Participants must advise the Copyright Office of any controversy by the end of the comment period. The Office will not consider controversies which are brought to its attention after the close of the comment period.

Each claimant who intends to participate in the distribution of the 1995, 1996, 1997, and 1998 Musical Works Funds must also file a Notice of Intention to participate. The notice must identify each year and each subfund in which the copyright owner has an interest. Failure to file a timely Notice

³ Copies of the claimant lists are available for viewing and copying between the hours of 8:30 a.m. and 5 p.m. at the: Library of Congress, Copyright Office, Licensing Division, Room LM-458, James Madison Building, 101 Independence Avenue, SE., Washington, DC 20557-6400.