

specifically rebut it. The Panel stated that the testimony of these witnesses was “anecdotal and subjective opinion,” and that “[a]bsent quantitative corroboration, the Panel is unable to credit significantly this evidence.” CARP Report at 75 n.46. This determination is within the discretion of the Panel and is not arbitrary. *See, also* 62 FR 55742, 55751 (October 28, 1997) (satellite royalty rate adjustment).

Finally, the Register does not agree with Music Claimants’ contention that music use is the only way to determine the market value of music, and that “[t]he CARP ruled, contrary to all applicable music licensing precedent and without adequate explanation, that changes in music use were not relevant to the establishment of Music’s award for 1998–99.” Music Claimants’ Petition

to Modify at 5. This is not what the Panel said. Rather, the Panel found that Music Claimants’ music use study failed to accurately demonstrate an increase in the use of music from the relevant starting point of 1983 (the time of the last litigated Music award) to 1998–99 because the data relied upon by Music Claimants “is too incomplete to provide reliable estimates.” CARP Report at 82. The Panel did not say that music use was irrelevant; it accepted Dr. Schink’s criticisms of the Music Claimants’ study. That the CARP did not use data that focused on music use is not a rejection of music use *per se*; rather it was a rejection of the evidence of music use presented by Music Claimants.

**Order of the Librarian of Congress**

Having duly considered the recommendation of the Register of Copyrights regarding the report of the Copyright Arbitration Royalty Panel in the Phase I distribution of the 1998 and 1999 cable royalty funds, the Librarian of Congress adopts her recommendation to accept in full the Panel’s determination. For the reasons stated in the Register’s recommendation, the Librarian is exercising his authority under 17 U.S.C. 802(f) and is issuing this order setting forth the distribution of royalties. After deducting National Public Radio’s 0.18% share for each year per its agreement with the other parties to this proceeding, it is ordered that the 1998 and 1999 cable royalties shall be distributed according to the following percentages:

**1998 DISTRIBUTION**

Claimant	Basic fund	3.75% fund	Syndex fund
Devotional Claimants .....	1.19375	0.90725	0
Program Suppliers .....	37.80114	41.18124	96.00000
Joint Sports Claimants .....	35.78076	38.42541	0
NAB .....	13.96836	15.34209	0
PBS .....	5.49125	0	0
Music Claimants .....	4.00000	4.00000	4.00000
Canadian Claimants .....	1.76476	0.14401	0

**1999 DISTRIBUTION**

Claimant	Basic fund	3.75% fund	Syndex fund
Devotional Claimants .....	1.19375	0.90725	0
Program Suppliers .....	36.00037	39.13977	96.00000
Joint Sports Claimants .....	37.62758	40.47418	0
NAB .....	13.77736	15.12731	0
PBS .....	5.49125	0	0
Music Claimants .....	4.00000	4.00000	4.00000
Canadian Claimants .....	1.90971	0.35151	0

Dated: January 20, 2004.  
So Recommended.

**Marybeth Peters,**  
*Register of Copyrights.*  
So Ordered.

**James H. Billington,**  
*Librarian of Congress.*  
[FR Doc. 04–1567 Filed 1–23–04; 8:45 am]  
BILLING CODE 1410–33–P

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[Notice 04–008]

**NASA Advisory Council, Earth Systems Science and Applications Advisory Committee; Meeting**

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92–463, as amended, the National Aeronautics and Space Administration announces a meeting of the NASA Advisory Council (NAC), Earth Systems Science and Applications Advisory Committee (ESSAAC).

**DATES:** Wednesday, February 18, 2004, 8:30 a.m. to 5 p.m., and Thursday, February 19, 2004, 8:30 a.m. to 5 p.m.

**ADDRESSES:** Scripps Institution of Oceanography (SIO), 4500 Hubbs Hall, La Jolla, California 92093.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gregory Williams, Code Y, National Aeronautics and Space Administration, Washington, DC 20546, 202/358–0241.

**SUPPLEMENTARY INFORMATION:** The agenda for the meeting is as follows:

- Welcome and Introductions
- Chairman’s Remarks
- Earth Science Enterprise (ESE) Overview
- Technology Subcommittee Report
- What Makes a Modern Grid?
- Overview of NASA’s Information Infrastructure

- ESE Data & Information Management Plan
- ESE FY03 Performance Discussion
- Progress on Other ESE Plans
- Committee Deliberations

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of key participants. Visitors will be requested to sign a visitor's register.

**Michael F. O'Brien,**

*Assistant Administrator for External Relations, National Aeronautics and Space Administration.*

[FR Doc. 04-1572 Filed 1-23-04; 8:45 am]

**BILLING CODE 7510-01-P**

**NATIONAL SCIENCE FOUNDATION**

**Alan T. Waterman Award Committee; Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Alan T. Waterman Award Committee (1172).

*Date and Time:* Thursday, March 11, 2004, 8:30 a.m.–1:30 p.m., room 1235.

*Place:* Arlington, Virginia.

*Type of Meeting:* Closed.

**FOR FURTHER INFORMATION**

*CONTACT:* Mrs. Susan E. Fannoney, Executive Secretary, Room 1220, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292-8096.

*Purpose of Meeting:* To provide advice and recommendations in the selection of the Alan T. Waterman Award recipient.

*Agenda:* To review and evaluate nominations as part of the selection process for awards (NSF-00-123).

*Reason for Closing:* The nominations being reviewed include information of a personal nature where disclosure would constitute unwarranted invasions of personal privacy. These matters are exempt under 5 U.S.C. 552b(c)(6) of the Government in the Sunshine Act.

Dated: January 21, 2004.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 04-1514 Filed 1-23-04; 8:45 am]

**BILLING CODE 7555-01-M**

**NATIONAL SCIENCE FOUNDATION**

**Committee on Equal Opportunities in Science and Engineering; Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Committee on Equal Opportunities in Science and Engineering (1173).

*Dates/Time:* February 18, 2004, 9 AM–5:30 PM and February 19, 2004, 8:30 AM–1:30 PM.

*Place:* National Science Foundation, 4201 Wilson Boulevard, Room 1235S, Arlington, VA 22230.

*Type of Meeting:* Open.

**FOR FURTHER INFORMATION**

*CONTACT:* Dr. Margaret E.M. Tolbert, Senior Advisor and Executive Liaison, CEOSE, Office of Integrative Activities, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone: (703) 292-8040.

*Minutes:* May be obtained from the Executive Liaison at the above address.

*Purpose of Meeting:* To provide advice and recommendations concerning broadening participation in science and engineering.

**Agenda**

*Wednesday, February 18, 2004*

Briefing by the NSF Executive Liaison to CEOSE

Reports on NSF Advisory Committees by CEOSE Liaisons

Presentation and Discussion of the Crisis of African American Males

Discussion with One or More NSF Senior Executives

Presentation and Discussion on the Preparation Status of CEOSE Congressional Reports Required by H.R. 4664, SEC 20 Discussion of Plans for the CEOSE 2004 Biennial Report to Congress

*Thursday, February 19, 2004*

Reports of Ad Hoc Subcommittee Chairs Discussion of Plans for the Offsite Meeting of CEOSE

Completion of Unfinished Business Refinement of Recommendations and Action Items Resulting from the Meeting

Dated: January 21, 2004.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 04-1515 Filed 1-23-04; 8:45 am]

**BILLING CODE 7555-01-M**

**OVERSEAS PRIVATE INVESTMENT CORPORATION**

**January 29, 2004 Board of Directors Meeting**

**TIME AND DATE:** Thursday, January 29, 2004, 1:30 p.m. (*Open* Portion), 1:45 p.m. (*Closed* Portion).

**PLACE:** Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue, NW., Washington, DC. **STATUS:** Meeting *Open* to the Public from 1:30 p.m. to 1:45 p.m. *Closed* portion will commence at 1:45 p.m. (approx.)

**MATTERS TO BE CONSIDERED:**

1. President's Report
2. Approval of October 30, 2003 Minutes (*Open* Portion)

3. Approval of the January 6, 2004 Minutes (*Open* Portion)

4. Testimonial—George J. Kourpias

**FURTHER MATTERS TO BE CONSIDERED:** (Closed to the Public 1:45 p.m.)

1. Finance Project—Caribbean and Central America
2. Finance Project—Latin America
3. Finance Project—Latin America
4. Insurance Project—Gaza
5. Approval of October 30, 2003 Minutes (*Closed* Portion)
6. Approval of January 6, 2004 Minutes (*Closed* Portion)
7. Pending Major Projects
8. Reports

**FOR FURTHER INFORMATION CONTACT:**

Information on the meeting may be obtained from Connie M. Downs at (202) 336-8438.

Dated: January 22, 2004.

**Connie M. Downs,**

*Corporate Secretary, Overseas Private Investment Corporation.*

[FR Doc. 04-1673 Filed 1-22-04; 1:13 pm]

**BILLING CODE 3210-01-M**

**POSTAL SERVICE**

**Sunshine Act Meeting**

**TIMES AND DATES:** 1 p.m., Monday, February 2, 2004; 8:30 a.m., Tuesday, February 3, 2004.

**PLACE:** Hollywood, Florida, at the Westin Diplomat Hotel, 3555 South Ocean Drive, in Atlantic Ballroom 1.

**STATUS:** February 2—1 p.m. (*Closed*); February 3—8:30 a.m. (*Open*)

**MATTERS TO BE CONSIDERED:**

Monday, February 2—1 p.m. (*Closed*)

1. Financial Update.
2. Negotiated Service Agreement (NSA).
3. Proposed Postal Rate Commission Filing for Small Publications.
4. Strategic Planning.
5. Personnel Matters and Compensation Issues.

Tuesday, February 3—8:30 a.m. (*Open*)

1. Minutes of the Previous Meeting, January 6, 2004.
2. Remarks of the Postmaster General and CEO.
3. Committee Reports and Appointment of Members of Board Committees.

Tuesday, February 3—8:30 a.m. (*Open*) [continued]

4. Capital Investments
  - a. Optical Character Reader Enhancements for Letter Mail Automation.
  - b. New York, New York, Church Street Station and Federal Office Building Phase III Development