

*Estimated Total Burden Hours:* 650.  
*Estimated Time Per Response:* 30 minutes.

*Frequency:* On Occasion.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: March 7, 2005.

**Bruce Bohanon,**

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 05-4801 Filed 3-10-05; 8:45 am]

BILLING CODE 4510-27-P

## DEPARTMENT OF LABOR

### Employment Standards Administration; Wage and Hour Division

#### Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and

federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from the date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration to the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

#### Modification to General Wage Determination Decisions

The number of decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are

in parentheses following the decision being modified.

#### Volume I

##### New York

NY20030018 (Jun. 13, 2003)  
NY20030026 (Jun. 13, 2003)

#### Volume II

##### Pennsylvania

PA20030001 (Jun. 13, 2003)  
PA20030002 (Jun. 13, 2003)  
PA20030004 (Jun. 13, 2003)  
PA20030005 (Jun. 13, 2003)  
PA20030006 (Jun. 13, 2003)  
PA20030007 (Jun. 13, 2003)  
PA20030008 (Jun. 13, 2003)  
PA20030009 (Jun. 13, 2003)  
PA20030010 (Jun. 13, 2003)  
PA20030012 (Jun. 13, 2003)  
PA20030014 (Jun. 13, 2003)  
PA20030015 (Jun. 13, 2003)  
PA20030018 (Jun. 13, 2003)  
PA20030019 (Jun. 13, 2003)  
PA20030020 (Jun. 13, 2003)  
PA20030021 (Jun. 13, 2003)  
PA20030023 (Jun. 13, 2003)  
PA20030024 (Jun. 13, 2003)  
PA20030025 (Jun. 13, 2003)  
PA20030026 (Jun. 13, 2003)  
PA20030028 (Jun. 13, 2003)  
PA20030030 (Jun. 13, 2003)  
PA20030031 (Jun. 13, 2003)  
PA20030035 (Jun. 13, 2003)  
PA20030040 (Jun. 13, 2003)  
PA20030042 (Jun. 13, 2003)  
PA20030054 (Jun. 13, 2003)  
PA20030059 (Jun. 13, 2003)  
PA20030060 (Jun. 13, 2003)  
PA20030061 (Jun. 13, 2003)

##### Virginia

VA20030009 (Jun. 13, 2003)  
VA20030015 (Jun. 13, 2003)  
VA20030017 (Jun. 13, 2003)  
VA20030019 (Jun. 13, 2003)  
VA20030026 (Jun. 13, 2003)  
VA20030085 (Jun. 13, 2003)

##### West Virginia

WV20030001 (Jun. 13, 2003)  
WV20030002 (Jun. 13, 2003)  
WV20030003 (Jun. 13, 2003)  
WV20030006 (Jun. 13, 2003)  
WV20030010 (Jun. 13, 2003)

#### Volume III

##### Florida

FL20030045 (Jun. 13, 2003)

##### Georgia

GA20030039 (Jun. 13, 2003)  
GA20030083 (Jun. 13, 2003)

##### North Carolina

NC20030050 (Jun. 13, 2003)

##### South Carolina

SC20030036 (Jun. 13, 2003)

##### Tennessee

TN20030001 (Jun. 13, 2003)  
TN20030004 (Jun. 13, 2003)  
TN20030009 (Jun. 13, 2003)  
TN20030016 (Jun. 13, 2003)  
TN20030019 (Jun. 13, 2003)  
TN20030023 (Jun. 13, 2003)

#### Volume IV

##### Illinois

IL20030001 (Jun. 13, 2003)  
IL20030007 (Jun. 13, 2003)

IL20030019 (Jun. 13, 2003)  
 IL20030021 (Jun. 13, 2003)  
 IL20030022 (Jun. 13, 2003)  
 IL20030024 (Jun. 13, 2003)  
 IL20030027 (Jun. 13, 2003)  
 IL20030029 (Jun. 13, 2003)  
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 IL20030051 (Jun. 13, 2003)  
 IL20030054 (Jun. 13, 2003)  
 IL20030057 (Jun. 13, 2003)  
 IL20030066 (Jun. 13, 2003)  
 IL20030067 (Jun. 13, 2003)  
 IL20030069 (Jun. 13, 2003)  
 IL20030070 (Jun. 13, 2003)

#### Volume V

##### Iowa

IA20030005 (Jun. 13, 2003)  
 IA20030013 (Jun. 13, 2003)  
 IA20030016 (Jun. 13, 2003)  
 IA20030060 (Jun. 13, 2003)

##### Missouri

MO20030001 (Jun. 13, 2003)  
 MO20030002 (Jun. 13, 2003)  
 MO20030003 (Jun. 13, 2003)  
 MO20030006 (Jun. 13, 2003)  
 MO20030007 (Jun. 13, 2003)  
 MO20030010 (Jun. 13, 2003)  
 MO20030011 (Jun. 13, 2003)  
 MO20030015 (Jun. 13, 2003)  
 MO20030020 (Jun. 13, 2003)  
 MO20030044 (Jun. 13, 2003)  
 MO20030050 (Jun. 13, 2003)  
 MO20030053 (Jun. 13, 2003)

##### Nebraska

NE20030001 (Jun. 13, 2003)  
 NE20030019 (Jun. 13, 2003)

#### Volume VI

None

#### Volume VII

##### Arizona

AZ20030001 (Jun. 13, 2003)  
 AZ20030002 (Jun. 13, 2003)  
 AZ20030003 (Jun. 13, 2003)  
 AZ20030016 (Jun. 13, 2003)  
 AZ20030017 (Jun. 13, 2003)

##### California

CA20030013 (Jun. 13, 2003)

##### Hawaii

HI20030001 (Jun. 13, 2003)

### General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts". This publication is available at each of the 50 Government Depository Libraries and

many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at <http://www.access.gpo.gov/davisbacon>. They are also available electronically by subscription to the Davis-Bacon Online Service <http://davisbacon.fedworld.gov> of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC, This 3rd day of March, 2005.

**John Frank,**

*Acting Chief, Branch of Construction Wage Determinations.*

[FR Doc. 05-4478- Filed 3-10-05; 8:45 am]

**BILLING CODE 4510-27-M**

### LIBRARY OF CONGRESS

#### Copyright Office

[Docket No. 2005-3 CARP]

#### Notice of Intent to Audit

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Public notice.

**SUMMARY:** The Copyright Office of the Library of Congress is announcing receipt of a notice of intent to audit DMX Music, Inc., for its transmissions of sound recordings to business establishments made under an exemption to the digital performance right. This audit intends to review transmissions to business establishments made by DMX Music, Inc., for the years 2002, 2003, and 2004.

**FOR FURTHER INFORMATION CONTACT:** Tanya M. Sandros, Associate General

Counsel, or Abioye E. Oyewole, CARP Specialist, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024-0977. Telephone: (202) 707-8380. Telefax: (202) 707-3423.

**SUPPLEMENTARY INFORMATION:** Section 106(6) of the Copyright Act, title 17 of the United States Code, gives the copyright owner of a sound recording the right to perform the sound recording publicly by means of a digital audio transmission, subject to certain limitations. Among these limitations is an exemption from the digital performance right for services making digital transmissions of sound recordings to a business establishment for use in the ordinary course of its business (henceforth, "Business Establishment Services"), provided that two conditions are met: 1) the business recipient does not retransmit the transmissions outside of its premises or the immediate surrounding vicinity and, 2) the transmissions do not exceed the sound recording performance complement. While Business Establishment Services do not pay royalty fees for the right to transmit the sound recording, they do make ephemeral phonorecords under a statutory license, *see* 17 U.S.C. 112(e), to facilitate the transmission of the sound recordings. Use of this license requires the Business Establishment Service to make payments of royalty fees to and file reports of sound recording performances with SoundExchange, a collecting rights entity that was designated by the Librarian of Congress to collect and distribute royalty fee payments made under section 112(e). *See* 69 FR 5693 (February 6, 2004) and 69 FR 11515 (March 11, 2004).

Pursuant to § 262.6 of title 37 of the Code of Federal Regulations, as the Designated Agent, SoundExchange may conduct a single audit of a Licensee, such as DMX Music, Inc., for the purpose of verifying their royalty payments. As a preliminary matter, the Designated Agent is required to submit a notice of its intent to audit a Licensee with the Copyright Office and to serve this notice on the service to be audited. 37 CFR 262.6(c).

On February 16, 2005, SoundExchange filed with the Copyright Office a notice of intent to audit DMX Music, Inc.,<sup>1</sup> for the years 2002, 2003, and 2004. As stated in section 262.6(c), the Copyright Office then is required to publish a notice in

<sup>1</sup> A copy of the Notice of Intent to Audit DMX Music, Inc., will be posted on the Office website at [http://www.copyright.gov/carp/dmx\\_notice262.pdf](http://www.copyright.gov/carp/dmx_notice262.pdf).