

interoperability of file formats and improve accessibility to hardware, including for refreshable Braille and text-to-speech capabilities. Clearer practices could help assuage delays in providing time-sensitive materials to some visually impaired students, particularly in higher education. Increased funding would help all of the above.

At the international level, the WIPO Secretariat has endeavored to address practical obstacles to accessibility by creating an exploratory partnership between publishers and visually impaired persons, known as the WIPO Stakeholders' Platform. The Stakeholders' Platform is exploring the "concrete needs, concerns, and suggested approaches" of facilitating access. For example, one subcommittee has been working on a series of private sector guidelines and pilot projects related to trusted intermediaries and cross-border access for registered, qualified users. More information may be found at [http://www.visionip.org/stakeholders/en/trusted\\_intermediary\\_guidelines.html](http://www.visionip.org/stakeholders/en/trusted_intermediary_guidelines.html).

At the next (nineteenth) session of the SCCR (December 14–18, 2009), the United States is committed to discussing the treaty proposal, as well as other relevant solutions.

Documents from SCCR meetings, including documents regarding copyright limitations and exceptions for the blind and other persons with disabilities, can be found by starting at [http://www.wipo.int/meetings/en/topic.jsp?group\\_id=62](http://www.wipo.int/meetings/en/topic.jsp?group_id=62) and following the link to information for each specific meeting. A study on copyright limitations and exceptions for the visually impaired can be found at [http://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=75696](http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=75696). The treaty proposal is available at [http://www.wipo.int/meetings/en/doc\\_details.jsp?doc\\_id=122732](http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=122732).

**Subjects of Inquiry:** At this time, in order to allow further opportunity for interested persons to provide their views, the Copyright Office and the USPTO are seeking comments on possible solutions, both legal and practical, for enhancing the accessibility of copyrighted works for the benefit of visually impaired persons. In particular, the Copyright Office and USPTO are interested in learning about 1) how the treaty proposal would interact with existing U.S. law; 2) how the treaty proposal would interact with existing international obligations of the U.S.; 3) the possible benefits of or concerns about the treaty proposal, including with regard to the objectives of the

treaty proposal, how those objectives could lead to improved access for the blind and visually impaired, and any concerns about the implementation of the proposed treaty provisions in the U.S. or abroad; and 4) other possible courses of action that would facilitate access by "blind, visually impaired, and other reading disabled persons."

1. *How would the treaty proposal interact with United States law under Title 17 or otherwise?* The Copyright Office and the USPTO seek to learn interested parties' views on how the treaty proposal compares to U.S. law under Title 17, or any other statutory or regulatory provisions that might be affected. How consistent is the treaty proposal with current U.S. law? If the treaty proposal is adopted, would any changes to U.S. law be required in order to implement its provisions? Please reference with as much specificity as possible any U.S. statutes, regulations, or other provisions that should be considered in a review of the treaty proposal's implications on U.S. law.

2. *How would the treaty proposal interact with the international obligations of the United States?* Please comment on whether, and how, the treaty proposal would affect the existing multilateral and bilateral agreements of the United States. Please reference with as much specificity as possible the provisions of any treaties, conventions, agreements or other instruments that should be considered, as well as any conclusions or analyses that might be instructive.

3. *What benefits or concerns would the treaty proposal create?* Please comment generally on the objectives of the treaty proposal, and how such objectives could facilitate access for the blind and visually impaired. Is the treaty proposal likely to meet its objectives? Would there be any legal or practical impediments to implementing the treaty proposal in the United States? What issues should the United States consider with respect to application of the treaty proposal in foreign countries?

4. *Other possible courses of action that would facilitate access by "blind, visually impaired, and other reading disabled persons."* Please comment on any additional, possible methods of improving accessibility about which the Copyright Office and the USPTO should be aware, including possible roles for WIPO, the U.S. government, and the commercial and noncommercial private sectors.

Dated: October 7, 2009.

**Maria Pallante,**

*Associate Register for Policy and International Affairs, U.S. Copyright Office.*

[FR Doc. E9-24539 Filed 10-9-09; 8:45 am]

**BILLING CODE 1410-30-S**

## **NATIONAL FOUNDATION FOR THE ARTS AND THE HUMANITIES**

### **National Endowment for the Arts; National Council on the Arts 168th Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the National Council on the Arts will be held on October 30, 2009 in Room M-09 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

This meeting, from 9 a.m. to 11:30 p.m. (ending time is approximate), will be open to the public on a space available basis. After opening remarks and announcements, the meeting will include Government Affairs and budget updates. This will be followed by presentations on the legacy of Merce Cunningham. Presenters will include Suzanne Carbonneau (critic and director of the *NEA Arts Journalism* project at the American Dance Festival), Trevor Carlson (former dancer and executive director of the Cunningham Dance Company), and Elizabeth Streb (dancer and choreographer). After the presentations the Council will review and vote on applications and guidelines, and will adjourn following concluding remarks.

If, in the course of the open session discussion, it becomes necessary for the Council to discuss non-public commercial or financial information of intrinsic value, the Council will go into closed session pursuant to subsection (c)(4) of the Government in the Sunshine Act, 5 U.S.C. 552b. Additionally, discussion concerning purely personal information about individuals, submitted with grant applications, such as personal biographical and salary data or medical information, may be conducted by the Council in closed session in accordance with subsection (c)(6) of 5 U.S.C. 552b.

Any interested persons may attend, as observers, Council discussions and reviews that are open to the public. If you need special accommodations due to a disability, please contact the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-

5532, TTY--TDD 202/682-5429, at least seven (7) days prior to the meeting.

Further information with reference to this meeting can be obtained from the Office of Communications, National Endowment for the Arts, Washington, DC 20506, at 202/682-5570.

Dated: October 7, 2009.

**Kathy Plowitz-Worden,**

*Panel Coordinator, Office of Guidelines and Panel Operations.*

[FR Doc. E9-24521 Filed 10-9-09; 8:45 am]

BILLING CODE 7537-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2009-0233]

### Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The NRC published a **Federal Register** Notice with a 60-day comment period on this information collection on June 30, 2009.

1. *Type of submission, new, revision, or extension:* Extension.
2. *The title of the information collection:* NRC Form 790, Classification Record.
3. *Current OMB approval number:* 3150-0052.
4. *The form number if applicable:* NRC Form 790.
5. *How often the collection is required:* On occasion.
6. *Who will be required or asked to report:* NRC licensees, contractors, and certificate holders who classify and declassify NRC information.
7. *An estimate of the number of annual responses:* 450.
8. *The estimated number of annual respondents:* 208.
9. *An estimate of the total number of hours needed annually to complete the requirement or request:* 30.
10. *Abstract:* Completion of the NRC Form 790 is a mandatory requirement

for NRC licensees, contractors, and only certificate holder who classifies and declassifies NRC information in accordance with Executive Order 12958 as amended, "Classified National Security Information," the Atomic Energy Act, and implementing directives.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by November 12, 2009. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

NRC Desk Officer, Office of Information and Regulatory Affairs (3150-0052), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

The NRC Clearance Officer is Tremaine Donnell, (301) 415-6258.

Dated at Rockville, Maryland, this 2nd day of October 2009.

For the Nuclear Regulatory Commission.

**Tremaine Donnell,**

*NRC Clearance Officer, Office of Information Services.*

[FR Doc. E9-24589 Filed 10-9-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0434; Docket No. 40-1162]

### Notice of Application From Western Nuclear Inc., for Consent to Indirect Change of Control With Respect to Materials License SUA-56, Opportunity To Provide Comments and To Request a Hearing

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Notice of consideration of a request from Western Nuclear Inc., for consent to indirect transfer of control over materials license SUA-56 and the opportunity to request a hearing.

**DATES:** A request for a hearing must be filed by November 2, 2009.

**FOR FURTHER INFORMATION CONTACT:** Richard Chang, Project Manager, Special Projects Branch, Division of Waste

Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-7188; fax number: (301) 415-5369; e-mail: [richard.chang@nrc.gov](mailto:richard.chang@nrc.gov).

## SUPPLEMENTARY INFORMATION:

### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering an application from Western Nuclear Inc., (WNI or licensee), submitted on July 22, 2009, requesting approval of an indirect change of control with respect to its 10 CFR part 40 source materials license SUA-56. WNI's parent company, Phelps Dodge Corporation (PDC) (currently named Freeport-McMoRan Corporation), was previously acquired in a reverse triangular merger by Freeport-McMoRan Copper & Gold, Inc. (Freeport).

On March 19, 2007, Freeport acquired the entire interest in PDC, and Freeport now owns one hundred percent (100%) of PDC. This transaction resulted in the indirect transfer of control of WNI and license SUA-56 from PDC to Freeport. WNI is requesting that the NRC consent to this indirect change of control.

WNI's application states that, as a result of the 2007 transaction, there has been no change to the licensee's operations, and that its key operating personnel and licensed activities have remained the same. WNI has, and will continue to be, the holder of license SUA-56 after the approval of the indirect change of control. WNI will remain technically and financially qualified as the licensee and will continue to fulfill all responsibilities as the licensee.

Pursuant to 10 CFR 40.46, no source material license shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the Commission, after securing full information, finds that the transfer is in accordance with the provisions of the Atomic Energy Act, and gives its consent in writing. An Environmental Assessment (EA) will not be performed for this proposed action because it falls within a class of actions categorically excluded from the requirement to perform an EA pursuant to 10 CFR 51.22(c)(21).

The NRC staff plans to approve the July 22, 2009, application by issuing the necessary order, along with a supporting safety evaluation report.