The U.S. Copyright Office issued a notice of inquiry ("NOI") commencing a policy study on state sovereign immunity from copyright infringement suits. Congress has requested that the Office "research this issue to determine whether there is sufficient basis for federal legislation abrogating State sovereign immunity when States infringe copyrights." To assist Congress in making that assessment, the Office solicited public comment on several issues concerning the degree to which copyright owners face infringement from state actors today, whether such infringement is based on intentional or reckless conduct, and what remedies, if any, are available to copyright owners under state law. Initial comments were due on September 2, 2020, and reply comments and empirical studies were due on October 22, 2020. Information about the study, including the NOI and public comments, may be accessed on the Copyright Office website at https://www.copyright.gov/policy/state-sovereign-immunity/.

The Office is now announcing that it will hold roundtable discussions on December 11, 2020, to allow interested members of the public to discuss and provide additional information on the topics of the study. The roundtables will be held virtually over Zoom to allow maximum participation and avoid the need for participants to travel. Each roundtable session will cover a topic relevant to the study, as discussed below. Depending on the level of interest, the Office may hold multiple sessions on the same topic to accommodate a greater number of participants and provide additional time for discussion.

Members of the public who seek to participate in a roundtable should complete and submit the form available on the Office website at https://www.copyright.gov/policy/state-sovereign-immunity/hearing-request.html no later than November 16, 2020. Shortly thereafter, the Office will notify participants of their selection and panel assignments. In order to accommodate the expected level of interest, the Office plans to assign no more than one representative per organization to each session.

The Office will post a tentative agenda for the roundtables on its website on or about December 4, 2020. The Office also will provide sign-up information for members of the public who wish to observe, but not participate in, one or more of the roundtable sessions. The sessions will be video recorded and transcribed, and copies of the recording and transcript will be made available on the Copyright Office website.

Roundtable Subjects of Inquiry

The roundtables will consist of sessions on the following topics: (1) Evidence of actual or threatened copyright infringement by states; (2) state policies and practices for minimizing copyright infringement and addressing infringement claims; and (3) alternative remedies under state law for copyright infringement.

Evidence of Actual or Threatened Copyright Infringement by States

Congress has asked the Office to "study the extent to which copyright owners are experiencing infringements by state entities without adequate remedies under state law." To this end, the Office seeks evidence concerning actual or threatened copyright infringement by states, including both specific instances of infringing conduct and empirical information relating to broader trends. Relevant issues include, but are not limited to, the prevalence and outcomes of infringement suits brought against state actors; whether the frequency of infringement by states has changed over time and whether it is likely to increase or decrease in the future; and the extent to which state immunity affects sales and licensing practices in transactions involving state entities. In addition, in light of the Supreme Court's articulation of the standard of intent required to establish unconstitutional infringement, the Office is particularly interested in information that would allow it to assess the extent to which state infringements have involved intentional or reckless conduct.

State Policies and Practices for Minimizing Copyright Infringement and Addressing Infringement Claims

The Office is interested in whether or to what extent states have adopted policies to address complaints of copyright infringement and/or to decrease the likelihood of inadvertent infringement by state employees and institutions. The Office is particularly interested in testimony by state officials about their own practices, but the Office also invites participation by organizations or individuals who have navigated the relevant processes or otherwise have experience with this topic.

Alternative Remedies Under State Law for Copyright Infringement

The Supreme Court’s decision in Allen v. Cooper requires Congress to consider whether states “fail[] to offer an adequate remedy for an infringement.” The Office accordingly is interested in hearing from members of the public about what remedies states provide for infringement of copyright, as well as whether those remedies are adequate for enforcement purposes. The Office would be particularly interested in hearing from those who have asserted alternative state-law remedies in court and how such cases were resolved. Discussion of these issues should include consideration of the relationship of any state-law cause of action to the preemption provisions under section 301 of the Copyright Act.

Matters to be Considered:

(1) Call to Order and Chair's Remarks; (2) Executive Director’s Remarks; (3) Remarks from Senator Tom Udall; (4) Remarks from State Officials; (5) Discussion of State Policies and Practices for Minimizing Copyright Infringement and Addressing Infringement Claims; (6) Evidence of Actual or Threatened Copyright Infringement by States; (7) Alternative Remedies Under State Law for Copyright Infringement.

Sunshine Act Meetings

TIME AND DATE: 10 a.m. to 12 p.m. (MST), Friday, November 20, 2020.
PLACE: The offices of the Morris K. Udall and Stewart L. Udall Foundation, 130 South Scott Avenue, Tucson, AZ 85701.
STATUS: This meeting will be open to the public. Due to COVID-19, visitors are currently prohibited from entering the Udall Foundation offices. Members of the public who would like to attend this meeting should contact Elizabeth Monroe at monroe@udall.gov prior to November 20 to request the teleconference connection information.

MATTERS TO BE CONSIDERED:

(1) Call to Order and Chair’s Remarks; (2) Executive Director’s Remarks; (3) Remarks from Senator Tom Udall; (4)
Consent Agenda Approval (Minutes of the April 15, 2020, Board of Trustees Meeting; Board Reports submitted for Education Programs; Finance and Management; John S. McCain III National Center for Environmental Conflict Resolution; Native Nations Institute for Leadership, Management, and Policy and their Work Plan; Udall Archives; and Udall Center for Studies in Public Policy and their Work Plan; and resolutions regarding Allocation of Funds to the Udall Center for Studies in Public Policy and Funds Set Aside for the Native Nations Institute for Leadership, Management, and Policy; and Board takes notice of any new and updated personnel policies and internal control methodologies); (5) Discuss and Act on Amendments to the Operating Procedures of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation and a resolution to adopt the amendments; (6) Trustee Ethics Training Instructions; (7) Discussion of 2022–2026 Strategic Plan Process and Timeline; (8) Finance & Internal Controls Update; and (9) Education Programs.

CONTACT PERSON FOR MORE INFORMATION: David P. Brown, Executive Director, 130 South Scott Avenue, Tucson, AZ 85701, (520) 901–8500.


David P. Brown,
Executive Director, Morris K. Udall and Stewart L. Udall Foundation, and Federal Register Liaison Officer.

[FR Doc. 2020–24773 Filed 11–3–20; 4:15 pm]
BILLING CODE 6820–FN–P

NEIGHBORHOOD REINVESTMENT CORPORATION

Sunshine Act Meetings; Audit Committee Meeting

TIME & DATE: 11 a.m., Thursday, November 12, 2020.

PLACE: Via Conference Call.

STATUS: Open (with the exception of Executive Session).

MATTERS TO BE CONSIDERED: The General Counsel of the Corporation has certified that in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552(b)(2) and (4) permit closure of the following portion(s) of this meeting:

• Executive Session

AGENDA:
I. Call to Order
II. Executive Session: Introduction to BDO External Auditors
III. Executive Session: BDO
IV. Executive Session: Chief Audit Executive
V. Internal Audit Report
VI. Action Item: Review of the Charters
VII. Action Item: Modification of FY2020 Internal Audit Work Plan
VIII. Action Item: Internal Audit Reports with Management’s Response
IX. Internal Audit Status Reports
X. Adjournment

POSTAL REGULATORY COMMISSION


New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission’s consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: Comments are due: November 9, 2020.

ADDRESSES: Submit comments electronically via the Commission’s Filing Online system at http://www.prc.gov. Those who cannot submit comments electronically should contact the person identified in the FOR FURTHER INFORMATION CONTACT section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

I. Introduction
II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request’s acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505.