

or hand delivery. Petitions to Participate and the \$150 filing fee may not be delivered by an overnight delivery service other than the U.S. Postal Service Express Mail. If by mail (including overnight delivery), Petitions to Participate, along with the \$150 filing fee, must be addressed to: Copyright Royalty Board, P.O. Box 70977, Washington, DC 20024-0977. If hand delivered by a private party, Petitions to Participate, along with the \$150 filing fee, must be brought between 8:30 a.m. and 5 p.m. to the Library of Congress, James Madison Memorial Building, LM-401, 101 Independence Avenue, SE., Washington, DC 20559-6000. If delivered by a commercial courier, Petitions to Participate, along with the \$150 filing fee, must be delivered between 8:30 a.m. and 4 p.m. to the Congressional Courier Acceptance Site, located at 2nd and D Street, NE., Washington, DC. The envelope must be addressed to: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000.

**FOR FURTHER INFORMATION CONTACT:** LaKeshia Keys, CRB Program Specialist, by telephone at (202) 707-7658 or e-mail at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 111 of the Copyright Act, title 17 of the United States Code, grants a statutory copyright license to cable television systems for the retransmission of over-the-air television and radio broadcast stations to their subscribers. In exchange for the license, cable operators submit royalties, along with statements of account detailing their retransmissions, to the Copyright Office on a semi-annual basis. The Office then deposits the royalties with the United States Treasury for later distribution to copyright owners of the broadcast programming retransmitted by cable systems.

A cable system calculates its royalty payments in accordance with the statutory formula described in 17 U.S.C. 111(d). Royalty fees are based upon the gross receipts received by a cable system from subscribers receiving retransmitted broadcast signals. Section 111(d) subdivides cable systems into three categories based on their gross receipts: small, medium, and large. Small systems pay a fixed amount without regard to the number of broadcast signals they retransmit, while medium-sized systems pay a royalty within a specified range, with a maximum amount, based on the number of signals

they retransmit. Large cable systems calculate their royalties according to the number of distant broadcast signals which they retransmit to their subscribers.<sup>1</sup> Under this formula, a large cable system is required to pay a specified percentage of its gross receipts for each distant signal that it retransmits.

Congress established the initial gross receipts limitations that determine a cable system's size and provided the gross receipts percentages (*i.e.*, the royalty rates) for distant signals. 17 U.S.C. 111(d)(1). It also provided for adjustment of both the gross receipts limitations and the distant signal rates. 17 U.S.C. 801(b)(2). The limitations and rates can be adjusted to reflect national monetary inflation, changes in the average rates charged by cable systems for the retransmissions of broadcast signals, or changes in certain cable rules of the Federal Communications Commission in effect on April 15, 1976. 17 U.S.C. 801(b)(2)(A), (B), (C), and (D). Prior rate adjustments of the Copyright Royalty Tribunal or Librarian of Congress made under section 801(b)(2)(B) and (C) may be reconsidered at five-year intervals. 17 U.S.C. 804(b). The current gross receipts limitations and rates are set forth in 37 CFR 256.2. Rate adjustments are now made by the Copyright Royalty Judges.

Section 804 of the Copyright Act provides that the gross receipts and royalty rates may be adjusted every five years beginning with 2005, thus making 2010 a royalty adjustment year, upon the filing of a petition to initiate a proceeding. 17 U.S.C. 804(b)(1). However, since no petition has been filed pursuant to section 804(b)(1), section 803(b)(1)(A)(i)(V) requires the Judges to publish a **Federal Register** notice no later than January 5, 2010, commencing this proceeding.

**Petitions to Participate**

Petitions to Participate must be filed in accordance with § 351.1(b) of the Judges' regulations. *See* 37 CFR 351.1(b). Petitions to Participate must be accompanied by the \$150 filing fee. Cash will not be accepted; therefore, parties must pay the filing fee with a check or money order made payable to "Copyright Royalty Board." If a check received in payment of the filing fee is returned for lack of sufficient funds, the corresponding Petition to Participate will be dismissed.

<sup>1</sup> For large cable systems which retransmit only local broadcast stations, there is a minimum royalty fee which must be paid. This minimum fee is not applied, however, once the cable system carries one or more distant signals.

Note that in accordance with 37 CFR 350.2 (Representation), only attorneys who are members of the bar in or more states and in good standing will be allowed to represent parties before the Copyright Royalty Judges, unless a party is an individual who represents herself or himself.

Dated: December 23, 2009.

**William J. Roberts, Jr.,**

*U.S. Copyright Royalty Judge.*

[FR Doc. E9-30825 Filed 1-4-10; 8:45 am]

**BILLING CODE 1410-72-P**

**NATIONAL SCIENCE FOUNDATION**

**Agency Information Collection  
Activities: Proposed Collection,  
Comment Request**

**AGENCY:** National Science Foundation.

**ACTION:** Notice.

**SUMMARY:** The National Science Foundation (NSF) is announcing plans to request clearance for this collection. In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, we are providing opportunity for public comment on this action. After obtaining and considering public comment, NSF will prepare the submission requesting OMB clearance of this collection for no longer than three years.

Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information shall have practical utility; (b) the accuracy of the Agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information on respondents, including through the use of automated collection techniques or other forms of information technology; and (d) ways to minimize the burden of the collection of information of respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be received by March 8, 2010, to be assured of consideration. Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** Written comments regarding the information collection and requests for copies of the proposed information collection request should be addressed to Suzanne Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Boulevard, Room 295, Arlington, VA 22230, or by e-mail to [splimpto@nsf.gov](mailto:splimpto@nsf.gov).

**FOR FURTHER INFORMATION CONTACT:**

Contact Suzanne Plimpton, the NSF Reports Clearance Officer, phone (703) 292-7556, or send e-mail to [splimpto@nsf.gov](mailto:splimpto@nsf.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339, which is accessible 24 hours a day, 7 days a week, 365 days a year (including Federal holidays).

**SUPPLEMENTARY INFORMATION:**

*Title of Collection:* Evaluation of the Tribal Colleges and Universities Program.

*OMB Control No.:* 3145-NEW.

*Expiration Date of Approval:* Not applicable.

*Abstract:* Since 2001 the National Science Foundation's Tribal Colleges and Universities Program (TCUP) has been supporting science, technology, engineering, and mathematics (STEM) participation and retention among American Indians, Alaska Natives, and Native Hawaiians through the support of quality STEM teaching through faculty development, STEM degree and curriculum enhancement, and undergraduate research and training opportunities. The evaluation being conducted by Kauffman and Associates, Inc. focuses on a cross-site case study of the overall effectiveness of the programs as well as the impact the programs have had on participating institutions, STEM faculty, and students enrolled in STEM courses. To complement this comprehensive evaluation study three sub-studies—a model of practice study, an outcome study pertaining to the impact on institutional transformation, and a study about the STEM programmatic influences on student outcomes—will be conducted. The study will rely on a thorough review of college and STEM record assessments; telephone and face-to-face interviews with governing board members, college administrators, faculty members, and collaborative partners; focus groups with students, community members, faculty, and other stakeholders; and web-based surveys with alumni, governing board members, college presidents, administrators, and STEM faculty. The web-based surveys will be conducted with all grantees and past and present students and the interviews and focus groups will be conducted with the above specified populations at selected sites. The goal of this cross-site evaluation is to assess the effect of the STEM program on students, faculty, and administrators, to determine its overall effect on student achievement, outreach, and support in scientific research, faculty development, advancement, and

collaboration, and to assess institutional change and development of best practices for STEM.

*Respondents:* Governing board members, college presidents and academic vice presidents, collaborative partners, and students, past and present, at or working with Tribal colleges and universities awarded TCUP grants from NSF.

*Estimated Number of Annual Respondents:* 4,819 (total).

*Burden on the Public:* 815 hours.

Dated: December 30, 2009.

**Suzanne H. Plimpton,**

*Reports Clearance Officer, National Science Foundation.*

[FR Doc. E9-31357 Filed 1-4-10; 8:45 am]

**BILLING CODE 7555-01-P**

---

## NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2009-0422]

### 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 October 14, 2009 (74 FR 52820).

1. *Type of submission, new, revision, or extension:* Extension.

2. *The title of the information collection:* "10 CFR Part 71, Packaging and Transportation of Radioactive Material".

3. *Current OMB approval number:* 3150-0008.

4. *The form number if applicable:* NA.

5. *How often the collection is required:* On occasion. Applications for package certification may be made at any time. Required reports are collected and evaluated on a continuing basis as events occur.

6. *Who will be required or asked to report:* All NRC specific licensees who

place byproduct, source, or special nuclear material into transportation, and all persons who wish to apply for NRC approval of package designs for use in such transportation.

7. *An estimate of the number of annual responses:* 912 (661 responses + 1 third party reporting + 250 recordkeepers).

8. *The estimated number of annual respondents:* 250.

9. *An estimate of the total number of hours needed annually to complete the requirement or request:* 59,782 (54,208 reporting + 5,574 recordkeeping).

10. *Abstract:* NRC regulations in 10 CFR part 71 establish requirements for packaging, preparation for shipment, and transportation of licensed material, and prescribe procedures, standards, and requirements for approval by NRC of packaging and shipping procedures for fissile material and for quantities of licensed material in excess of Type A quantities.

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 February 4, 2010. 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.

Christine J. Kymn, Desk Officer, Office of Information and Regulatory Affairs (3150-0008), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to [Christine.J.Kymn@omb.eop.gov](mailto:Christine.J.Kymn@omb.eop.gov) or submitted by telephone at (202) 395-4638.

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

Dated at Rockville, Maryland, this 30th day of December 2009.

For the Nuclear Regulatory Commission.

**Chris Colburn,**

*Acting NRC Clearance Officer, Office of Information Services.*

[FR Doc. E9-31383 Filed 1-4-10; 8:45 am]

**BILLING CODE 7590-01-P**