

receipt of a notice of intent to audit 2005 statements of account concerning the eligible nonsubscription transmissions of sound recordings made by Microsoft Corporation ("Microsoft") under statutory licenses.

**FOR FURTHER INFORMATION CONTACT:**

Tanya M. Sandros, Acting General Counsel, P.O. Box 70977, Southwest Station, Washington, DC 20024-0977. Telephone: (202) 707-8380. Telefax: (202) 252-3423.

**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 a sound recording publicly by means of a digital audio transmission, subject to certain limitations. Among these limitations are certain exemptions and a statutory license which allows for the public performance of sound recordings as part of "eligible nonsubscription transmissions."<sup>1</sup> 17 U.S.C. 114. A music service that operates under the section 114 statutory license may also make any necessary ephemeral reproductions to facilitate the digital transmission of the sound recording under a second license set forth in section 112(e) of the Copyright Act. Use of these licenses requires that services make payments of royalty fees to and file reports of sound recording performances with SoundExchange. SoundExchange is a collecting rights entity that was designated by the Librarian of Congress to collect statements of account and royalty fee payments from services and distribute the royalty fees to copyright owners and performers entitled to receive such royalties under sections 112(e) and 114(g) following a proceeding before a Copyright Arbitration Royalty Panel ("CARP")—the entity responsible for setting rates and terms for use of the section 112 and section 114 licenses prior to the passage of the Copyright Royalty and Distribution Reform Act of 2004 ("CRDRA"), Pub. L. No. 108-419, 118 Stat. 2341 (2004). See 69 FR 5695 (February 6, 2004).

This Act, which the President signed into law on November 30, 2004, and which became effective on May 31, 2005, amends the Copyright Act, title 17

of the United States Code, by phasing out the CARP system and replacing it with three permanent Copyright Royalty Judges ("CRJs"). Consequently, the CRJs carry out the functions heretofore performed by the CARPs, including the adjustment of rates and terms for certain statutory licenses such as the section 114 and 112 licenses. However, section 6(b)(3) of the Act states in pertinent part:

[t]he rates and terms in effect under section 114(f)(2) or 112(e) . . . on December 30, 2004, for new subscription services [and] eligible nonsubscription services . . . shall remain in effect until the later of the first applicable effective date for successor terms and rates . . . or such later date as the parties may agree or the Copyright Royalty Judges may establish.

Successor rates and terms for the licenses are scheduled to be published in the **Federal Register** on Tuesday, May 1, 2007. However, these successor rates and terms carry an effective date beginning on January 1, 2006. Accordingly, the terms of the section 114 and 112 licenses as previously constituted are still in effect for any request to audit 2005 statements of account.

One of the previously constituted terms, set forth in § 262.6 of title 37 of the Code of Federal Regulations, states that SoundExchange, as the Designated Agent, may conduct a single audit of a Licensee 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 serve this notice on the service to be audited. 37 CFR 262.6(c).

On December 23, 2005, SoundExchange filed with the Copyright Office a notice of intent to audit Microsoft for the years 2002, 2003, and 2004. See 72 FR 624 (January 5, 2006). Subsequently, on March 29, 2007, SoundExchange filed a second notice of intent to audit Microsoft,<sup>2</sup> pursuant to § 262.6(c), notifying the Copyright Office of its intent to expand its current audit to cover 2005. This notice of intent to audit was received by the Copyright Office on April 2, 2007. Section 262.6(c) requires the Copyright Office to publish a notice in the Federal Register within thirty days of receipt of the filing announcing the Designated Agent's intent to conduct an audit.

In accordance with this regulation, the Office is publishing today's notice to fulfill this requirement with respect to

the notice of intent to audit filed by SoundExchange on March 29, 2007.

Dated: April 30, 2007

**Tanya M. Sandros,**

*Acting General Counsel.*

[FR Doc. E7-8515 Filed 5-2-07; 8:45 am]

**BILLING CODE 1410-30-S**

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (07-033)]

### Notice of Information Collection

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

**ACTION:** Notice of information collection.

**SUMMARY:** The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. 3506(c)(2)(A)).

**DATES:** All comments should be submitted within 60 calendar days from the date of this publication.

**ADDRESSES:** All comments should be addressed to Mr. Walter Kit, National Aeronautics and Space Administration, Washington, DC 20546-0001.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Mr. Walter Kit, NASA PRA Officer, NASA Headquarters, 300 E Street, SW., JE0000, Washington, DC 20546, (202) 358-1350, *Walter.Kit-1@nasa.gov*.

### SUPPLEMENTARY INFORMATION:

#### I. Abstract

The NASA Explorer Schools (NES) seeks a clearance to collect data from educators to determine eligibility and selection of schools to participate in their three year project. To lessen the impact on educators who will complete the project application, the application period must be open during the times when they are less likely to be needed in the classroom (e.g., summer break) and can obtain any required school board approvals.

#### II. Method of Collection

NASA will utilize a Web-base on-line form to collect this information.

<sup>1</sup>An "eligible nonsubscription transmission" is a noninteractive digital audio transmission which, as the name implies, does not require a subscription for receiving the transmission. The transmission must also be made as a part of a service that provides audio programming consisting in whole or in part of performances of sound recordings the primary purpose of which is to provide audio or entertainment programming, but not to sell, advertise, or promote particular goods or services. See 17 U.S.C. 114(j)(6).

<sup>2</sup>A copy of the new Notice of Intent to Audit Microsoft is posted on the Copyright Office Web site at <http://www.copyright.gov/carp/microsoft-notice2.pdf>

**III. Data**

*Title:* NASA Explorer Schools Project Application.

*OMB Number:* 2700-XXXX.

*Type of review:* Emergency Request for Clearance by June 15, 2007.

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 130.

*Estimated Time per Response:* 1 hour.

*Estimated Total Annual Burden*

*Hours:* 130.

*Estimated Total Annual Cost:* \$0.

**IV. Request for Comments**

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

**Gary Cox,**

*Acting Deputy Chief Information Officer.*

[FR Doc. E7-8387 Filed 5-2-07; 8:45 am]

**BILLING CODE 7510-13-P**

**NATIONAL SCIENCE FOUNDATION****National Science Board—Committee on Nominating for NSB Elections****Sunshine Act Meetings; Notice**

The National Science Board's Committee on Nominating for NSB Elections, pursuant to NSF regulations (45 CFR part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n-5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

**DATE AND TIME:** Friday, May 4, 2007 at 10:30.

**SUBJECT MATTER:** Discussion of candidates for the National Science Board Executive Committee.

**STATUS:** Closed.

This meeting will be held by teleconference originating at the National Science Board Office, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Please refer to the National Science Board Web site (<http://www.nsf.gov/nsb>) for information or schedule updates, or contact: Ann Ferrante, National Science Board Office, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292-7000.

**Russell Moy,**

*Attorney-Advisor.*

[FR Doc. E7-8418 Filed 5-2-07; 8:45 am]

**BILLING CODE 7555-01-P**

**NUCLEAR REGULATORY COMMISSION****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.

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

2. *The title of the information collection:* "NRC Forms 366, 366A, 366B, 'Licensee Event Report'".

3. *The form number if applicable:* NRC Forms 366, 366A, 366B.

4. *How often the collection is required:* On occasion, as defined reactor events are reportable as they occur.

5. *Who will be required or asked to report:* Holders of operating licenses for commercial nuclear power plants.

6. *An estimate of the number of annual responses:* 400.

7. *The estimated number of annual respondents:* 104.

8. *An estimate of the total number of hours needed annually to complete the requirement or request:* 32,000 (25,600 reporting + 6,400 record keeping). This is estimated to be 80 hours for each of 400 reports annually.

9. *An indication of whether Section 3507(d), Public Law 104-13 applies:* Not applicable.

10. *Abstract:* With NRC Forms 366, 366A, and 366B, the NRC collects reports of the types of reactor events and problems that are believed to be significant and useful to the NRC in its efforts to identify and resolve possible threats to the public safety. These forms are designed to provide the information necessary for engineering studies of operational anomalies and trends and patterns analysis of abnormal occurrences. The same information is used for other analytic procedures that aid in identifying accident precursors.

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 June 4, 2007. 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.

Margaret A. Malanoski, Desk Officer, Office of Information and Regulatory Affairs (3150-0104), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to [Margaret\\_A\\_Malanoski@omb.eop.gov](mailto:Margaret_A_Malanoski@omb.eop.gov) or submitted by telephone at (202) 395-3122.

The NRC Clearance Officer is Margaret A. Janney, 301-415-7245.

Dated at Rockville, Maryland, this 27th day of April, 2007.

For the Nuclear Regulatory Commission.

**Margaret A. Janney,**

*NRC Clearance Officer, Office of Information Services.*

[FR Doc. E7-8436 Filed 5-2-07; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION****Agency Information Collection Activities: Proposed Collection: Comment Request**

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

**ACTION:** Notice of pending NRC action to submit an information collection