

**DEPARTMENT OF LABOR****Office of the Assistant Secretary for Administration and Management****Proposed Collection of Information; Comment Request****ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on the proposed continued collection of information in accordance with the Paperwork Reduction Act of 1995 (PRA) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by the Office of Management and Budget (OMB) under the PRA, and displays a currently valid OMB control number, and the public is not required to respond to a collection of information unless it displays a currently valid OMB control number. Also, notwithstanding any other provision of law, no person may be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number. See 5 U.S.C. 1320.5(a) and 1320.6.

**DATES:** Written comments are to be submitted by November 16, 2010.

**ADDRESSES:** *Electronically:* You may submit comments and attachments by sending an e-mail to *ConferenceRoomsandServices.DOL@dol.gov*, attention: Tracey Schaeffer. Written comments may also be transmitted by facsimile to 202-693-7761. Address comments sent by mail or delivery service to Office of the Assistant Secretary for Administration and Management (OASAM), U.S. Department of Labor, 200 Constitution Avenue, NW., Room C5519, Washington, DC 20210, attention: Tracey Schaeffer. You may contact Tracey Schaeffer at 202-693-7773 (this is not a toll-free number) or e-mail *ConferenceRoomsandServices.DOL@dol.gov* to request a copy of this information collection or with general questions about this notice.

**SUPPLEMENTARY INFORMATION:****I. Background**

The U.S. Department of Labor headquarters building, the Frances Perkins Building (FPB), has conference and meeting capabilities located in its public space areas that entities outside of the Department may request to use. In general, use of public space in Federal buildings is governed by section 581(h) of Title 40 of the United States Code (40 U.S.C. 581(h)). Section 581 is implemented by the Federal Management Regulations (FMR), which are published by GSA. Section 121(d) of title 40 of the US Code (40 U.S.C. 121(d)) authorizes the GSA Administrator to delegate GSA's authority to an agency head. The Office of the Assistant Secretary for Administration and Management (OASAM) operates the FPB under a 2003 delegation from GSA; the existing GSA-DOL delegation includes the authority provided in section 581(h) and, so, OASAM may exercise the authority provided by section 581(h) at the FPB, subject to applicable GSA and DOL regulations, policies and procedures. The delegation includes specific terms and conditions and is subject to the terms and conditions set forth in the "Standard Operating Procedures for Delegated Government-Owned Real Property" "SOP". Under the Delegation and SOP, the Department has authority under section 581(h)(2) to issue occasional use permits. The issuance of permits must comply with the Department's Delegation and with GSA's regulations in title 41 of the CFR, which covers a variety of subjects. Occasional use permits may only be issued to organizations engaging in cultural, educational, or recreational activities. In general, these permits are not available for commercial purposes.

FMR 102-74, Subpart D—Occasional Use of Public Buildings—establishes rules and regulations for the occasional use of public areas of public buildings for cultural, educational and recreational activities as provided by 40 U.S.C. 581(h)(2). Under section 102-74.465, any person or organization wishing to use a public area must file an application for a permit from the Federal agency buildings manager. Section 102-74.470 states that applicants must submit the following information:

- (a) Their full names, mailing addresses, and telephone numbers;
- (b) The organization sponsoring the proposed activity;
- (c) The individual(s) responsible for supervising the activity;

(d) Documentation showing that the applicant has authority to represent the sponsoring organization;

(e) A description of the proposed activity, including the dates and times during which it is to be conducted and the number of persons to be involved.

OASAM has established policies and procedures concerning FPB public space. These policies and procedures are set forth in the Department of Labor Manual Series (DLMS) 2-510 as well as an application for public space use by DOL Agencies and DOL-related entities. To comply with the above cited statutory, rules and regulatory requirements for entities sponsored or not sponsored by DOL Agencies or DOL-related entities which seek to use FPB public space, the Department has created a separate new application form. This notice relates to this new application form.

**II. Current Action**

OASAM is requesting that OMB approve the collection of information requirements on Form DL1-6062B, "Application for Use of Public Space by Non-DOL Agencies in the Frances Perkins Building." Part of that approval process provides the public an opportunity to provide public comments about the proposed collection of information. OASAM will consider those comments prior to preparing a final package for submission to OMB. OASAM will also summarize the public comments submitted in response to this notice, and will include this summary in the request to OMB.

**III. Desired Focus of Comments**

OASAM is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Agency: Department of Labor, Office of the Assistant Secretary for Administration and Management;

Type of Review: New Collection (Request for OMB Control Number).

Title of Collection: Application for Use of Public Space by Non-DOL Agencies in the Frances Perkins Building.

OMB Control Number: 1225-0New.

Agency Form Number: DL1-6062B.

Affected Public: Private Sector (Business or not-for-profit institutions).

Estimated Number of Respondents: 5.

Frequency: On occasion.

Total Estimated Annual Responses: 5.

Estimated Average Time per

Response: 5 minutes per application.

Estimated Total Annual Burden

Hours: 25.

Total Estimated Annualized Cost Burden (excluding hour cost): \$0.

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

Dated: September 13, 2010.

Michel Smyth,

Departmental Clearance Officer.

[FR Doc. 2010-23293 Filed 9-16-10; 8:45 am]

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### 153rd Meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans; Notice of Meeting

Pursuant to the authority contained in Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, the 153rd open meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held on October 4, 2010.

The meeting will take place in C5515—Room 3, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. Public access is available only in this room (i.e. not by telephone). The meeting will run from 12 p.m. to approximately 5 p.m. The purpose of the open meeting is to discuss reports/recommendations for the Secretary of Labor on the issues of (1) Healthcare Literacy, (2) Disparities for Women and Minorities in Retirement, and (3) Employee Benefit Plan Auditing and Financial Reporting Models. Descriptions of these topics are available on the Advisory Council page of the EBSA web site at [http://](http://www.dol.gov/ebsa/aboutebsa/erisa_advisory_council.html)

[www.dol.gov/ebsa/aboutebsa/erisa\\_advisory\\_council.html](http://www.dol.gov/ebsa/aboutebsa/erisa_advisory_council.html).

Organizations or members of the public wishing to submit a written statement may do so by submitting 30 copies on or before September 27 to Larry Good, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N-5623, 200 Constitution Avenue NW., Washington, DC 20210. Statements also may be submitted as e-mail attachments in text or pdf format transmitted to [good.larry@dol.gov](mailto:good.larry@dol.gov). It is requested that statements not be included in the body of the e-mail. Relevant statements received on or before September 27 will be included in the record of the meeting and posted on the Advisory Council page of the EBSA Web site. Do not include any personally identifiable information (such as name, address, or other contact information) or confidential business information that you do not want publicly disclosed. All statements are posted on the Internet exactly as received, and can be retrieved by most Internet search engines. No deletions, modifications, or redactions will be made to the statements received, as they are public records.

Individuals or representatives of organizations wishing to address the Advisory Council should forward their requests to the Executive Secretary or telephone (202) 693-8668. Oral presentations will be limited to ten minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities who need special accommodations should contact Larry Good by September 27 at the address indicated.

Signed at Washington, DC this 14th day of September, 2010.

Michael L. Davis,

Deputy Assistant Secretary, Employee Benefits Security Administration.

[FR Doc. 2010-23304 Filed 9-16-10; 8:45 am]

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## LIBRARY OF CONGRESS

### Copyright Royalty Board

[Docket No. 2007-3 CRB CD 2004-2005]

#### Distribution of the 2004 and 2005 Cable Royalty Funds

AGENCY: Copyright Royalty Board, Library of Congress.

ACTION: Distribution order.

SUMMARY: The Copyright Royalty Judges are announcing the final Phase I distribution of cable royalty funds for the years 2004 and 2005.

DATES: Effective September 17, 2010.

ADDRESSES: The final distribution order also is posted on the Copyright Royalty Board Web site at <http://www.loc.gov/crb/proceedings/2007-3/final-distribution-order.pdf>.

#### FOR FURTHER INFORMATION CONTACT:

Richard Strasser, Senior Attorney, or Gina Giuffreda, Attorney Advisor, by telephone at (202) 707-7658 or by e-mail at [crb@loc.gov](mailto:crb@loc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On July 15, 2008, the Copyright Royalty Judges published in the **Federal Register** a notice announcing the commencement of a proceeding to determine the Phase I distribution of royalties collected from cable systems under the section 111 statutory license for the period 2004 and 2005.<sup>1</sup> 73 FR 40623. The notice also requested interested parties to submit their Petitions to Participate in the proceeding no later than August 18, 2008. Petitions to Participate, all of which were joint petitions, were received from the following claimants: Public Broadcasting Service for Public TV Claimants (“PTV”); National Public Radio (“NPR”); Joint Sports Claimants (“JSC”); Canadian Claimants Group (“Canadian Claimants”); Devotional Claimants; the Motion Picture Association of America, Inc. (“MPAA”) for certain Program Supplier Claimants (“Program Suppliers”); Music Claimants;<sup>2</sup> and the National Association of Broadcasters for all U.S. commercial television broadcast stations retransmitted by cable operators as distant signals during 2004 and 2005 (“CTV”). The Judges accepted these petitions. *Order Announcing Negotiation Period*, Docket No. 2007-3 CRB CD 2004-2005 (October 31, 2008).

After the expiration of the mandatory negotiation period, the parties were directed to submit their written direct statements on or before June 1, 2009.<sup>3</sup> 4

<sup>1</sup> For a discussion of the operation of the section 111 license and the establishment of the funds for distribution, see, *Distribution of 2000-2003 Cable Royalty Funds, Distribution order*, in Docket No. 2008-2 CRB CD 2000-2003 (“2000-03 Distribution Order”), 75 FR 26798 (May 12, 2010).

<sup>2</sup> Music Claimants are comprised of the performing rights organizations (“PROs”)—the American Society of Composers, Authors and Publishers (“ASCAP”), Broadcast Music, Inc. (“BMI”), and SESAC.

<sup>3</sup> Prior to this deadline, the participants filed a stipulation of settlement as to NPR’s claim to the 2004 and 2005 cable royalty funds and their agreement that NPR no longer needed to participate further in this Phase I proceeding. Upon notification to the Judges that all Phase II claims had been resolved, NPR moved for final distribution of their share to the 2004 and 2005 funds. The