

Total Respondents: 1,100.  
 Frequency: Annually.  
 Total Responses: 1,100.  
 Average Time per Response: 3 minutes.  
 Estimated Total Burden Hours: 55 hours.

Total Burden Cost: \$715.  
 Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 27, 2004.  
**Emily Stover DeRocco,**  
*Assistant Secretary, Employment and Training Administration.*  
 [FR Doc. 04-2122 Filed 2-2-04; 8:45 am]  
**BILLING CODE 4510-30-M**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Proposed Information Collection Request Submitted for Public Comment and Recommendations; Job Corps Placement and Assistance Record**

**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 proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [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.

**DATES:** Submit comments on or before April 5, 2004.  
**ADDRESSES:** Send comments to the Office of Job Corps, 200 Constitution Ave., NW., N-4507, Washington, DC 20210. E-Mail Internet Address: *cody.gayle@dol.gov*; Telephone number: (202) 693-3000. Fax number: (202) 693-2767.

**FOR FURTHER INFORMATION CONTACT:** Gayle Cody, Office of Job Corps, 200 Constitution Ave., NW., Rm N-4507, Washington, DC 20210. E-Mail Internet Address: *cody.gayle@dol.gov*; Telephone number: (202) 693-3105. Fax number: (202) 693-3113.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Job Corps program authorized by the Workforce Investment Act (WIA) of 1998, is designed to serve low-income young women and men, 16 through 24, who are in need of additional vocational, educational and social skills training, and other support services in order to gain meaningful employment, return to school, or enter the Armed Forces. Job Corps is operated by the Department of Labor through a nationwide network of 118 Job Corps centers. The program is primarily a residential program operating 24 hours per day, seven days per week, with non-resident enrollees limited by legislation to 20 percent of national enrollment. These centers presently accommodate more than 40,000 students.

The form ETA 678 is the only source of information about a student's training and subsequent placement in a job, further education, or military service. It is used to evaluate overall program effectiveness. The purpose of Job Corps is to train young people for the job market; the data collected on this automated form provides information as set forth in 20 CFR, subpart A, section 670.100.

**II. Desired Focus of Comments**

Currently, the Office of Job Corps is soliciting comments concerning the proposed extension of form ETA 678 Job

Corps Placement and Assistant Record to:

- 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.

A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above in the **ADDRESSES** section of this notice.

**III. Current Actions**

- Type of Review:* Extension.
- Agency:* Employment and Training Administration.
- Title:* Job Corps Placement and Assistance Record.
- OMB Number:* 1205-0035.
- Agency Number:* ETA 678.
- Recordkeeping:* The respondent is not required to retain records; Career Transition Service providers and center staff are required to retain records of graduates and former enrollees, who are placed in a job, further education, or military service for three years.
- Affected Public:* Individuals or households/Business or other for-profit/Not-for-profit institutions/State, Local, or Tribal Government.
- Cite/Reference/Form/etc:* 20 CFR, subpart A, section 670.100.
- Estimated Total Burden Hours:* 3,661 burden hours.

Form/activity	Total respondents	Frequency	Total responses	Average time per response (minutes)	Burden hours
ETA-678 .....	37,372 placed students .....	Ongoing .....	37,372	5	3,114
	10,946 non-placed students .....	Ongoing .....	10,946	3	547
Total .....	48,318 .....	Ongoing .....	48,318	N/A	3,661

Total Burden Cost (capital/startup): 0.  
 Total Burden Cost (operating/maintaining): \$47,593.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of

Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 27, 2004.

**Emily Stover DeRocco,**

*Assistant Secretary, Employment and Training Administrator.*

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## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. 2004-1 CARP DTRA4]

### Digital Performance Right in Sound Recordings and Ephemeral Recordings

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Initiation of voluntary negotiation period.

**SUMMARY:** The Copyright Office is announcing the initiation of a voluntary negotiation period for determining reasonable rates and terms for two compulsory licenses which, in one case, provides for a public performance of a sound recording by a new subscription service, and in the second instance, allows for the making of an ephemeral phonorecord of a sound recording in furtherance of making the permitted public performance. The rates and terms will be for the period beginning January 1, 2005 and ending on December 31, 2006.

**EFFECTIVE DATE:** The voluntary negotiation period begins on February 3, 2004.

**ADDRESSES:** Copies of voluntary license agreements and petitions, if sent by mail, should be addressed to: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024. If hand delivered by a commercial, non-government courier or messenger, they must be delivered to: The Congressional Courier Acceptance Site, located at 2nd and D Streets, NE., between 8:30 a.m. and 4 p.m. If hand delivered by a party, copies of voluntary license agreements and petitions should be addressed to Office of the General Counsel, U.S. Copyright Office, James Madison Memorial Building, Room LM-401, First and Independence Avenue, SE., Washington, DC 20559-6000, and delivered to the Public Information Office of the Copyright Office in Room LM-401 between the hours of 8:30 a.m. and 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or Tanya M. Sandros, Senior Attorney, Telephone: (202) 707-8380. Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** On January 6, 2004, the Office announced the voluntary negotiation period for adjusting rates and terms for the statutory licenses which provide for the public performance of a sound recording by means of a digital audio transmission, 17 U.S.C. 114, and the making of related ephemeral recordings, 17 U.S.C. 112(e), for the two-year license period beginning January 1, 2005. See 69 FR 689 (January 6, 2004). That notice specifically noted that the negotiations were for establishing rates and terms applicable to eligible nonsubscription transmissions and the related ephemeral recordings. However, the notice should also have stated that the negotiation process and any subsequent proceedings before a copyright arbitration royalty panel are to include the rates and terms applicable to a new subscription service for the same time period.

For purposes of the section 114 and the section 112 licenses, an "eligible nonsubscription transmission" and a "new subscription service" are defined in the following way. 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 part of a service that provides audio programming consisting in whole or in part of performances of sound recordings the purpose of which is to provide audio or entertainment programming, but not to sell, advertise, or promote particular goods or services. A "new subscription service," on the other hand, is a service that performs sound recordings by means of noninteractive subscription digital audio transmissions. A "new subscription service" is not to be confused with the three preexisting subscription services, Music Choice, DMX Music, Inc., and Muzak, L.P., or the two preexisting satellite digital audio radio services, XM Satellite Radio, Inc. and Sirius Satellite Radio, Inc. See 17 U.S.C. 114(j)(6) and (8). Rates and terms applicable to these particular services for use of the section 112 and section 114 licenses are adjusted every five years under a different standard. See 17 U.S.C. 114(f)(1) and 68 FR 39873 (July 3, 2003).

Because the procedures and standards for setting the statutory rates and terms applicable to eligible nonsubscription transmissions are the same as the standards for transmissions made by new subscription services, rates and terms for the public performance of a sound recording and the making of the

necessary ephemeral phonorecords for both transmission categories will be considered together in a single proceeding, just as they were during the initial rate setting proceeding. See 68 FR 27596 (May 20, 2003). Consequently, the rate setting process initiated with the publication of the January 6 notice shall consider both eligible nonsubscription transmissions and transmissions made by new subscription services.

Dated: January 28, 2004.

**David Carson,**

*General Counsel.*

[FR Doc. 04-2147 Filed 2-2-04; 8:45 am]

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## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Arts; Leadership Initiatives Advisory Panel

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that two teleconference meetings of the Leadership Initiatives Advisory Panel to the National Council on the Arts will be held at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506 as follows:

*Arts Education:* February 12, 2004, from 3 p.m. to 5 p.m. from Room 703. This meeting will be closed.

*International:* February 12, 2004, from 1 p.m. to 1:30 p.m. from Room 709. This meeting will be closed.

These meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of April 30, 2003, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Panel Coordinator, National Endowment for the Arts, Washington, DC 20506, or call (202) 682-5691.

Dated: January 29, 2004.

**Kathy Plowitz-Worden,**

*Panel Coordinator, Panel Operations, National Endowment for the Arts.*

[FR Doc. 04-2263 Filed 2-2-04; 8:45 am]

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