

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. Currently, the Employment and Training Administration is soliciting comments concerning the Office of Unemployment Insurance's collection of data on a revised form ETA 9000 that provides information about Internal Fraud and Overpayment Detection and Recovery Activities, the approval for which currently expires May 31, 2011.

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

**DATES:** Written comments must be submitted to the office listed in the addressee's section below on or before March 29, 2011.

**ADDRESSES:** Send comments to Scott Gibbons, U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, 200 Constitution Avenue, NW., Frances Perkins Bldg. Room S-4231, Washington, DC 20210, telephone number (202) 693-3008 (this is not a toll-free number) or by e-mail: [gibbons.scott@dol.gov](mailto:gibbons.scott@dol.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The ETA 9000 is the only data source available on: (1) Instances of internal fraud activities within the Unemployment Insurance (UI) program; and (2) the results of safeguards that have been implemented to deter and detect instances of internal fraud. It categorizes the major areas susceptible to internal (employee) fraud and provides actual and "estimated" workload. The information is used to review Internal Security (IS) operations and obtain information on composite shifting patterns of nationwide activity and effectiveness in the area of internal fraud identification and prevention. It is also used to assess the overall adequacy of Internal Security procedures in states' UI programs.

To streamline UI program reporting in general, ETA proposes to merge a few cells from ETA 9000 into ETA 227. The reason ETA proposes consolidating these two information collections is that the underlying data collected is similar and this revision will reduce state reporting burden.

The ETA 227 contains data on the number of occurrences and amounts of fraud and non-fraud overpayments established, the methods by which

overpayments were detected, the amounts and methods by which overpayments were collected, the amounts of overpayments waived and written off, the accounts receivable for overpayments outstanding, and data on criminal/civil actions.

These data are gathered by 53 State Workforce Agencies (SWAs) and reported to the Department of Labor following the end of each calendar quarter. The overall effectiveness of SWAs' UI integrity efforts can be determined by examining and analyzing the data. These data are also used by SWAs as a management tool for effective UI program administration.

**II. Review Focus**

The Department of Labor 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.

**III. Current Actions**

*Type of Review:* Extension with revisions.

*Title:* Internal Fraud and Overpayment Detection and Recovery Activities.

*OMB Number:* 1205-0187.

*Form Number:* ETA 227 (name reflects consolidation of cells from ETA 9000 into ETA 227).

*Affected Public:* State Workforce Agencies.

*Total Respondents:* 53.

*Frequency:* Quarterly.

*Total Responses:* 4 per year per respondent.

*Average Estimated Response Time:* 15 hours.

*Estimated Annual Burden Hours:* 3180 hours.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintaining):* \$0.

Comments submitted in response to this comment request 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 24, 2011.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

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**BILLING CODE 4510-FW-P**

**LIBRARY OF CONGRESS**

**Copyright Office**

[Docket No. 2011-1]

**Cable Compulsory License: Specialty Station List**

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

**ACTION:** Request for information.

**SUMMARY:** The Copyright Office is compiling a new specialty station list to identify commercial television broadcast stations which, according to their owners, qualified as specialty stations under the former distant signal carriage rules of the Federal Communications Commission (FCC). The list has been periodically updated to reflect an accurate listing of specialty stations. The Copyright Office is again requesting all interested owners of television broadcast stations that qualify as specialty stations, including those that previously filed affidavits, to submit sworn affidavits to the Copyright Office stating that the programming of their stations meets the requirements specified under the FCC regulations in effect on June 24, 1981.

**DATES:** Affidavits should be received on or before March 29, 2011.

**ADDRESSES:** If hand delivered by a private party, an original and five copies of a comment or reply comment should be brought to the Library of Congress, U.S. Copyright Office, Room 401, James Madison Building, 101 Independence Ave., SE., Washington, DC 20559, between 8:30 a.m. and 5 p.m. The envelope should be addressed as follows: Office of the General Counsel, U.S. Copyright Office.

If delivered by a commercial courier, an original and five copies of a comment or reply comment must be delivered to the Congressional Courier Acceptance Site ("CCAS") located at 2nd and D Streets, NE., Washington, DC between 8:30 a.m. and 4 p.m. The envelope should be addressed as follows: Office of the General Counsel, U.S. Copyright Office, LM 403, James Madison Building, 101 Independence Avenue, SE., Washington, DC 20559. Please note that CCAS will not accept delivery by

means of overnight delivery services such as Federal Express, United Parcel Service or DHL.

If sent by mail (including overnight delivery using U.S. Postal Service Express Mail), an original and five copies of a comment or reply comment should be addressed to U.S. Copyright Office, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Ben Golant, Assistant General Counsel, and Tanya M. Sandros, Deputy General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024. *Telephone:* (202) 707-8380. *Telefax:* (202) 707-8366.

#### SUPPLEMENTARY INFORMATION:

##### What is a specialty station?

The FCC regulations in effect on June 24, 1981, defined a specialty station as “a commercial television broadcast station that generally carries foreign-language, religious, and/or automated programming in one-third of the hours of an average broadcast week and one-third of the weekly prime-time hours.” 47 CFR 76.5(kk) (1981).

##### How is a station deemed to be a specialty station? <sup>1</sup>

Under a procedure adopted by the Copyright Office in 1989, *see* 54 FR 38461 (September 18, 1989), an owner or licensee of a broadcast station files a sworn affidavit attesting that the station’s programming comports with the 1981 FCC definition, and hence, qualifies as a specialty station. A list of the stations filing affidavits is then published in the **Federal Register** in order to allow any interested party to file an objection to an owner’s claim of specialty station status for the listed station. Once the period to file objections closes, the Office publishes a final list which includes references to the specific objections filed against a particular station owner’s claim. In addition, affidavits that are submitted after the close of the filing period are accepted and kept on file at the Copyright Office.

The staff of the Copyright Office, however, does not verify the specialty station status of any station listed in an affidavit.

<sup>1</sup> Originally, the FCC identified whether a station qualified as a specialty station, but after it deleted its distant signal carriage rules, it discontinued this practice. *See Malrite T.V. of New York v. FCC*, 652 F.2d 1140 (2d Cir. 1981), *cert. denied*, 454 U.S. 1143 (1982).

##### Why would a broadcast station seek specialty station status?

Specialty station status is significant in the administration of the cable statutory license. 17 U.S.C. 111. A cable operator may carry the signal of a television station classified as a specialty station at the base rate for “permitted” signals. *See* 49 FR 14944 (April 16, 1984); 37 CFR 256.2(c).

##### How does the staff of the Copyright Office use the list?

Copyright Office licensing examiners refer to the final annotated list in examining a statement of account in the case where a cable system operator claims that a particular station is a specialty station. If a cable system operator claims specialty station status for a station not on the final list, its classification as a specialty station will be questioned unless the examiner determines that the owner of the station has filed an affidavit since publication of the list.

##### How often has the Copyright Office published specialty station lists?

The Copyright Office compiled and published its first specialty station list in 1990, together with an announcement of its intention to update the list approximately every three years in order to maintain as current a list as possible. 55 FR 40021 (October 1, 1990). Its second list was published in 1995. 60 FR 34303 (June 30, 1995). Its third list was published in 1998. 63 FR 67703 (December 8, 1998). Its fourth list was published in 2007. 72 FR 60029 (October 23, 2007). With this notice, the Copyright Office is initiating the procedure for the compilation and publication of the fifth specialty station list.

##### Does this notice require action on the part of an owner of a television broadcast station?

Yes. We are requesting that the owner, or a valid agent of the owner, of any eligible television broadcast station submit an affidavit to the Copyright Office stating that he or she believes that the station qualifies as a specialty station under 47 CFR 76.5(kk) (1981), the FCC’s former rule defining “specialty station.” The affidavit must be certified by the owner or an official representing the owner.

Affidavits are due within 60 days of the publication of this notice in the **Federal Register**. There is no specific format for the affidavit; however, the affidavit must confirm that the station owner believes that the station qualifies as a specialty station under the 1981 FCC rule.

Notwithstanding the above, any affidavit submitted to the Copyright Office within the 45-day period prior to publication of this notice need not be resubmitted to the Office. Any affidavit filed during this 45-day period shall be considered timely filed for purposes of this notice.

##### What happens after the affidavits are filed with the Copyright Office?

Once the period for filing the affidavits closes, the Office will compile and publish in the **Federal Register** a list of the stations identified in the affidavits. At the same time, it will solicit comment from any interested party as to whether or not particular stations on the list qualify as specialty stations. Thereafter, a final list of the specialty stations that includes references to any objections filed to a station’s claim will be published in the **Federal Register**.

In addition, affidavits that, for good cause shown, are submitted after the close of the filing period will be accepted and kept on file at the Copyright Office. Affidavits received in this manner will be accepted with the understanding that the owners of those stations will resubmit affidavits when the Office next formally updates the specialty station list. Any interested party may file an objection to any late-filed affidavit. Such objections shall be kept on file in the Copyright Office together with the corresponding affidavit.

Dated: January 24, 2011.

**Maria Pallante,**

*Acting Register of Copyrights.*

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**BILLING CODE 1410-30-P**

#### NATIONAL SCIENCE FOUNDATION

##### Astronomy and Astrophysics Advisory Committee #13883; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following Astronomy and Astrophysics Advisory Committee (#13883) meeting:

*Date and Time:* February 22-23, 2011, 9 a.m.-5 p.m. Teleconference.

*Place:* National Science Foundation, Room 1235, Stafford I Building, 4201 Wilson Blvd., Arlington, VA, 22230.

*Type of Meeting:* Open.

*Contact Person:* Dr. James S. Ulvestad, Division Director, Division of Astronomical Sciences, Suite 1045, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: 703-292-8820.

*Purpose of Meeting:* To provide advice and recommendations to the National Science