Library of Congress
Copyright Office

37 CFR Part 201
[Docket No. 2012–5]

Verification of Statements of Account Submitted by Cable Operators and Satellite Carriers

AGENCY: Copyright Office, Library of Congress.

ACTION: Notice of proposed rulemaking; extension of reply comment period.

SUMMARY: The Copyright Office is again extending the deadline for filing reply comments in response to its Notice of Proposed Rulemaking concerning the verification of Statements of Account and royalty payments that are deposited with the Office by cable operators and satellite carriers.

DATES: Reply comments on the proposed rule published at 77 FR 35643, June 14, 2012, must be received in the Office of the General Counsel of the Copyright Office no later than 5 p.m. Eastern Daylight Time (EDT) on October 24, 2012.

ADDRESSES: The Copyright Office strongly prefers that comments be submitted electronically. A comment submission page is posted on the Copyright Office Web site at http://www.copyright.gov/docs/soaaudit/. The Web site interface requires submitters to complete a form specifying name and other required information, and to upload comments as an attachment. To meet accessibility standards, all comments must be uploaded in a single file in either the Adobe Portable Document File (PDF) format that contains searchable, accessible text (not an image); Microsoft Word; WordPerfect; Rich Text Format (RTF); or ASCII text file format (not a scanned document). The maximum file size is 6 megabytes (MB). The name of the submitter and organization should appear on both the form and the face of the comments. All comments will be posted publicly on the Copyright Office Web site exactly as they are received, along with names and organizations if provided. If electronic submission of comments is not feasible, please contact the Copyright Office at (202) 707–8380 for special instructions.

FURTHER INFORMATION CONTACT: Tanya Sandros, Deputy General Counsel, or Erik Bertin, Attorney Advisor, Copyright GC/IRR, P.O. Box 70400, Washington, DC 20024. Telephone: (202) 707–8380. Telefax: (202) 707–8366.

SUPPLEMENTARY INFORMATION: On June 14, 2012, the Copyright Office published a notice of proposed rulemaking and request for comments concerning a new regulation that will allow copyright owners to audit the Statements of Account and royalty fees that cable operators and satellite carriers deposit with the Copyright Office under Sections 111 and 119 of the Copyright Act. The Office received comments on the proposed regulation from groups representing copyright owners, cable operators, and satellite carriers, which have been posted on the Copyright Office Web site at http://www.copyright.gov/docs/soaaudit/. The notice of proposed rulemaking stated that reply comments would be due on September 12, 2012.

On August 24, 2012, the Office received a joint motion to extend the reply comment period (posted on the Office Web site at: http://www.copyright.gov/docs/soaaudit/soa_audit.html), which was filed by the National Cable & Telecommunications Association (“NCTA”), the Joint Sports Claimants, and the Program Suppliers. The moving parties asked the Office to extend the deadline for reply comments until October 3, 2012 in order to determine whether they agree on any aspects of the proposed regulation, which in turn, may narrow the issues that need to be resolved in this rulemaking. The Office granted the moving parties’ request, stating that reply comments would be due by October 3, 2012, as requested. See 77 FR 55783 (Sept. 11, 2012).

On September 26, 2012 the NCTA, the Joint Sports Claimants, and the Program Suppliers filed a second motion to extend the reply comment period for another three weeks (posted on the Office Web site at: http://www.copyright.gov/docs/soaaudit/soa_audit.html). Specifically, the moving parties asked the Office to extend the deadline for reply comments until October 24, 2012. In support of their latest motion,
the moving parties stated that they have
discussed the proposed regulation, but
given the complexity of the issues
involved, they need more time to
complete their discussions and to
prepare a joint set of reply comments
(assuming they are able to reach an
agreement). The moving parties stated
that a three week extension would
facilitate these discussions without
causing harm to any interested person.

In their initial motion, the NCTA,
the Joint Sports Claimants, and the Program
Suppliers asked the Office to extend the
deadline for reply comments until
October 3rd, indicating that this would
give them a sufficient amount of time to
talk about the proposed regulation and to
reach an agreement “regarding
procedures to be presented to the Office
as part of the reply comments.” Having
granted that request, the Office is
reluctant to extend the deadline further.

But in the interest of giving the NCTA,
the Joint Sports Claimants, the Program
Suppliers, and any other interested
parties an opportunity to wrap-up their
discussions, and if possible, to prepare
a joint recommendation on the proposed
regulation, the Office has decided to
grant the stakeholders’ request and
extend the deadline for filing reply
comments by another three weeks
making reply comments due by October
24, 2012. Further extensions will not be
granted.

Dated: September 27, 2012.

Maria A. Pallante,
Register of Copyrights.

[FR Doc. 2012–24321 Filed 10–2–12; 8:45 am]

BILLING CODE 1410–39–P

POSTAL SERVICE

39 CFR Part 111

New Marking Standards for Parcels
Containing Hazardous Materials

AGENCY: Postal ServiceTM.

ACTION: Proposed rule.

SUMMARY: The Postal Service is
proposing to revise Mailing Standards
of the United States Postal Service,
Domestic Mail Manual (DMM®) 601.10
to adopt new mandatory marking
standards for parcels containing
mailable hazardous material that will
align with the revised requirements
provided by the Department of
Transportation (DOT). This proposed
rule also provides terminology and
categorization changes needed to
comply with the ongoing elimination of
the “Other Regulated Material” (ORM–
D) category and the partial elimination
of the “Consumer Commodity” category
by the DOT.

DATES: Submit comments on or before
October 23, 2012.

ADDRESSES: Mail or deliver written
comments to the manager, Product
Classification, U.S. Postal Service, 475
L’Enfant Plaza SW., Room 4446,
Washington, DC 20260–5015. You may
inspect and photocopy all written
comments at USPS® Headquarters
Library, 475 L’Enfant Plaza SW., 11th
Floor North, Washington, DC, by
appointment only between the hours of
9 a.m. and 4 p.m., Monday through
Friday. Call 202–268–2906 in advance
for an appointment. Email comments,
containing the name and address of the
commenter, may be sent to
MailingStandards@usps.gov., with a
subject line of “Hazardous Materials.”
Fax comments are not accepted.

FOR FURTHER INFORMATION CONTACT:
Kevin Gunther at 202–268–7208.

SUPPLEMENTARY INFORMATION:
The Postal Service proposes to revise
DMM 601.10, and to make corresponding
revisions to Publication 52, Hazardous,
Restricted, and Perishable Mail, chapters
2, 3 and 7, and Appendices A and C, to
adopt new marking standards for parcels
containing mailable hazardous
materials. These marking standards
were recently added to the DMM for
optional use by mailers, as an
alternative to the current DMM marking
standards for parcels containing
mailable hazardous materials.

If this proposal is adopted, the Postal
Service will require use of these
markings on parcels intended for air
and surface transportation. However, the
new markings standards will be
delayed for air and surface transport,
to coincide with the delayed
implementation date for ground
transportation as described in this
proposed rule, including the
preparation of a properly completed
shipper’s declaration, will not be
modified or eliminated by any of the
revisions described herein.

Mailers should note that any other
marking or documentation requirements
not specifically referenced in this
proposed rule, including the
preparation of a properly completed
Solution’s declaration, will not be
modified or eliminated by any of the
revisions described herein.

Background

On January 19, 2011, the DOT’s
Pipeline and Hazardous Materials Safety
Administration (PHMSA) published
final rule HM–215K (76 FR 3308–3389),
which harmonized the requirements of
the U.S. Hazardous Materials
Regulations (HMR) with international
transport requirements. In its Federal
Register final rule, PHMSA signaled its
intent to, among other things, eliminate
the “Other Regulated Material” (ORM–
D) classification for all forms of
transportation. This change will become
effective on January 1, 2013 for
shipments intended for air
transportation, and on January 1, 2015
for shipments intended for surface
transportation.

In addition to the elimination of the
ORM–D category, PHMSA also
eliminated the “consumer commodity”
category for products in hazard classes
4, 5, and 8, as well as a portion of
hazard class 9, for all shipments
intended for air transportation. This
change will become effective on January
1, 2013. After this date, the mailability
of materials previously falling within
the “consumer commodity” category
must be evaluated based on its
eligibility under the limited quantity
category in the HMR.

PHMSA expects that the alignment of
the existing limited quantity provisions
in the HMR with international standards
and regulations will enhance safety by
facilitating a single uniform system of
transporting limited quantity materials.
Because of the inherent risk unique to
air transportation, PHMSA believes that
full harmonization with the
International Civil Aviation
Organization Technical Instructions
(ICAO TI) is necessary with regard to
the materials authorized and the
guidelines for limited quantities
(including consumer commodities)
intended for transport by air. The ICAO
TI also include specific provisions for
air transport of dangerous goods in the
mail, which are much more restrictive
than the general standards. No
dangerous goods are allowed in
international mail, with the exception of
 certain infectious substances, certain
patient specimens and certain
radioactive materials as noted in section
135 of Mailing Standards of the United
States Postal Service, International Mail
Manual (IMM®); and these materials
may only be sent by authorized mailers
for authorized purposes.

Proposed Air Transport Standards for
January 1, 2013

The Postal Service plans to align its
hazardous materials mailing
requirements with those of the DOT
Pipeline and Hazardous Materials Safety
Administration (PHMSA) by proposing
the mandatory use of the marking
standards described in this proposed
rule on all parcels intended for air
transportation. These rules were
incorporated into the DMM for optional
use on August 6, 2012. If this proposal is
adopted these optional markings will