

Written comments should:

- 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;
- Evaluate 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 the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

ADDRESSES: Rett Hensley, Unemployment Insurance Service, Employment and Training Administration, Department of Labor, Room S4522, 200 Constitution Ave., NW, Washington, DC 20210; 202-219-5615 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

Since 1987, all State Employment Security Agencies (SESAs) except the Virgin Islands have been required by regulation at 20 CFR 602 to operate a program to assess their Unemployment Insurance tax and benefit programs. RQC developed new measures for tax performance to replace those previously gathered under the Quality Appraisal (QA) system. RQC is designed to assess the major internal UI tax functions by utilizing several methodologies: Computed Measures which are indicators of timeliness and completeness based on data automatically generated via the existing ET 581 automated report; and Program Reviews which assess accuracy through a two-fold examination: (a) "Systems Review" examine tax systems for the existence of internal controls; (b) small samples of those systems' transactions are then examined to verify the effectiveness of controls.

II. Current Actions

This is a request for OMB approval under the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)) of an extension to an existing collection of information previously approved and assigned OMB Control No. 1205-0332.

Agency: Employment and Training Administration, Department of Labor.

Title: Unemployment Insurance Revenue Quality Control Program.

OMB Number: 1205-0332.

Affected Public: State governments (State Employment Security Agencies).

Total Respondents: Fifty two state governments.

Frequency: Annually.

Total Response: Fifty two.

Average time per response: 1,750 hours.

Estimated Total Burden Hours: 91,000 hours for 52 States.

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 extension of the information collection request; they will also become a matter of public record.

Dated: April 27, 1999.

Grace A. Kilbane,

Director, Unemployment Insurance Service.

[FR Doc. 99-11133 Filed 5-3-99; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment and Training Administration

Job Training Partnership Act; Native American Employment and Training Council

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of meeting.

SUMMARY: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, and section 401(k)(1) of the Job Training Partnership Act, as amended [29 U.S.C. 1671(k)(1)], notice is hereby given of a meeting of the Native American Employment and Training Council.

TIME AND DATE: The meeting will begin at 1:00 p.m. CDT on Thursday, May 27, 1999, and continue until 5:00 p.m. CDT that day. The meeting will reconvene at 9:00 a.m. CDT on Friday, May 28, 1999, and adjourn at 4:00 p.m. CDT on that day. The period from 3:00 p.m. to 5:00 p.m. CDT on May 27 will be reserved for participation and presentation by members of the public.

PLACE: The Lincoln and Jefferson Rooms of the Ramkota Inn, I-29 and Exit 81, Sioux Falls, South Dakota 57107.

STATUS: The meeting will be open to the public.

MATTERS TO BE CONSIDERED: The agenda will focus on the following topics: (1) status of the Program Year 1998 Partnership Plan; (2) results of the evaluation of the section 401 program; (3) progress of the performance measures/standards workgroup; (4)

status of technical assistance and training provision for Program Year 1998 and 1999; (5) status of FY 1999 Indian and Native American Welfare-to-Work program implementation; and (6) status of pending implementation of the Workforce Investment Act, including a report on the progress and future actions of the Regulations Work Group.

FOR FURTHER INFORMATION CONTACT: Mr. James C. DeLuca, Chief, Division of Indian and Native American Programs, Office of National Programs, Employment and Training Administration, U.S. Department of Labor, Room N-4641, 200 Constitution Avenue, NW, Washington, DC 20210. Telephone: (202) 219-8502 ext 119(VOICE) or (202) 326-2577(TDD) (these are not toll-free numbers).

Signed at Washington, DC, this 27th day of April, 1999.

Anna W. Goddard,

Director, Office of National Programs.

[FR Doc. 99-11132 Filed 5-3-99; 8:45 am]

BILLING CODE 4510-30-U

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Consolidation Coal Company

[Docket No. M-1999-016-C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.804(a) (underground high-voltage cables) to its Rend Lake Mine (I.D. No. 11-00601) located in Jefferson County, Illinois. The petitioner proposes to use a high-voltage cable with an internal ground check conductor smaller than No. 10 (A.W.G.) as part of its longwall mining system. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

2. Lone Mountain Processing, Inc.

[Docket No. M-1999-017-C]

Lone Mountain Processing, Inc., P.O. Box 40, Pennington Gap, Virginia 24277 has filed a petition to modify the application of 30 CFR 75.364(b)(2) (weekly examination) to its Darby Fork No. 1 Mine (I.D. No. 15-02263) located in Harlan County, Kentucky. Due to deteriorating roof conditions in certain

areas of the return air course, the petitioner proposes to establish three monitoring locations to evaluate the air entering and leaving the No. 3 East Main and No. 3 North Main return air course used to return air that ventilates the 7, 8, 11, and 12 Right Panels (5 East Main) to the main surface mine fan. The petitioner proposes also to (i) have a certified person conduct weekly evaluations at each monitoring location to measure the quality of air entering and leaving the monitoring location to determine the methane and oxygen concentrations using an MSHA approved hand-held device, and to measure the quantity of air at each monitoring location using an appropriate calibrated anemometer; (ii) have the examiner record the results of the examinations in a book kept on the surface with the date, time, and his/her initials and made available to all interested parties; (iii) conduct an investigation of the affected area whenever there is any significant difference in the quantities of air flow at or between the two monitoring stations; (iv) keep all monitoring locations and all approaches to the locations maintained in safe condition at all time; (v) post a sign in the main travelway that would show the safe travel route to each monitoring location; and (vi) instruct all personnel that no travel into the affected area of the air course is permitted, and fence off or barricade with "Do Not Enter" warning signs, all other approaches to these locations. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

3. Clinchfield Coal Company

[Docket No. M-1999-018-C]

Clinchfield Coal Company, P.O. Box 7, Dante, Virginia 24237 has filed a petition to modify the application of 30 CFR 75.1710-1(a) (canopies or cabs; self propelled diesel-powered and electric face equipment; installation requirements) to its Roaring Fork No. 2 Mine (I.D. No. 44-06308) located in Dickenson County, Virginia. The petitioner proposes to operate its Long Airdox Un-A-Haulers Models CH 810 and 828 electric face equipment without canopies in mining heights of less than 50 inches. The petitioner asserts that although the equipment at issue can be operated with canopies in a minimum height of 48 inches, operating equipment with canopies in lesser heights exposes miners to increased danger, such as dislodgment of roof supports by the canopies, resulting in

the increased probability of roof falls that could injure the equipment operator and other miners in the area. The petitioner asserts that application of the mandatory standard would result in a diminution of safety to the miners.

4. K and B Coal, Inc.

[Docket No. M-1999-019-C]

K and B Coal, Inc., P.O. Box 2265, Pikeville, Kentucky 41502 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Mine No. 1 (I.D. No. 15-17984) located in Knott County, Kentucky. The petitioner proposes to use permanently installed spring-loaded locking devices on its mobile battery-powered machines instead of a padlock to prevent unintentional loosening of battery plugs from battery receptacles to eliminate the hazards associated with difficult removal of padlocks during emergency situations. The petitioner asserts that application of the mandatory standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

5. Webster County Coal Corporation

[Docket No. M-1999-020-C]

Webster County Coal Corporation, St. Rt. 2668 120 E, Providence, Kentucky 42450 has filed a petition to modify the application of 30 CFR 75.701 (grounding metallic frames, casings, and other enclosures of electric equipment) to its Dotiki Mine (I.D. No. 15-02132) located in Webster County, Kentucky. The petitioner proposes to use a 200 KW/250 KVA, 480-volt diesel generator system for moving equipment in and out the Dotiki Mine. The petitioner has listed specific procedures, terms, and conditions in this petition to be followed when using this generator system. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

6. Jim Walter Resources, Inc.

[Docket No. M-1999-021-C]

Jim Walter Resources, Inc., P.O. Box 133, Brookwood, Alabama 35444 has filed a petition to modify the application of 30 CFR 75.364(b)(2) (weekly examination) to its No. 4 Mine (I.D. No. 01-01247) located in Tuscaloosa County, Alabama. The petitioner states that due to hazardous conditions in the return air course entries, traveling certain areas of the air

course would be unsafe. The petitioner proposes to establish evaluation points inby and outby the affected area and have a certified person examine these evaluation points for methane and oxygen concentrations and the volume of air and record the results in a book maintained on the surface of the mine. The petitioner asserts that application of the mandatory standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

7. ASARCO, Inc.

[Docket No. M-1999-002-M]

ASARCO, Inc., P.O. Box 8, Hayden, Arizona 85235 has filed a petition to modify the application of 30 CFR 56.14100(a) (safety defects; examination, correction and records) to its Ray Complex Mine (I.D. No. 02-00150) located in Pinal County, Arizona. The petitioner requests a modification of the standard to permit the continued use of the procedures already in place for pre-shift examination of their buses. The petitioner proposes to have a qualified and competent driver to pre-shift inspect the buses for the oncoming shift at 8:00 a.m. to 4:00 p.m., and have the operator drive the bus to the fuel island after the bus is thoroughly inspected, fuel the bus and drive it back to the pit office, and report any defects to the maintenance department for repair before the bus is placed into service. The petitioner states that (i) the buses are not used again until the bus drivers who deliver personnel for the 8:00 a.m. shift drive the bus into the pit at 7:50 a.m.; (ii) the bus drivers who have completed that shift (12:00 a.m. to 8:00 a.m.) drive the buses carrying the outgoing shift workers out of the pit; and (iii) by following the cycle for each shift, each bus receives a minimum of three pre-shift inspections every 24 hours, immediately prior to the start of the new shift. The petitioner asserts that application of the mandatory standard would result in diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

Request for Comments

Persons interested in these petitions are encouraged to submit comments via e-mail to "comments@msha.gov," or on a computer disk along with an original hard copy to the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, 4015

Wilson Boulevard, Room 627, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 3, 1999. Copies of these petitions are available for inspection at that address.

Dated: April 26, 1999.

Carol J. Jones,

Acting Director, Office of Standards, Regulations, and Variances.

[FR Doc. 99-11154 Filed 5-3-99; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. 99-3 CARP DD 95-98]

Ascertainment of Controversy for the Distribution of the 1995, 1996, 1997, and 1998 Digital Audio Recording Royalty Funds

AGENCY: Copyright Office, Library of Congress.

ACTION: Notice with request for comments.

SUMMARY: The Copyright Office of the Library of Congress directs all claimants to the royalty fees collected in 1995, 1996, 1997, and 1998 for the distribution of digital audio recording devices and media to submit comments as to whether a controversy exists as to the distribution of the royalty fees in the 1995, 1996, 1997, and 1998 Musical Works Funds.

DATES: Comments and notices of intent to participate are due by July 6, 1999.

ADDRESSES: If sent BY MAIL, an original and 5 copies of written comments should be addressed to Office of the General Counsel, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024. If DELIVERED BY HAND, an original and 5 copies should be brought to: Office of the General Counsel, Copyright Office, Room LM-403, James Madison Memorial Building, 101 Independence Avenue, SE, Washington, DC 20559-6000.

FOR FURTHER INFORMATION CONTACT: David O. Carson, General Counsel, or Tanya M. Sandros, Attorney Advisor, Copyright Arbitration Royalty Panel ("CARP"). Telephone: (202) 707-8380. Telefax: (202) 252-3423.

SUPPLEMENTARY INFORMATION:

I. Background

The Audio Home Recording Act of 1992 (the "Act"), Pub. L. 102-563, requires manufacturers and importers to pay royalties on digital audio recording

devices and media that are distributed in the United States. 17 U.S.C. 1003. The royalties are deposited with the Copyright Office for further distribution to interested copyright parties who file claims with the Copyright Office each year during January and February. 17 U.S.C. 1005, 1007.

The Act provides that the royalties are divided between two funds: the Sound Recordings Fund and the Musical Works Fund. The Sound Recordings Fund receives 66 2/3% of the royalties and the Musical Works Fund receives the remaining 33 1/3%. These fees are allocated further to specific subfunds.

The Sound Recordings Fund consists of four subfunds: the Featured Recording Artists Subfund, the Copyright Owners Subfund, the Nonfeatured Musicians Subfund, and the Nonfeatured Vocalists Subfund. The two subfunds created for the benefit of nonfeatured artists receive a total of 4% of the funds allocated to the Sound Recordings Fund. Of the remaining royalty fees in the Sound Recordings Fund, 60% is allocated to the Copyright Owners Subfund and 40% is allocated to the Featured Recording Artists Subfund. Similarly, the royalty fees allocated to the Musical Works Fund are equally divided between two subfunds, the Publishers Subfund and the Writers Subfund. 17 U.S.C. 1006(b).

Distribution of these fees may occur in one of two ways. If the claimants within each subfund agree among themselves how to distribute the royalty fees, the Librarian of Congress distributes the royalties to the claimants in accordance with their negotiated agreement.¹ 17 U.S.C. 1007(b). Alternatively, if the parties cannot reach an agreement, the Librarian of Congress must convene a copyright arbitration royalty panel ("CARP") to determine the distribution of royalty payments.² 17 U.S.C. 1007(c). Before commencing a distribution proceeding, however, the Copyright Office must first ascertain whether a controversy exists concerning the distribution of the royalty fees among the copyright claimants to the

¹ The claimants to the royalty fees in the Sound Recordings Funds have negotiated a universal settlement agreement among themselves for each year as to the proportionate share that each claimant receives from the subfunds. These agreements have made it unnecessary for the Librarian to convene a CARP and have allowed him to distribute all royalty fees allocated to the Sound Recordings Funds during 1993 to 1998.

² In 1996, the Librarian convened a CARP to determine the distribution of the 1992, 1993, and 1994 Musical Works Funds. See 62 FR 6558 (February 12, 1997). The Librarian's final order determining the distribution of these funds based upon the CARP's findings was appealed to and recently upheld by the United States Court of Appeals for the District of Columbia Circuit.

funds available for distribution. 17 U.S.C. 803(d) and 1007(b).

II. Ascertainment of Controversy and Notices of Intent to Participate

Section 251.45(a) of the Copyright Office regulations, title 37 of the Code of Federal Regulations, requires that:

[T]he Librarian of Congress shall, after the time period for filing claims, publish in the **Federal Register** a notice requesting each claimant on the claimant list to negotiate with each other a settlement of their differences, and to comment by a date certain as to the existence of controversies with respect to the royalty funds described in the notice. Such notice shall also establish a date certain by which parties wishing to participate in the proceeding must file with the Librarian a notice of intention to participate.

The purpose of the negotiation requirement is to make all of the claimants within each fund/subfund aware of each other and to encourage active participation and open discussion on how to resolve each party's claim. The Copyright Office has compiled a list of claimants who have filed timely a claim to either of the two subfunds comprising each of the 1995, 1996, 1997, and 1998 Musical Works Funds.³ Claimants must use these lists in negotiating settlement agreements concerning the distribution of the royalty fees.

At the conclusion of the negotiation period, the claimants must submit to the Copyright Office comments identifying the existence of any settlement agreements and the existence of any remaining controversies. Participants must identify each subfund in the Musical Works Funds by year and indicate whether any controversy remains over the distribution of the royalty fees in that subfund or whether an agreement has been reached. In the case of an agreement, the notice must list the name of all claimants covered by the agreement. Participants must advise the Copyright Office of any controversy by the end of the comment period. The Office will not consider controversies which are brought to its attention after the close of the comment period.

Each claimant who intends to participate in the distribution of the 1995, 1996, 1997, and 1998 Musical Works Funds must also file a notice of intent to participate. The notice must identify each year and each subfund in which the copyright owner has an

³ Copies of the claimant lists are available for viewing and copying between the hours of 8:30 a.m. and 5:00 p.m. at the: Library of Congress, Copyright Office, Licensing Division, Room LM-458, James Madison Building, 101 Independence Avenue, SE, Washington, DC 20557-6400.