

Purpose: The meeting will include a review and discussion of current issues which influence U.S. trade policy. Potential U.S. negotiating objectives and bargaining positions in current and anticipated trade negotiations will be discussed. Pursuant to section 9(B) of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(9)(B) it has been determined that the meeting will be concerned with matters the disclosure of which would seriously compromise the Government's negotiating objectives or bargaining positions. Accordingly, the meeting will be closed to the public.

For further information, contact: Jorge Perez-Lopez, Director, Office of International Economic Affairs; Phone: (202) 219-7597.

Signed at Washington, DC, this 19th day of August 1997.

Andrew J. Samet,

Acting Deputy Under Secretary, International Affairs.

[FR Doc. 97-22882 Filed 8-27-97; 8:45 am]

BILLING CODE 4510-28-M

LIBRARY OF CONGRESS

Copyright Office

[Docket No. 94-3 CARP CD 90-92]

Determination of the Distribution of the 1991 Cable Royalties in the Music Claimants Category

AGENCY: Copyright Office, Library of Congress.

ACTION: Initiation of arbitration.

SUMMARY: The Librarian of Congress is announcing initiation of the 180-day arbitration period for determination of the distribution of the 1991 cable royalties in the Music Claimants category.

EFFECTIVE DATE: September 3, 1997.

ADDRESSES: All hearings and meetings for this proceeding shall take place in the Library of Congress, Copyright Office, 101 Independence Avenue, S.E., James Madison Memorial Building, Room 414, Washington, D.C. 20559-6000.

FOR FURTHER INFORMATION CONTACT: William Roberts, Senior Attorney, or Tanya Sandros, Attorney Advisor, P.O. Box 70977, Southwest Station, Washington, D.C. 20024. Telephone (202) 707-8380. Telefax (202) 707-8366.

SUPPLEMENTARY INFORMATION:

Background

This notice fulfills the requirement of 37 C.F.R. 251.72 which provides that:

If the Librarian determines that a controversy exists among claimants to either cable, satellite carrier, or digital audio recording devices and media royalties, the Librarian shall publish in the **Federal**

Register a declaration of controversy along with a notice of initiation of an arbitration proceeding. Such notice shall, to the extent feasible, describe the nature, general structure and schedule of the proceeding.

This notice published today fulfills the requirements of § 251.72 for the distribution of the 1991 cable royalties in the Music Claimants category.

On February 15, 1996, the Library of Congress published a notice requesting interested parties to comment on the existence of Phase II controversies for the distribution of the 1990, 1991, and 1992 cable royalty funds. 61 FR 6040 (February 15, 1996). The parties who filed comments and Notices of Intent to Participate identified two unsettled categories that would require resolution before a CARP. The first controversy involved the distribution of the 1991 royalty funds between James Cannings and Broadcast Music, Inc., the American Society of Composers, Authors and Publishers, and SESAC, Inc. (collectively, "the Music Claimants"). The second controversy involved the distribution of the 1990-1992 cable royalty funds between the National Association of Broadcasters (NAB) and the Public Broadcasting Service (PBS). On June 3, 1997, however, NAB and PBS notified the Copyright Office that they had reached settlement concerning all matters related to their Phase II dispute over the distribution of the 1990-1992 royalty funds, thus leaving a single dispute for resolution by a CARP.

Each proceeding includes a 45 day precontroversy discovery period. The original schedule for the precontroversy discovery period established by order of the Register of Copyrights, see Order in Docket No. 94-3 CARP CD 90-92 (February 14, 1997), was vacated and reset at the request of the Music Claimants. See Order in Docket No. 94-3 CARP CD 90-92 (May 21, 1997).

The precontroversy discovery phase of the CARP proceeding now being complete, the Copyright Office of the Library of Congress is announcing the existence of a Phase II controversy as to the distribution of the 1991 cable compulsory license royalties in the Music Claimants category, and is initiating an arbitration proceeding under chapter 8 of title 17 to resolve the distribution of the funds. The arbitration proceeding shall begin on September 3, 1997, and shall continue for a period not to exceed 180 days. Consequently, the proceeding shall conclude, and the arbitrators shall submit their final report to the Librarian of Congress by March 2, 1998, in accordance with § 251.53 of the rules.

Section 802(b) of the Copyright Act, 17 U.S.C., also instructs the Librarian of

Congress to select two arbitrators within 10 days of the initiation of the proceeding. Having already completed this task, the Librarian is announcing the names of the two arbitrators who have agreed to serve on this panel:

The Honorable John Farmakides and The Honorable Jesse Etelson. The third arbitrator, who shall serve as the Chairperson for the panel, will be selected in accordance with section 802(b).

A meeting between the copyright claimants participating in the distribution proceeding and the arbitrators shall take place at 2 p.m. on Thursday, September 4, 1997, at the above described address to discuss the hearing schedule, billing for the services of the arbitrators and payment, and all other procedural matters. The meeting is open to the public. Further scheduling of the Music Claimants 1991 cable distribution proceeding is within the discretion of the CARP. The Library will publish a schedule of the proceedings, as required by 37 CFR 251.11(b), when it becomes available.

Dated: August 25, 1997.

Nanette Petruzzelli,

Acting General Counsel.

[FR Doc. 97-22954 Filed 8-27-97; 8:45 am]

BILLING CODE 1410-33-P

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Special Emphasis Panel in Design Manufacturing and Industrial Innovation; Notice of Meeting

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

Name: Special Emphasis Panel in Design Manufacturing and Industrial Innovation (1194).

Date and Time: September 15-16, 1997.

Place: Room 580, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA and Critical Technologies Institute/RAND, 1333 H St. NW., Washington, DC.

Type of Meeting: Closed.

Contact Person: Dr. Paul J. Herer, Senior Advisor for Planning and Technology Evaluation, Office of the Assistant Director for Engineering, Room 505, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230, Tel: (703) 306-1303.

Purpose of Meeting: To provide advice and recommendations concerning the use, need for, and continued government support for the RADIUS database, which is administered by the Critical Technologies Institute of the RAND Corporation.

Agenda: To site visit the RADIUS project and review and evaluate its request for additional funding.

Reason for Closing: The activity being reviewed includes information of a proprietary or confidential nature, including technical information, and financial and personnel data. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), the Government in the Sunshine Act.

Dated: August 22, 1997.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 97-22892 Filed 8-27-97; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[IA 97-033]

Order Prohibiting Involvement in NRC-Licensed Activities (Effective Immediately)

In the Matter of Robert J. Nelson.

I

Robert J. Nelson was employed by Duke Power Company (DPC) (Licensee) as an electrical systems support valve maintenance technician at the McGuire Nuclear Station. DPC holds License Nos. NPF-9 and NPF-17 (Licenses) for McGuire Nuclear Station, Units 1 and 2, issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR part 50 on July 8, 1981 and May 27, 1983, respectively. The Licenses authorize DPC to operate the McGuire facility in accordance with the conditions specified therein. The facility is located on the Licensee's site in Huntersville, North Carolina.

II

During the McGuire Unit 1 refueling outage in January 1996, maintenance was being performed to replace valve 1NV233, a safety-related check valve in the mini-flow path for the 1B charging pump. On January 3, 1996, Mr. Robert J. Nelson initiated Step 11.4.5 of Procedure MP/O/A/7600/04, Kerotest "Y" Type Check Valve Corrective Maintenance, which stated: "Install NEW body to cover gasket in body." On the evening of January 3, 1996, valve 1NV233 was disassembled and DPC technicians identified that the gasket was not new, as it had been previously torqued. McGuire Technical Specification (TS) 6.8.1.c requires that written procedures be established, implemented and maintained covering the activities recommended in Regulatory Guide 1.33, Revision 2, February 1978. Regulatory Guide 1.33 states, in part, that maintenance which

can affect performance of safety-related equipment should be performed in accordance with written procedures. The failure to perform Step 11.4.5 of Procedure MP/O/A/7600/04 as prescribed is a violation of TS 6.8.1.c. Following an investigation, DPC terminated Mr. Nelson's employment on January 18, 1996, based on a finding that he had falsified Procedure MP/O/A/7600/04.

Between March 22, 1996, and March 31, 1997, the NRC Office of Investigations conducted an investigation and concluded that Mr. Nelson had purposely decided to use the old gasket and intentionally signed the procedure step falsely indicating that the gasket had been replaced with a new gasket. The Commission's regulation, 10 CFR 50.9(a) provides, in part, that information required by the Commission's regulations, orders, or license conditions to be maintained by the licensee shall be complete and accurate in all material respects. The failure of DPC to maintain complete and accurate required records of maintenance activities performed on safety-related equipment is a violation of 10 CFR 50.9. Furthermore, during the investigation, Mr. Nelson was not forthright in providing information regarding the failure to follow procedures and intentional falsification of the record as evidenced by statements made by Mr. Nelson to the OI investigator.

On May 27, 1997, the NRC sent a certified letter to Mr. Nelson advising him that his actions appeared to have violated 10 CFR 50.5, "Deliberate Misconduct," and offering him the opportunity to attend a predecisional enforcement conference. The letter was returned to the NRC by the U.S. Postal Service with a note that the letter was unclaimed. The NRC also unsuccessfully attempted to contact Mr. Nelson by telephone on July 16 and 21, 1997.

III

Based on the above, it appears that Mr. Nelson engaged in deliberate misconduct when he intentionally signed a procedure step claiming that a gasket in a safety-related valve had been replaced with a new gasket when it had not been replaced. Mr. Nelson's deliberate misconduct caused the Licensee to be in violation of McGuire TS 6.8.1.c and 10 CFR 50.9(a), and is, therefore, a violation of 10 CFR 50.5(a)(1) and 10 CFR 50.5(a)(2). The NRC must be able to rely on licensees and their employees to fully comply with NRC requirements, including plant procedural requirements which ensure

the operability of safety-related equipment and requirements to maintain records that are complete and accurate in all material respects. Mr. Nelson's deliberate misconduct, in causing the Licensee to violate TS 6.8.1.c and 10 CFR 50.9(a), raises serious doubt as to whether he can be relied upon to comply with NRC requirements and to provide complete and accurate information to the NRC.

Consequently, I lack the requisite reasonable assurance that licensed activities can be conducted in compliance with Commission requirements and that public health and safety will be protected if Mr. Nelson were permitted at this time to be involved in NRC-licensed activities. Therefore, public health, safety and interest require that Mr. Nelson be prohibited from any involvement in NRC-licensed activities for a period of one year from the date of this Order and, if he is currently involved with another licensee in NRC-licensed activities, he must immediately cease such activities, and inform the NRC of the name, address and telephone number of the employer, and provide a copy of this Order to the employer. Additionally, Mr. Nelson is required to notify the NRC of his first employment in NRC-licensed activities for one year following the prohibition period. Furthermore, pursuant to 10 CFR 2.202, I find that the significance of Mr. Nelson's conduct described above is such that the public health, safety and interest require that this Order be immediately effective.

IV

Accordingly, pursuant to Sections 103, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202, 10 CFR 50.5 and 10 CFR 150.20, *it is hereby ordered, effective immediately, that:*

A. Mr. Robert J. Nelson is prohibited for one year from the date of this Order from engaging in or exercising control over individuals engaged in NRC-licensed activities. If Mr. Nelson is currently involved in NRC-licensed activities, he must immediately cease such activities, inform the NRC of the name, address and telephone number of the employer, and provide a copy of this Order to the employer. For purposes of this Order, NRC-licensed activities are those activities that are conducted pursuant to a specific or general license issued by the NRC, including, but not limited to, those activities of Agreement State licensees conducted pursuant to the authority granted by 10 CFR 150.20.

B. For a period of one year following the period of prohibition set forth in