

Information collection	Number of respondents	Average response time (hours)	Burden hours
ETA 9042a—Petition .....	4,100	0.33	1,367
ETA 9042a—State Review .....	4,100	0.08	342
ETA 9043a .....	4,100	3.50	14,350
ETA 8562a .....	6,560	1.78	11,677
ETA 9018 .....	75	3.00	225
Total .....	.....	.....	27,961

*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* ETA Form 9042a, Petition for Trade Adjustment Assistance, and its Spanish translation, ETA Form 9042a-1, Solicitud De Asistencia Para Ajuste, establish a format that may be used for petitioning for a certification of eligibility to apply for worker adjustment assistance. The

form is necessary to ensure an orderly application process and timely processing of petitions in accordance with section 221(a) of Title II, Chapter 2 of the Trade Act of 1974, as amended by the Trade Act of 2002. The ETA 9043a Business Confidential Data Request, ETA 8562a Customer Survey, and ETA 9018 Oil and Gas Drilling and Exploration Oilfield Services are undertaken in accordance with sections 222, 223 and 249 of the Trade Act of

1974, as amended by the Trade Act of 2002, which require the Secretary of Labor to certify groups of workers as eligible to apply for worker trade adjustment assistance.

The Department is requesting to consolidate multiple collections of information under one OMB control number (OMB No. 1205-0342). The collections of information, forms and currently assigned OMB control numbers are listed below:

Collection title	Form	OMB No.
Investigative Data Collection Requirements for the Trade Act of 1974 as amended by the Trade Act of 2002 (Formerly, Petition for Trade Adjustment Assistance).	ETA 9042a .....	1205-0342
Business Confidential Data Request and NAFTA Transitional Adjustment Assistance Confidential Data Request.	ETA 9043a .....	1205-0339
Customer Survey and TAA Customer Survey .....	ETA 8562a .....	1205-0190
Oil and Gas Drilling and Exploration Oilfield Services .....	ETA 9018 .....	1205-0272
Request for Determination of Eligibility to Apply for the Alternative Trade Adjustment Assistance for Older Workers.	N/A .....	1205-0442

Ira L. Mills,

Departmental Clearance Officer.

[FR Doc. 04-155 Filed 1-5-04; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### National Advisory Committee on Ergonomics; Notice of Meeting

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Notice.

**SUMMARY:** The National Advisory Committee on Ergonomics (NACE) is part of the Secretary's comprehensive approach for reducing ergonomics-related injuries and illnesses in the workplace. The committee was convened for the first time on January 22, 2003. This notice schedules the fourth NACE meeting. During the first day of the meeting, the committee will hear presentations at a research symposium entitled "Musculoskeletal and Neurovascular Disorders—The State of Research Regarding Workplace

Etiology and Prevention." The public is encouraged to attend the symposium and the meeting.

**DATES:** The committee will meet from 8 a.m. until 5 p.m. on Tuesday and Wednesday, January 27 and 28, 2004.

**ADDRESSES:** The committee will meet at the Hotel Washington, 15th and Pennsylvania Avenue, NW., Washington, DC 20004; Telephone: (202) 638-5900. Submit comments, views, or statements in response to this notice to MaryAnn Garrahan, Director, Office of Technical Programs and Coordination Activities, OSHA, U.S. Department of Labor, Room N-3655, 200 Constitution Avenue, NW., Washington, DC 20210. Phone: (202) 693-2144; Fax: (202) 693-1644.

**FOR FURTHER INFORMATION CONTACT:** OSHA, Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; Telephone: (202) 693-1999.

**SUPPLEMENTARY INFORMATION:** NACE was chartered for a two-year term on November 27, 2002, to provide advice and recommendations on ergonomic guidelines, research, and outreach and

assistance. The committee has met on January 22, 2003, and May 6-7, 2003, in Washington, DC, and on September 23-24, 2003 in Arlington, VA. This notice announces the fourth meeting of the committee, which will take place in Washington, DC, on January 27-28, 2004.

A research symposium will take place in conjunction with the first day of the January 27-28, 2004 NACE meeting. On October 6, 2003 (68 FR 57713), OSHA published a notice soliciting abstracts for this symposium. Abstracts were originally due on November 5. In a subsequent notice published on November 7, 2003 (68 FR 63133), OSHA extended the period in which to submit abstracts until December 1, 2003. NACE will use proceedings from the symposium to make recommendations to advance OSHA's agenda of reducing the incidence of Musculoskeletal Disorders (MSDs) in the workplace.

#### I. Meeting Agenda

On January 27, 2004, a one-day symposium entitled Musculoskeletal and Neurovascular Disorders—The State of Research Regarding Workplace Etiology and Prevention will be held in

conjunction with the first day of the NACE meeting.

The committee will hear presentations from three panels of researchers on etiology and intervention. Following these panel presentations, the committee will have the opportunity to ask questions on the presentations and discuss relevant issues raised by the presentations. The panel presentations and discussions will be facilitated by John Howard, M.D., Director, National Institute for Occupational Safety and Health. On Wednesday, January 28, the committee will hear presentations on the diagnosis of carpal tunnel syndrome and also presentations on the advantages of a good ergonomics program. Following these presentations, the committee's working groups on Research, Guidelines, and Outreach and Assistance will meet. The working groups will report back to the full committee that afternoon and lead discussions about their respective topics.

## II. Public Participation

Written data, views, or comments for consideration by NACE on the various agenda items listed above may be submitted, preferably with copies for the NACE members, to MaryAnn Garrahan at the address listed above. Submissions received by January 20, 2004, will be provided to the committee members for consideration. Requests to make oral presentations to the committee may be granted if time permits. Anyone wishing to make an oral presentation to the committee should notify MaryAnn Garrahan at the address noted above. The request should state the amount of time desired, the capacity in which the person will appear, and a brief outline of the content of the presentation. Persons who request an oral presentation may be allowed to speak, as time permits, at the discretion of the Chair of the Advisory committee.

Persons with disabilities requiring special accommodations should contact Veneta Chatmon (Phone: (202) 693-1912; Fax (202) 693-1635 by January 9, 2004.

A transcript of the meeting will be available for inspection and copying in the OSHA Technical Data Center, Room N-2625 (see ADDRESSES section above) Phone: (202) 693-2350. Transcripts of NACE meetings will also be available online on OSHA's Web site at [http://www.osha.gov/SLTC/ergonomics/nat\\_advis\\_comm.html](http://www.osha.gov/SLTC/ergonomics/nat_advis_comm.html).

**Authority:** This notice was prepared under the direction of John L. Henshaw, Assistant Secretary for Occupational Safety and Health.

It is issued under the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2), GSA's FACA Regulations (41 CFR part 102-3), and DLMS 3 Chapter 1600.

Signed at Washington, DC this 29th day of December, 2003.

**John L. Henshaw,**

*Assistant Secretary.*

[FR Doc. 04-156 Filed 1-5-04; 8:45 am]

**BILLING CODE 4510-26-P**

## 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 the voluntary negotiation period for determining reasonable rates and terms for two compulsory licenses, which in one case, allows public performances of sound recordings by means of eligible nonsubscription transmissions, and in the second instance, allows the making of an ephemeral phonorecord of a sound recording in furtherance of making a permitted public performance of the sound recording for the period beginning January 1, 2005 and ending on December 31, 2006.

**EFFECTIVE DATE:** The voluntary negotiation period begins on January 6, 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 brought to: Office of the Copyright General Counsel, James Madison Memorial Building, Room 403, First and Independence Avenue, SE., Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Tanya M. Sandros, Senior Attorney, Telephone: (202) 707-8380. Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** In 1995, Congress enacted the Digital

Performance Right in Sound Recordings Act of 1995 ("DPRA"), Public Law 104-39, which created an exclusive right for copyright owners of sound recordings, subject to certain limitations, to perform publicly the sound recordings by means of certain digital audio transmissions. Among the limitations on the performance right was the creation of a new compulsory license for nonexempt, noninteractive, digital subscription transmissions. 17 U.S.C. 114(f).

The scope of this license was expanded in 1998 upon passage of the Digital Millennium Copyright Act of 1998 ("DMCA" or "Act"), Public Law 105-304, in order to allow for the public performance of a sound recording when made in accordance with the terms and rates of the statutory license, 17 U.S.C. 114(a), by a preexisting satellite digital audio radio service or as part of an eligible nonsubscription transmission.

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 "preexisting satellite digital audio radio service" is a subscription digital audio radio service that received a satellite digital audio radio service license issued by the Federal Communications Commission on or before July 31, 1998. See 17 U.S.C. 114(j)(6) and (10).

In addition to expanding the current § 114 license, the DMCA also created a new statutory license for the making of an "ephemeral recording" of a sound recording by certain transmitting organizations. 17 U.S.C. 112(e). The new statutory license allows entities that transmit performances of sound recordings to business establishments, pursuant to the limitations set forth in § 114(d)(1)(C)(iv), to make an ephemeral recording of a sound recording for purposes of a later transmission. The new license also provides a means by which a transmitting entity with a statutory license under § 114(f) can make more than the one phonorecord permitted by the exemption specified in § 112(a). 17 U.S.C. 112(e).

### Determination of Reasonable Terms and Rates

The statutory scheme for establishing reasonable terms and rates is the same for both licenses. Terms and rates may