

ADDRESSES: A copy of this ICR, with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site, <http://www.reginfo.gov/public/do/PRAMain>, on the day following publication of this notice or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an e-mail to DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor Employee Benefits Security Administration (EBSA), Office of Management and Budget, Room 10235, Washington, DC 20503, *Telephone:* 202-395-6929/*Fax:* 202-395-6881 (these are not toll-free numbers), *e-mail:* OIRA_submission@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: Contact Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by e-mail at DOL_PRA_PUBLIC@dol.gov.

SUPPLEMENTARY INFORMATION: Prohibited Transaction Exemption 98-54 permits certain foreign exchange transactions between employee benefit plans and certain banks and broker-dealers that are parties in interest with respect to such plans. In order that such transactions will be consistent with the requirements of Employee Retirement Income Security Act section 408(a), 29 U.S.C. 110/(a), the exemption imposes the following conditions at the time the foreign exchange transaction is entered into: (a) The terms of the transaction must not be less favorable than those available in comparable arm's-length transactions between unrelated parties or those afforded by the bank or the broker-dealer in comparable arm's-length transactions involving unrelated parties; (b) neither the bank nor the broker-dealer has any discretionary authority with respect to the investment of the assets involved in the transaction; (c) the bank or broker-dealer maintains at all times written policies and procedures regarding the handling of foreign exchange transactions for plans for which it is a party in interest which ensure that the party acting for the bank or the broker-dealer knows it is dealing with a plan; (d) the transactions are performed in accordance with a written authorization executed in advance by an independent fiduciary of the plan whose assets are involved in the transaction and who is independent of the bank or broker-dealer engaging in the covered transaction; (e) transactions

are executed within one business day of receipt of funds; (f) the bank or the broker-dealer at least once a day at a time specified in written procedures establishes a rate or range of rates of exchange to be used for the transactions covered by this exemption, and executes transactions at either the next scheduled time or no later than 24 hours after receipt of notice of receipt of funds; (g) prior to execution of a transaction, the bank or the broker-dealer provides the authorizing fiduciary with a copy of its written policies and procedures for foreign exchange transactions involving income item conversions and *de minimis* purchase and sale transactions; (h) the bank or the broker-dealer furnishes the authorizing fiduciary a written confirmation statement with respect to each covered transaction within 5 days of execution; (i) the bank or the broker-dealer maintains records necessary for plan fiduciaries, participants, and the DOL and Internal Revenue Service to determine whether the conditions of the exemption have been met for a period of six years from the date of execution of a transaction. See 63 FR 63503.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information if the collection of information does not display a valid OMB control number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under OMB Control Number 1210-0111. The current OMB approval is scheduled to expire on April 30, 2011; however, it should be noted that information collections submitted to the OMB receive a month-to-month extension while they undergo review. For additional information, see the related notice published in the **Federal Register** on November 10, 2010 (75 FR 69130).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within 30 days of publication of this notice in the **Federal Register**. In order to ensure appropriate consideration, comments should reference OMB Control Number 1210-0111. The OMB is particularly interested in comments that:

- 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, including through 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.

Agency: Employee Benefits Security Administration (EBSA).

Title of Collection: Prohibited Transaction Exemption 98-54 Relating to Certain Employee Benefit Plan Foreign Exchange Transactions Executed Pursuant to Standing Instructions.

OMB Control Number: 1210-0111.

Affected Public: Private sector—Businesses or other for profits.

Total Estimated Number of Respondents: 35.

Total Estimated Number of Responses: 420,000.

Total Estimated Annual Burden Hours: 4200.

Total Estimated Annual Costs Burden: \$0.

Dated: April 5, 2011.

Michel Smyth,

Departmental Clearance Officer.

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. RM 2010-10]

Section 302 Report

AGENCY: Copyright Office, Library of Congress.

ACTION: Notice of inquiry: Extension of comments and reply comments period.

SUMMARY: In Section 302 of the Satellite Television Extension and Localism Act ("STELA"), Congress directed the Copyright Office ("Office") to prepare a report addressing possible mechanisms, methods, and recommendations for phasing out the statutory licensing

requirements set forth in Sections 111, 119, and 122 of the Copyright Act. The Office published a Notice of Inquiry ("NOI") in the **Federal Register** on March 3, 2011, seeking comment on issues related to Section 302. (76 FR 11816). This notice is extending the time in which comments and reply comments can be filed in this proceeding.

DATES: Comments originally due on April 18, 2011, are now due no later than April 25, 2011. Reply comments originally due on May 18, 2011, are now due no later than May 25, 2011.

ADDRESSES: All comments and reply comments shall be submitted electronically. A comment page containing a comment form is posted on the Copyright Office Web site at <http://www.copyright.gov/docs/section302>. The Web site interface requires submitters to complete a form specifying name and organization, as applicable, and to upload comments as an attachment via a browser button. 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 electronic submission of comments is not feasible, please contact the Copyright Office at (202) 707-0796 for special instructions.

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 or by electronic mail at bgol@loc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On May 27, 2010, the President signed the Satellite Television Extension and Localism Act of 2010. See Public Law 111-175, 124 Stat. 1218 (2010). The legislation extended the term of the Section 119 license for another five years, updated the statutory license structures to account for changes resulting from the nationwide transition to digital television, and revised the Section 111 and Section 122 licenses in

several other respects. In addition, STELA instructed the Copyright Office, the Government Accountability Office ("GAO") and the FCC to conduct studies and report findings to Congress on different structural and regulatory aspects of the broadcast signal carriage marketplace in the United States. Section 302 of STELA, entitled "Report on Market Based Alternatives to Statutory Licensing," charges the Copyright Office with the following:

Not later than 18 months after the date of the enactment of this Act, and after consultation with the Federal Communications Commission, the Register of Copyrights shall submit to the appropriate Congressional committees a report containing:

(1) Proposed mechanisms, methods, and recommendations on how to implement a phase-out of the statutory licensing requirements set forth in sections 111, 119, and 122 of title 17, United States Code, by making such sections inapplicable to the secondary transmission of a performance or display of a work embodied in a primary transmission of a broadcast station that is authorized to license the same secondary transmission directly with respect to all of the performances and displays embodied in such primary transmission;

(2) any recommendations for alternative means to implement a timely and effective phase-out of the statutory licensing requirements set forth in sections 111, 119, and 122 of title 17, United States Code; and

(3) any recommendations for legislative or administrative actions as may be appropriate to achieve such a phase-out.

In response to these directives, the Office published a Notice of Inquiry ("NOI") in the **Federal Register** seeking comments and information from the public on several issues that are central to the scope and operation of Section 302 and critical to the Office's analysis of the legal and business landscapes. 79 FR 11816 (March 3, 2011).

II. Notice of Extension of Time

On April 6, 2011, the Copyright Office received a Motion for an Extension of Time to file comments and reply comments in this proceeding from the National Association of Broadcasters ("NAB"). It requests that the Copyright Office grant a seven-day extension of the deadlines for all interested parties to submit comments and reply comments in response to the Notice of Inquiry. Noting that comments are currently due on April 18, 2011 and reply comments are due on May 18, 2011, NAB respectfully requests an extension of these deadlines until April 25, 2011 and May 25, 2011, respectively.

NAB asserts that approval of its motion will enable it and many other concerned parties to help develop a more robust record in response to the NOI, while still permitting them to actively participate in a significant FCC

proceeding with coinciding timelines.¹ It also notes that the current deadline immediately follows the 2011 NAB Show in Las Vegas, NV, which many concerned parties—including broadcasters, and their counsel—will be attending.² It adds that parties interested in responding to the Notice who also are involved in the NAB Show would lose a significant amount of preparation time and would have only two business days after the Show ends to finalize and file their Comments. NAB concludes that the requested extension will allow the Copyright Office to collect and consider a more complete legal and factual record and will therefore serve the public interest.

The Office finds that NAB has demonstrated good cause for an extension for filing of comments and reply comments and is granting its request. The Office and all interested parties will benefit from a thoughtful, thorough, and complete record in this proceeding. Accordingly, comments are now due on April 25, 2011, one week from the original date of April 18, 2011. In the event of a government wide shutdown, comments will be due the next business day after the Library reopens pursuant to 17 U.S.C. 703. Reply comments will be due on May 25, 2011, one week from the original date of May 18, 2011.

III. Conclusion

The Office hereby extends time for comments and reply comments from the public on the factual and policy matters related to the study mandated by Section 302 of the Satellite Television Extension and Localism Act of 2010. The new filing date for comments is April 25, 2011. The new filing date for reply comments is May 25, 2011.

Dated: April 7, 2011.

Maria A. Pallante,

Acting Register of Copyrights.

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¹ *Innovation in the Broadcast Television Bands: Allocations, Channel Sharing and Improvements to VHF*, Notice of Proposed Rulemaking, ET Docket No. 10-235, 25 FCC Rcd 16498 (rel. Nov. 30, 2010) (reply comment are due April 18, 2011).

² The 2011 NAB Show begins on Saturday, April 9 and ends on Thursday, April 14. See 2011 NAB Show Web Site, available at: <http://www.nabshow.com/2011/default.asp>.