

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-156518-04]

RIN 1545-BE10

#### Section 411(d)(6) Protected Benefits; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to notice of proposed rulemaking and notice of public hearing.

**SUMMARY:** This document contains a correction to a notice of proposed rulemaking and notice of public hearing that was published in the **Federal Register** on Friday, August 12, 2005 (70 FR 47155) relating to the anti-cutback rules under section 411(d)(6) of the Internal Revenue Code.

**FOR FURTHER INFORMATION CONTACT:** Pamela R. Kinard at (202) 622-6060 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

The notice of proposed rulemaking and notice of public hearing (REG-156518-04) that is the subject of this correction is under section 411(d)(6) of the Internal Revenue Code.

##### Need for Correction

As published, REG-156518-04 contains an error that may prove to be misleading and is in need of clarification.

##### Correction of Publication

Accordingly, the publication of the notice of proposed rulemaking and notice of public hearing (REG-156518-04), which was the subject of FR Doc 05-15960, is corrected as follows:

On page 47155, column 2, in the preamble, under the caption **ADDRESSES**, line 17, the language, "156581-04). The public hearing will be" is corrected to

read "156518-04). The public hearing will be."

**Cynthia Grigsby,**

*Acting Chief, Publications and Regulations, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).*

[FR Doc. 05-17959 Filed 9-12-05; 8:45 am]

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## LIBRARY OF CONGRESS

### Copyright Royalty Board

#### 37 CFR Chapter III

[Docket No. 2005-4 CRB CD 2003]

#### Distribution of the 2003 Cable Royalty Funds

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Request for comments.

**SUMMARY:** The Interim Chief Copyright Royalty Judge, on behalf of the Copyright Royalty Board, is requesting comments on the existence of controversies to the distribution of the 2003 cable royalty fund.

**DATES:** Written comments should be received no later than October 13, 2005.

**ADDRESSES:** If hand delivered by a private party, an original and five copies of comments must be brought to Room LM-401 of the James Madison Memorial Building, Monday through Friday, between 8:30 a.m. and 5 p.m., and the envelope must be addressed as follows: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM-401, 101 Independence Avenue, SE., Washington, DC 20559-6000. If delivered by a commercial courier (excluding overnight delivery services such as Federal Express, United Parcel Service and similar overnight delivery services), an original and five copies of comments must be delivered to the Congressional Courier Acceptance Site located at 2nd and D Streets, NE., Monday through Friday, between 8:30 a.m. and 4 p.m., and the envelope must be addressed as follows: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000. If sent by mail (including overnight delivery using United States Postal Service Express Mail), an original and five copies of comments must be addressed to:

Copyright Royalty Board, P.O. Box 70977, Southwest Station, Washington, DC 20024-0977. Comments may not be delivered by means of overnight delivery services such as Federal Express, United Parcel Service, etc., due to delays in processing receipt of such deliveries.

#### FOR FURTHER INFORMATION CONTACT:

William J. Roberts, Jr., Senior Attorney, or Abioye E. Oyewole, CRB Program Specialist. Telephone (202) 707-8380. Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** Each year cable systems submit royalties to the Copyright Office under the section 111 statutory license for the retransmission to their subscribers of over-the-air television and radio broadcast signals. These royalties are, in turn, distributed in one of two ways to copyright owners whose works were included in a retransmission and who timely filed a claim for royalties. The copyright owners may either negotiate the terms of a settlement as to the division of the royalty funds, or the Copyright Royalty Board (the "Board") may conduct a proceeding to determine the distribution of the royalties that remain in controversy. See 17 U.S.C. Chapter 8.

By motion received on August 31, 2005, representatives of the Phase I claimant categories (the "Phase I Parties")<sup>1</sup> have asked the Board to authorize a partial distribution of 50% of the 2003 cable royalty funds prior to October 31, 2005. In addition, they request that the Board publish a notice in the **Federal Register** requesting comments as to the extent of controversies, either at Phase I or Phase II, that exist over the distribution of the 2003 cable royalties. This **Federal Register** notice responds to these requests.

Accordingly, the Board seeks comments on whether any controversy exists that would preclude the distribution of 50% of the 2003 cable royalty funds to the Phase I Parties.

The Board also seeks comment on the existence and extent of any controversies to the 2003 cable royalty funds, either at Phase I or Phase II, with

<sup>1</sup> The "Phase I Parties" are the Program Suppliers, the Joint Sports Claimants, the Public Television Claimants, the National Association of Broadcasters, the American Society of Composers, Authors and Publishers, Broadcast Music, Inc., SESAC, Inc., the Canadian Claimants, the Devotional Claimants and National Public Radio.