

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-63,458]

**Excello Engineered Systems,  
Macedonia, OH; Notice of Termination  
of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on June 2, 2008 in response to a worker petition filed by a company official on behalf of workers of Excello Engineered Systems, Macedonia, Ohio.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 8th day of July 2008.

**Richard Church,**

*Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. E8-16080 Filed 7-14-08; 8:45 am]

BILLING CODE 4510-FN-P

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-63,616]

**Holophane, Newark, OH; Notice of  
Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on June 30, 2008 in response to a petition filed by a company official on behalf of workers of Holophane, Newark, Ohio.

The petitioning group of workers are covered under the earlier petition (TA-W-63,615), filed on June 27, 2008 that is the subject of an ongoing investigation for which a determination has not yet been issued. Further investigation in this case would duplicate efforts and serve no purpose; therefore the investigation under this petition has been terminated.

Signed at Washington, DC this 8th day of July, 2008.

**Linda G. Poole,**

*Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. E8-16071 Filed 7-14-08; 8:45 am]

BILLING CODE 4510-FN-P

**LIBRARY OF CONGRESS****Copyright Royalty Board**

[Docket No. 2007-3 CRB CD 2004-2005]

**Distribution of the 2004 and 2005 Cable  
Royalty Funds**

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

**ACTION:** Notice announcing commencement of Phase I distribution proceeding with request for Petitions to Participate.

**SUMMARY:** The Copyright Royalty Judges are announcing the commencement of a proceeding to determine the Phase I distribution of 2004 and 2005 royalties collected under the cable statutory license. The Judges are also announcing the date by which a party who wishes to participate in this distribution proceeding must file its Petition to Participate and the accompanying \$150 filing fee.

**DATES:** Petitions to Participate and the filing fee are due on or before August 14, 2008.

**ADDRESSES:** An original, five copies, and an electronic copy in Portable Document Format (PDF) on a CD of the Petition to Participate, along with the \$150 filing fee, may be delivered to the Copyright Royalty Board by either mail or hand delivery. Petitions to Participate and the \$150 filing fee may not be delivered by an overnight delivery service other than the U.S. Postal Service Express Mail. If by mail (including overnight delivery), Petitions to Participate, along with the \$150 filing fee, must be addressed to: Copyright Royalty Board, P.O. 70977, Washington, DC 20024-0977. If hand delivered by a private party, Petitions to Participate, along with the \$150 filing fee, must be brought to the Library of Congress, James Madison Memorial Building, LM-401, 101 Independence Avenue, SE., Washington, DC 20559-6000. If delivered by a commercial courier, Petitions to Participate, along with the \$150 filing fee, must be delivered to the Congressional Courier Acceptance Site, located at 2nd and D Street, NE., Washington, DC. The envelope must be addressed to: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000.

**FOR FURTHER INFORMATION CONTACT:** LaKeshia Brent, CRB Program Specialist, by telephone at (202) 707-7658 or e-mail at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:****Background**

Each year, semiannually, cable systems must submit royalty payments to the Copyright Office as required by the cable statutory license for the privilege of retransmitting over-the-air television and radio broadcast signals. 17 U.S.C. 111. These royalties are then distributed to copyright owners whose works were included in such retransmissions and who timely filed a claim for royalties. Distribution of the royalties for each calendar year are determined by the Copyright Royalty Judges ("Judges") in two phases. At Phase I, the royalties are divided among the representatives of the major categories of copyrightable content (movies, sports programming, music, etc.) requesting the distribution. At Phase II, the royalties are divided among the various copyright owners within each category.

This Notice announcing the commencement of a proceeding under 17 U.S.C. 803(b)(1) for distribution of cable royalties collected for 2004 and 2005 is confined to Phase I.

**Commencement of Phase I Proceeding**

Consistent with 17 U.S.C. 804(b)(8), the Copyright Royalty Judges determine that a Phase I controversy exists as to the distribution of the 2004 and 2005 cable royalties. We reach this determination, in this instance, for two reasons. First, several interested parties have represented to us that a Phase I controversy exists for these years. See Petition to Declare Controversy and Initiate a Phase I Proceeding for the Distribution of the 2004 and 2005 Cable Royalty Funds filed by the Motion Picture Association of America, Inc. ("MPAA") (filed July 16, 2007); and comments filed by the following parties in Docket No. 2007-3 CRB CD 2004-2005: Independent Producers Group (filed February 28, 2008); a comment filed jointly by Program Suppliers, Joint Sports Claimants, Public Television Claimants, National Association of Broadcasters, American Society of Composers, Authors and Publishers, Broadcast Music, Inc., SESAC, Inc., National Public Radio and Canadian Claimants Group (filed February 29, 2008). Second, to date we have not received notification that any settlements have been reached for either of these years, nor have we received motions for final distribution.

The Judges are consolidating the 2004 and 2005 royalty years into a single proceeding. We note that the Librarian routinely consolidated multiple royalty years into a single proceeding in order to maximize the efficiencies associated

with the distribution process. We see no reason to deviate from this practice in this instance because there appear to be no unusual issues associated with these years that would make a consolidated proceeding unduly complex. See MPAA Petition to Declare a Controversy at 2 (“anticipate that same, or closely similar, issues will be presented for both years”). Therefore, consolidation of these two years represents the most administratively efficient manner in which to determine the distribution of these royalty funds.

### Petitions To Participate

Petitions to Participate must be filed in accordance with § 351.1(b) of the Judges’ regulations. See 37 CFR 351.1(b). Petitions to Participate submitted by interested parties whose claims do not exceed \$1,000<sup>1</sup> must contain a statement that the party will not seek a distribution of more than \$1,000. No filing fee is required for these parties. We note, however, that interested parties with claims exceeding one thousand dollars (\$1,000) must submit a filing fee of one hundred and fifty dollars (\$150) with their Petition to Participate or it will be rejected. Cash will not be accepted; therefore, parties must pay the filing fee with a check or money order made payable to the “Copyright Royalty Board.” If a check is returned for lack of sufficient funds, the corresponding Petition to Participate will be dismissed.

Further procedural matters, including scheduling, will be addressed after Petitions to Participate have been received.

Note that in accordance with 37 CFR 350.2 (Representation), only attorneys who are members of the bar in one or more states and in good standing will be allowed to represent parties before the Copyright Royalty Judges, unless the party is an individual who represents herself or himself.

Dated: July 10, 2008.

**James Scott Sledge,**  
Chief Copyright Royalty Judge.

[FR Doc. E8-16137 Filed 7-14-08; 8:45 am]

**BILLING CODE 1410-72-P**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Records Schedules; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Requests for copies must be received in writing on or before August 14, 2008. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

**ADDRESSES:** You may request a copy of any records schedule identified in this notice by contacting the Life Cycle Management Division (NWML) using one of the following means:

*Mail:* NARA (NWML), 8601 Adelphi Road, College Park, MD 20740-6001.

*E-mail:* [requestschedule@nara.gov](mailto:requestschedule@nara.gov).

*Fax:* 301-837-3698.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

#### FOR FURTHER INFORMATION CONTACT:

Laurence Brewer, Director, Life Cycle Management Division (NWML), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. Telephone: 301-837-1539. E-mail: [records.mgt@nara.gov](mailto:records.mgt@nara.gov).

**SUPPLEMENTARY INFORMATION:** Each year Federal agencies create billions of records on paper, film, magnetic tape,

and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA’s approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1228.24(b)(3).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government’s activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

<sup>1</sup> The Copyright Royalty Judges Program Technical Corrections Act, Public Law No. 109-303, changed the amount from \$10,000 to \$1,000.