

the ETP Performance Report is also included in this ICR. While not proposing a format that persons participating in WIOA covered programs must follow, as these process decisions may be best left to State agencies that may have additional needs, the ICR does recognize that performance reporting may require the collection of information that would not otherwise be obtained; consequently, the agencies have estimated the impact of those activities on individuals and States. WIOA section 185 authorizes this information collection. *See* 29 U.S.C. 3245.

This ICR does not include the specifics on the data collection format (*e.g.*, a spreadsheet, comma delimited text file, or other application program interface) that must be used to submit the data to the DOL (*e.g.*, through an online portal). That feature will be the subject of a future ICR, and public comment will be solicited at that time.

This ICR is being submitted to OMB for review, comment, and approval under a process that will subsequently allow other agencies to use this ICR. The Department of Education is also engaged in the collection of WIOA performance data, and the two Departments have worked collaboratively to develop this ICR. In accordance with the PRA and guidance provided by OMB for common form types of collections used by more than one agency, Reginfo.gov database burden information is to reflect that only for host agency (DOL in this case) when the collection is first submitted; consequently, this notice also reflects only the DOL burden. In order to present a more complete view for public comment, however, the supporting statement discusses total burdens—including that for the Department of Education. Under the common form data collection type, the DOL burden must first be approved by OMB with other agency burden added by OMB through a change request process once the common form has been cleared.

This proposed 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 Control Number. *See* 5 CFR 1320.5(a) and 1320.6. For additional information, see the related

notices published in the **Federal Register** on April 16, 2015 (80 FR 20573), and July 22, 2015 (80 FR 43474).

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 thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB ICR Reference Number 201604–1205–002.

While comments on any aspect of this ICR are welcome, specific comments are sought on ETP terms definitions and corresponding calculations of WIOA performance measures as they relate to the ETP report. Comments are also sought on the proposed method for calculating the total number of individuals served in a program of study. The OMB is also 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:* DOL–ETA.

*Title of Collection:* Workforce Innovation and Opportunity Act Common Performance Reporting.

*OMB ICR Reference Number:* 201604–1205–002.

*Affected Public:* State, Local, and Tribal Governments; Individuals or Households.

*Total Estimated Number of Respondents:* 15,489,620.

*Total Estimated Number of Responses:* 30,969,570.

*Total Estimated Annual Time Burden:* 7,965,526 hours.

*Total Estimated Annual Other Costs Burden:* \$25,848,060.

Dated: April 20, 2016.

**Michel Smyth,**

*Departmental Clearance Officer.*

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**BILLING CODE 4510–FN–P**

## LIBRARY OF CONGRESS

### Copyright Royalty Board

[Docket No. 15–CRB–0010–CA]

### Adjustment of Cable Statutory License Royalty Rates

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

**ACTION:** Notice announcing partial settlement and commencement of further proceedings on the issue of a proposed Sports Rule Surcharge, with request for further petitions to participate.

**SUMMARY:** The Copyright Royalty Judges (Judges) announce partial settlement of the proceeding to adjust the rates for the cable statutory license described in section 111 of the Copyright Act (Rate Adjustment Proceeding). The Judges also announce commencement of further proceedings resulting from action by the Federal Communications Commission (FCC) effecting a change in the Sports Rule. Any party that has filed a Petition to Participate in the present proceeding may file a Notice of Intent to Participate in the Sports Rule Surcharge portion of the proceeding without payment of a further filing fee. Any other party in interest wishing to participate in the Sports Rule Surcharge portion of the proceeding must file its Petition to Participate and pay the \$150 filing fee.

**DATES:** Petitions to Participate and the filing fee are due no later than May 26, 2016.

**ADDRESSES:** This notice and request is posted on the agency's Web site ([www.loc.gov/crb](http://www.loc.gov/crb)) and on Regulations.gov ([www.regulations.gov](http://www.regulations.gov)). Parties who plan to participate should see the "How to Submit Petitions to Participate" sub-section of the Supplementary Information section below for physical addresses and further instructions.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Whittle, Attorney-Advisor, by telephone at (202) 707–7658, or by email at [crb@loc.gov](mailto:crb@loc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 111 of the Copyright Act grants a statutory copyright license to cable television systems for the retransmission of over-the-air television and radio broadcast stations to their subscribers. 17 U.S.C. 111(c). In exchange for the license, cable operators submit royalty payments and statements of account detailing their retransmissions semiannually to the

Copyright Office. 17 U.S.C. 111(d)(1). The Copyright Office deposits the royalties into the United States Treasury for later distribution to copyright owners of the broadcast programming that the cable systems retransmit. 17 U.S.C. 111(d)(2).

A cable system calculates its royalty payments in accordance with the statutory formula described in 17 U.S.C. 111(d)(1). Royalty rates are based upon a cable system's gross receipts from subscribers who receive retransmitted broadcast signals. For rate calculation purposes, cable systems are divided into three tiers based on their gross receipts (small, medium, and large). 17 U.S.C. 111(d)(1)(B) through (F). Both the applicable rates and the tiers are subject to adjustment. 17 U.S.C. 801(b)(2).

Every five years persons with a significant interest in the royalty rates may file petitions to initiate a proceeding to adjust the rates. 17 U.S.C. 804(a) and (b). No person with a significant interest filed a petition to initiate a proceeding in 2015.<sup>1</sup>

Therefore, the Copyright Royalty Judges (Judges) initiated this rate adjustment proceeding relating to statutory licenses for the distant retransmission by cable systems of over-the-air broadcast radio and television programming. See 17 U.S.C. 801(b)(2), 803(b)(1), 804(a) and (b), by notice published in the **Federal Register** on June 19, 2015.

The Judges received two joint Petitions to Participate, one from a group referring to itself as Phase I Parties<sup>2</sup> and another from the National Cable & Telecommunications Association and the American Cable Association. The Judges accepted these petitions and commenced a Voluntary Negotiation Period (VNP).

On November 23, 2015, the Joint Sports Claimants<sup>3</sup> filed a "Petition . . . to Initiate Cable Royalty Rate Adjustment Proceedings" with a self-styled caption indicating a proceeding for cable rate adjustments "for

<sup>1</sup> The cable rates were last adjusted in 2005. Although the Judges commenced a rate proceeding relating to the 2010 rate adjustment, the Judges terminated it when passage of the Satellite Television Extension and Localism Act of 2010, Pub. L. 111-175, rendered the proceeding unnecessary. *Order Granting Request to Terminate Proceeding*, Docket No. 2010-1 CRB Cable Rate (July 13, 2010).

<sup>2</sup> The Phase I Parties consist of: Program Suppliers, Joint Sports Claimants, Public Television Claimants, Commercial Television Claimants, Music Claimants, Canadian Claimants Group, National Public Radio, and Devotional Claimants.

<sup>3</sup> The Joint Sports Claimants consist of: The National Basketball Association, the National Collegiate Athletic Association, the National Football League, the National Hockey League, the Office of the Commissioner of Baseball, and the Women's National Basketball Association.

Retransmission of Certain Sports Telecasts." On December 15, 2015, at the conclusion of the VNP, all participants, including the Joint Sports Claimants, notified the Judges of a global settlement and asked that cable retransmission rates remain unchanged for the rate period 2015 to 2019, inclusive. Given the conflicting positions of the Joint Sports Claimants, the Judges rejected the proposed global settlement, without prejudice.

Settling participants have now asked that the Judges accept the negotiated settlement as a "partial settlement" and permit continuing proceedings to determine whether and to what degree to make a rate adjustment under section 801(b)(2)(C). Section 801(b)(2)(C) provides for adjustment proceedings<sup>4</sup> in the event of an FCC rule change "with respect to . . . sports program exclusivity. . . ." The Joint Sports Claimants base their separate petition on an FCC rule change, *viz.*, repeal of the sports exclusivity rule, effective November 24, 2014.

The Judges give this notice and opportunity for additional parties to file a Petition to Participate in the extant proceeding. The Judges shall continue the proceeding solely for determination of what rate adjustment, if any, should result from the FCC rule change. According to the Act, any adjustment resulting from the remainder of this proceeding shall be limited to those broadcast signals carried on systems affected by the FCC rule change. See 17 U.S.C. 801(b)(2)(C).

#### How To Submit Petitions to Participate

Any party that has filed a Petition to Participate in the present proceeding need only file a Notice of Intent to Participate in the Sports Rule Surcharge portion of the proceeding. Any other party wishing to participate in the proceeding to determine a Sports Rule Surcharge adjustment to the cable royalty rate shall submit to the Copyright Royalty Board the filing fee (US \$150), an original Petition to Participate, five paper copies, and an electronic copy on a CD or other portable memory device in Portable Document Format (PDF) that contains searchable, accessible text (not a scanned image of text). Participants should conform filed electronic documents to the Judges' Guidelines for Electronic Documents posted online at [www.loc.gov/crb/docs/Guidelinesfor\\_Electronic\\_Documents.pdf](http://www.loc.gov/crb/docs/Guidelinesfor_Electronic_Documents.pdf). Participants

<sup>4</sup> Sports program exclusivity proceedings may be conducted apart from the quinquennial proceedings required by § 804 of the Act.

shall deliver Petitions to Participate to only one of the following addresses.

U.S. mail: Copyright Royalty Board, PO Box 70977, Washington, DC 20024-0977; or

Overnight service (only USPS Express Mail is acceptable): Copyright Royalty Board, PO Box 70977, Washington, DC 20024-0977; or

Commercial courier: *Address package to:* Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM-403, 101 Independence Avenue SE., Washington, DC 20559-6000. *Deliver to:* Congressional Courier Acceptance Site, 2nd Street NE. and D Street NE., Washington, DC; or

Hand delivery: Library of Congress, James Madison Memorial Building, LM-401, 101 Independence Avenue SE., Washington, DC 20559-6000.

Dated: April 20, 2016.

**Suzanne M. Barnett,**

*Chief Copyright Royalty Judge.*

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**BILLING CODE 1410-72-P**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

[NARA-2016-027]

### 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 agencies to preserve records of continuing value in the National Archives of the United States and to destroy, after a specified period, records lacking administrative, legal, research, or other value. NARA publishes notice 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:** NARA must receive requests for copies in writing by May 26, 2016. Once NARA completes appraisal of the