



# ANNOUNCEMENT

from the Copyright Office, Library of Congress,  
101 Independence Avenue, S.E., Washington, D.C. 20559-6000

FINAL RULE; TECHNICAL AMENDMENTS

## FREEDOM OF INFORMATION ACT, PRIVACY ACT, AND COPYRIGHT ARBITRATION ROYALTY PANEL: POLICIES AND PROCEDURES

The following excerpt is taken from Volume 65, Number 125 of the  
*Federal Register* of Wednesday, June 28, 2000 (pp. 39819-39820)

### LIBRARY OF CONGRESS

#### Copyright Office

37 CFR Parts 203, 204, 251, 252, 256,  
257, 259, 260

[Docket No. 2000-5A]

#### Freedom of Information Act, Privacy Act, and Copyright Arbitration Royalty Panel: Policies and Procedures

**AGENCY:** Copyright Office, Library of  
Congress.

**ACTION:** Final rule; technical amendments.

**SUMMARY:** The Copyright Office is making  
non-substantive housekeeping amendments  
to its regulations to update them and to  
correct minor errors.

**EFFECTIVE DATE:** June 28, 2000.

#### FOR FURTHER INFORMATION

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**SUPPLEMENTARY INFORMATION:** The  
Copyright Office periodically reviews its  
regulations as published in the Code of  
Federal Regulations (CFR) to correct minor  
and typographical errors in the published  
text. The Office has identified such errors in  
the currently published rules and makes  
corrections now. In addition, some  
corrections, such as the time allotted an  
agency to respond to a request under the  
Privacy Act, and the time in which an appeal  
must receive response, are changes made to  
conform the Office's regulations to the  
Privacy Act of 1974, which is part of the  
Administrative Procedure Act, 5 U.S.C.  
552(a).

The following sections are amended to

correct these errors: Secs. 203.3(a),  
203.3(b)(2), 203.3(g), 203.4(c), 203.4(d),  
203.4(f), 203.4(g), 204.4(a), 204.4(c),  
204.5(a), [205.4(c)\*], 204.7(a), 204.7(b),  
204.8(a), and 204.8(b).

#### List of Subjects

37 CFR Part 203

Freedom of information.

#### 37 CFR Part 204

Privacy.

#### Final Rule

Accordingly, 37 CFR chapter II is  
amended by making the following  
corrections and amendments.

#### PART 203—FREEDOM OF INFORMATION ACT: POLICIES AND PROCEDURES

1. The authority citation for part 203  
continues to read as follows:

**Authority:** 17 U.S.C. 702; 5 U.S.C. 552,  
as amended.

#### Sec. 203.3 [Amended]

2. Section 203.3(a) is amended by  
removing "and" after "legal" and adding a  
"," (comma) in its place.

3. Section 203.3(b)(2) is amended by  
removing "whether the materials" and adding  
in its place "whether the material", and by  
removing "constitute" and adding  
"constitutes" in its place.

4. Section 203.3(g) is amended by  
removing "SE." and adding in its place "SE".

#### Sec. 203.4 [Amended]

5. Section 203.4(c) is amended by  
removing "SE." and adding in its place "SE";  
and by adding a comma after "Friday".

6. Section 203.4(d) is amended by adding  
"-6000" after "20559"; and by removing  
"SE." and adding in its place "SE".

7. Section 203.4(f) introductory text is  
amended by removing "S.E." and adding in  
its place "SE"; and by adding a "." (period)

after "DC" and before "Office hours are".

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8. Section 203.4(f)(2) is amended by  
removing the "." (period) after "General  
Counsel of the United States Copyright  
Office" and by adding in its place ""at:  
Copyright GC/I&R, P.O. Box 70400,  
Southwest Station, Washington, DC 20024.  
The appeal should be clearly labeled  
'Freedom of Information Act Appeal'."

9. Section 203.4(g) is amended by  
removing "In the event a request is denied  
and that denial is appealed, the Supervisory  
Copyright Information Specialist will refer  
the appeal to the General Counsel. Appeals  
shall be set forth in writing and addressed to  
the Supervisory Copyright Information  
Specialist at the address listed in paragraph  
(d) of this section."

#### PART 204—PRIVACY ACT: POLICIES AND PROCEDURES

10. The authority citation for part 204 is  
revised to read as follows:

**Authority:** 17 U.S.C. 702; 5 U.S.C.  
552(a).

#### Sec. 204.4 [Amended]

11. Section 204.4(a) is amended by  
removing "Information and Reference  
Division, Copyright Office, Library of  
Congress, Washington, DC 20559," and by  
adding in its place "Copyright GC/I&R, P.O.  
Box 70400, Southwest Station, Washington,  
DC 20024,"; and by removing "9 a.m. and 4  
p.m." and adding "8:30 a.m. and 5 p.m." in  
its place; and by removing "SE." and adding  
in its place "SE".

12. Section 204.4(c) is amended by  
removing "within ten working days of receipt  
and will notify the requester within 30  
working days of receipt of the existence or  
non-existence of records pertaining to the  
requester." and by adding in its place "made  
by individuals wishing to gain access to view  
or copy their records or any information

pertaining to the individual, within a reasonable time. The Office will acknowledge in writing an individual's request to amend a record pertaining to him or her within ten business days."

**Sec. 204.5 [Amended]**

13. Section 204.5(a) is amended by removing "Information and Reference Division, Copyright Office, Library of Congress, Washington, DC 20559," and adding in its place "Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024,"; and by removing "SE." and adding in its place "SE".

14. Section 204.5(c) is amended by removing the word "ten" and adding in its place "20".

**Sec. 204.7 [Amended]**

15. Section 204.7(a) is amended by removing "Information and Reference Division, Copyright Office, Library of Congress, Washington, DC 20559," and adding in its place "Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024,"; and by removing "SE." and adding in its place "SE".

16. Section 204.7(b) is amended by removing "10" and adding "ten" in its place.

17. Section 204.8(a) is amended by removing "has 90 calendar days from receipt of the Copyright Office's response to" and adding in its place "who disagrees with a refusal of the Copyright Office to amend his or her record may request a review of the denial. The decision will be made within 30 business days, unless the Office can demonstrate good cause for extending the 30 day period. If the requestor is dissatisfied with the agency's final determination, the individual may bring a civil action against the Office in the appropriate United States district court."; and by removing "Register of Copyright, Copyright Office, Library of Congress, Washington, DC 20559 for the final administrative determination" and adding in its place, "General Counsel, Copyright Office, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, DC 20024,"; and by removing "Register's" and adding in its place "Copyright Office General Counsel's".

18. Section 204.8(b) is amended by removing "Register" each place it appears and adding "General Counsel" in its place; and by removing "Register's" and adding in its place "General Counsel's".

**PART 251—COPYRIGHT ARBITRATION ROYALTY PANEL RULES OF PROCEDURE**

19. The authority citation for part 251 continues to read as follows:

**Authority:** 17 U.S.C. 801-803.

**Sec. 251.44 [Amended]**

20. Section 251.44(f) is amended by adding the heading "Service." after the paragraph designation (f).

**Sec. 251.64 [Amended]**

21. Section 251.64 is amended by adding "Such notice shall, to the extent feasible, describe the nature, general structure, and schedule of the proceeding." at the end of the paragraph.

**PART 252—FILING OF CLAIMS TO CABLE ROYALTY FEES**

22. The authority citation for part 252 continues to read as follows:

**Authority:** 17 U.S.C. 111(d)(4), 801, 803.

**Sec. 252.4 [Amended]**

23. Section 252.4(a)(1) is amended by removing the "." (period) after "SE".

**PART 256—ADJUSTMENT OF ROYALTY FEE FOR CABLE COMPULSORY LICENSE**

24. The authority citation for part 256 continues to read as follows:

**Authority:** 17 U.S.C. 702, 802.

**Sec. 256.2 [Amended]**

25. Section 256.2(b)(2) is amended by removing ["acutal"\*] and adding "actual" in its place.

**PART 257—FILING OF CLAIMS TO SATELLITE CARRIER ROYALTY FEES**

26. The authority citation for part 257 continues to read as follows:

**Authority:** 17 U.S.C. 119(b)(4).

**Sec. 257.4 [Amended]**

27. Section 257.4(a)(1) is amended by removing the "." (period) after "SE".

**PART 259—FILING OF CLAIMS TO DIGITAL AUDIO RECORDING DEVICES AND MEDIA ROYALTY PAYMENTS**

28. The authority citation for part 259 continues to read as follows:

**Authority:** 17 U.S.C. 1007(a)(1).

**Sec. 259.5 [Amended]**

29. Section 259.5(a)(1) is amended by removing the "." (period) after "SE".

**PART 260—USE OF SOUND RECORDINGS IN A DIGITAL PERFORMANCE**

30. The authority citation for part 260 continues to read as follows:

**Authority:** 17 U.S.C. 114, 801(b)(1).

**Sec. 260.2 [Amended]**

31. Section 260.2(c)(1)(v) is amended by removing "merchandise or anything or service of value is received by licensee" and adding in its place "merchandise, service, or anything of value is received by Licensee" in its place.

Dated: June 22, 2000.

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