

The precontroversy discovery period, as specified by § 251.45(b) of the CARP rules, begins on September 27, 1996. The purpose of this date is to mark the date by which all parties, including the Copyright Office, have in their possession a copy of each party's written direct case. Service of the written direct cases on all parties, and filing with the Copyright Office, must therefore take place on or before that date. It is recommended that each party serve and file its written direct case by hand to ensure timely receipt. Failure to submit a timely filed written direct case will result in dismissal of that party's case. Parties must comply with the form and content of written direct cases as prescribed in § 251.43.

After the filing of written direct cases, document production will proceed according to the above-described schedule. Each party may request underlying documents related to each of the other parties' written direct cases by October 7, 1996, and responses to those requests are due by October 11, 1996. Documents which are produced as a result of the requests must be exchanged by October 16, 1996. It is important to note that all initial document requests must be made by October 7, 1996. Thus, for example, if one party asserts facts that expressly rely on the results of a particular study that was not included in the written direct case, another party desiring production of that study must make its request by October 7; otherwise, the party is not entitled to production of the study.

The precontroversy discovery schedule also establishes deadlines for follow-up discovery requests. Follow-up requests are due by October 21, 1996. Any documentation produced as a result of a follow-up request must be exchanged by November 5, 1996. An example of a follow-up request would be as follows. In the above example, one party expressly relies on the statistics from a particular study, but the study itself is not included in its written direct case. As noted above, a party desiring production of that study or survey must make its request by October 7. If, after receiving a copy of the study, the reviewing party determines that the study heavily relies on the results of a statistical survey, it would be appropriate for that party to make a follow-up request for production of the statistical survey by the October 21 deadline. Again, failure to make a timely follow-up request would waive that party's right to request production of the survey.

In addition to the deadlines for document requests and production, there are two deadlines for the filing of

precontroversy motions. Motions related to document production must be filed by October 31, 1996. Typically, these are motions to compel production of requested documents for failure to produce them, but they may also be motions for protective orders. Finally, all other motions, petitions, and objections must be filed by November 12, 1996, the final day of the 45-day precontroversy discovery period. These motions, petitions, and objections include, but are not limited to, objections to arbitrators who are on the arbitrator list under 37 CFR 251.4, and petitions to dispense with formal hearings under 37 CFR 251.41(b).

Due to time limitations between procedural steps of the precontroversy discovery schedule, we are requiring that all discovery requests and responses to such requests be served by hand or sent by fax to the party to whom such response or request is directed.

Filing and service of all precontroversy motions, petitions, objections, oppositions, and replies shall be as follows. In order to be considered properly filed with the Librarian and/or Copyright Office, all pleadings must be brought to the Copyright Office at the following address no later than 5 p.m. of the filing deadline date: Office of the Register of Copyrights, Room 403, James Madison Memorial Building, 101 Independence Avenue, S.E., Washington, D.C. 20540. The form and content of all motions, petitions, objections, oppositions, and replies filed with the Office must be in compliance with 37 CFR 251.44(b)-(e). As provided in § 251.45(b), oppositions to any motions or petitions must be filed with the Office no later than seven business days from the date of filing of such motion or petition. Replies are due five business days from the date of filing of such oppositions. Service of all motions, petitions, objections, oppositions, and replies must be made on counsel or the parties by means no slower than overnight express mail on the same day the pleading is filed.

#### V. Initiation of Arbitration

Section 119(c)(3) provides that "[o]n or before January 1, 1997, the Librarian of Congress shall cause notice to be published in the Federal Register of the initiation of arbitration proceedings" for the purpose of adjusting satellite royalty rates. The Library has determined, through experience from prior CARP proceedings, that it needs roughly 45 days to rule on all precontroversy motions and petitions, as well as to assist in the timely selection of arbitrators. The Office recognizes that due to the holiday season it is unwise

to have the proceeding start earlier in December. Consequently, to reduce the potential for lost time, the 180-day arbitration period for adjustment of the section 119 satellite carrier compulsory license royalty rates will begin on December 31, 1996. The schedule of the arbitration proceeding will be established by the CARP after the three arbitrators have been selected. Delivery of the rate adjustment decision of the arbitrators to the Librarian, in accordance with 17 U.S.C. 802(e), must be no later than June 27, 1997.

Dated: June 5, 1996.  
Marilyn J. Kretsinger,  
*Acting General Counsel.*

Approved by:  
James H. Billington,  
*The Librarian of Congress.*  
[FR Doc. 96-14748 Filed 6-10-96; 8:45 am]  
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#### NATIONAL INSTITUTE FOR LITERACY [CFDA No. 84.2571]

##### Notice Inviting Applications for the Literacy Leader Fellowship Program

**AGENCY:** The National Institute for Literacy.

**PURPOSE:** To establish the Literacy Fellows Program to provide Federal financial assistance to individuals pursuing careers in adult education or literacy in the areas of instruction, management, research, or innovation and adult new learners. Under the program, career literacy workers and adult learners are applicants for fellowships.

*Deadline for Transmittal of Applications:* Applications must be submitted August 1, 1996. *Available Funds:* \$105,000.

*Estimated Range of Awards:* \$20,000-\$30,000.

*Estimated Average Size of Awards:* \$20,000.

*Estimated Number of Awards:* 5.

Note: The National Institute for Literacy is not bound by any estimates in this Notice.

##### *Project Period*

Projects will be no less than three nor more than 12 months of full-time activity or the equivalent in less than full-time participation.

##### *Applicable Regulations*

The regulations governing the National Institute for Literacy's Literacy Leader Fellows Program were published on July 11, 1995, in the Federal Register. Applications for Fiscal Year 1996 are being accepted on the basis of those regulations.

While the Institute is associated with the U.S. Departments of Education, Labor, and Health and Human Services, the specific policies and procedures of these agencies regarding rulemaking and administration of grants are not adopted by the Institute except as expressly stated in this Notice.

#### *Transmittal of Applications*

Five (5) copies of applications for award must be mailed or hand-delivered on or before the deadline date of August 1, 1996.

#### *Applications delivered by mail.*

Applications sent by mail must be addressed to: National Institute for Literacy, 800 Connecticut Avenue, NW, Suite 200, Washington, DC 20006, Attention: (CFDA#84.257I).

An applicant must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.

If an application is mailed through the U.S. Postal Service, the Institute does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with the local post office.

An applicant is encouraged to use registered, certified, or first class mail.

Each late applicant will be notified that his/her application will not be considered.

#### *Applications delivered by hand.*

Applications that are hand-delivered must be taken to the National Institute for Literacy, 800 Connecticut Avenue, NW., Suite 200, Washington, DC.

The Institute will accept hand-delivered applications between 8:30 a.m. and 4:30 p.m. (Washington, DC time) daily, except Saturdays, Sundays, and Federal holidays. Applications that are hand-delivered will not be accepted by the Institute after 4:30 p.m. on the due date.

The Institute will mail an Applicant Receipt Acknowledgment to each applicant within 15 days from the due date. If an applicant fails to receive the application acknowledgment, call the National Institute for Literacy at (202) 632-1525.

The applicant must indicate on the outside of the envelope the CFDA

number of the competition under which the application is being submitted.

#### *Application Forms*

The National Institute for Literacy has no application forms or prescribed format for the Literacy Leader Fellowship Program. Applicants must submit the following: a detailed budget, curriculum vitae or resume, a description of your proposal (up to 8 pages); and sufficient information, e.g., two letters of recommendations, to allow the Institute to determine the merits of the proposed activities and rate the application according to the criteria and any applicable priorities. Applicants are also required to submit the following assurances and certifications:

- (a) Assurances—Non-Construction Programs (Standard Form 424B).
- (b) Certification Regarding Lobbying: Debarment, Suspension, and other Responsibility Matters; and Drug-Free Workplace Requirements (ED90-0013).
- (c) Disclosure of Lobbying Activities (Standard Form LLL) (if applicable) and instructions.

The assurances, and certifications must each have an original signature. No award can be made unless these forms are submitted.

#### *Priorities*

(a) The Director invites applications for Literacy Leader Fellowships that meet the following priorities for 1996.

(b) The priorities for 1996 are major areas of concern in the literacy field that are currently being addressed in the Institute's work.

(c) An application may be awarded up to 5 bonus points for addressing a priority or priorities, depending on how well the application meets the priority or priorities.

(d) The publication of these priorities does not bind the Institute to fund only applications addressing priorities. The Director is especially interested in fellowship applications that address one or more of the priorities, but not to the exclusion of other significant issues that may be proposed by applicants.

(e) The priorities selected from the regulations for 1996 are as follows:

(1) Developing Leadership in Adult Learners. Because adult learners are the true experts on literacy, they are an important resource for the field. Their firsthand experience as "customers" of the literacy system can be invaluable in assisting the field in moving forward, particularly in terms of raising public awareness and understanding about literacy.

(2) Expanding the Use of Technology in Literacy Programs. One of the NIFL's

major projects is the Literacy Information and Communication System (LINCS), an Internet-based information system that provides timely information and abundant resources to the literacy community. Keeping the literacy community up to date in the Information Age is vital.

(3) Improving Accountability for Literacy Programs. Legislation that has passed both houses of the U.S. Congress emphasizes that literacy programs must develop accountability systems that demonstrate their effectiveness in helping adult learners contribute more fully in their workplace, family, and community. Assessing practices that focus on outcomes and disseminating information about promising activities that will help the literacy field best adapt to the requirements of the new legislation is a priority.

(4) Raising Public Awareness about Literacy. The NIFL is leading a national effort to raise public awareness that literacy is part of the solution to many social concerns, including the well-being of children, health, welfare, and the economy. Projects that enhance this effort will be given priority consideration.

#### **SUPPLEMENTARY INFORMATION:**

National Institute for Literacy:

National Educational Goal 6, which is now included in the Goals 2000 Educate America Act, puts forward an ambitious agenda for adult literacy and lifelong learning in America. To further this goal, the Congress passed Public Law 102-73, the National Literacy Act of 1991, which is the first piece of national legislation to focus exclusively on literacy. To overall intent of the Act, as stated, is:

"To enhance the literacy and basic skills of adults, to ensure that all adults in the United States acquire the basic skills necessary to function effectively and achieve the greatest possible opportunity in their work and in their lives and to strengthen and coordinate adult literacy programs."

In designing the Act, among the primary concerns shared by the Congress and literacy stakeholders was the fragmentation and lack of coordination among the many efforts in the field. To address these concerns, the Act created the National Institute for Literacy to:

(A) Provide a national focal point for research, technical assistance and research dissemination, policy analysis and program evaluation in the area of literacy; and

(B) Facilitate a pooling of ideas and expertise across fragmented programs and research efforts.

Among the Institute's authorized activities is the awarding of fellowships to outstanding individuals who are pursuing careers in adult education or literacy in the areas of instruction, management, research, or innovation. These fellowships are to be awarded for activities that advance the field of adult education and literacy.

**FOR FURTHER INFORMATION CONTACT:** Alice Johnson, National Institute for Literacy, 800 Connecticut Avenue, N.W., Suite 200, Washington, DC 20006. E-mail address [ajohnson@NIFL.gov](mailto:ajohnson@NIFL.gov), telephone: 202/632-1516, fax: 202/632-1512. To receive an application package, please contact Darlene McDonald at the same address, e-mail [dmcDonald@NIFL.gov](mailto:dmcDonald@NIFL.gov), telephone: 202/632-1525 or Fax: 202/632-1512.

#### Instructions for Estimated Public Reporting Burden

Under terms of the Paperwork Reduction Act of 1980, as amended, and the regulations implementing the Act, the National Institute for Literacy invites comment on the public reporting burden in this collection of information. Public reporting burden for this collection of information is estimated to average 40 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and disseminating the data needed, and completing and reviewing the collection of information. You may send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to the National Institute for Literacy, and the Office of Management and Budget, Paperwork Reduction Project, Washington, DC 20503. (Information collection approved under OMB control number 3200-0030, Expiration date: June 30, 1998).

Program Authority: 20 U.S.C. 1213(c).  
Andrew J. Hartman,  
*Director, National Institute for Literacy.*  
[FR Doc. 96-14720 Filed 6-10-96; 8:45 am]  
BILLING CODE 6055-01-M

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-397]

### Washington Public Power Supply System; Notice of Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 145 to Facility Operating License No. NPF-21 issued to

Washington Public Power Supply System (the Supply System, or the licensee), which revised the Technical Specifications for operation of the Nuclear Project No. 2, located in Benton County, Washington.

The amendment is effective as of the date of issuance.

The amendment revised the technical specifications to reflect the replacement of the existing reactor recirculation (RRC) flow control system with an adjustable speed drive (ASD) system. In addition, the proposed technical specification changes will reflect replacement of the existing analog-hydraulic flow control system with dual channel, variable frequency ASDs and a digital recirculation flow control system that would vary RRC flow by varying RRC pump speed.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings are required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment and Opportunity for Hearing in connection with this action was published in the Federal Register on March 4, 1996 (61 FR 8307). No request for a hearing or petition for leave to intervene was filed following this notice.

The Commission has prepared an Environmental Assessment related to the action and has determined not to prepare an environmental impact statement. Based upon the environmental assessment, the Commission has concluded that the issuance of this amendment will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see (1) the application for amendment dated October 26, 1995, as supplemented by letters dated March 12, 1996, May 8, 1996, and May 16, 1996, (2) Amendment No. 145 to License No. NPF-21, and (3) the Commission's related Safety Evaluation and Environmental Assessment. All of these items are available for public inspection at the Commission's Public Document Room, 2120 L Street N.W., and at the Richland Public Library, 955 Northgate Street, Richland, Washington 99352. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington D.C. 20555, Attention: Director, Division of Reactor Projects III/IV.

Dated at Rockville, Maryland, this 3rd day of June 1996.

For the Nuclear Regulatory Commission.  
Timothy G. Colburn,  
*Senior Project Manager, Project Directorate IV-2, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*  
[FR Doc. 96-14700 Filed 6-10-96; 8:45 am]  
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[Docket No. 50-397]

### Washington Public Power Supply System; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Washington Public Power Supply System (WPPSS, the licensee) to withdraw its June 6, 1995, application for proposed amendment to Facility Operating License No. NPF-21 for the WPPSS Nuclear Project, Unit No. 2, located on the Hanford Reservation in Benton County, Washington.

The proposed amendment would have revised the technical specifications (TS) to add references to three topical reports describing analytical methods that may be used in determining reactor core operating limits for reload licensing applications.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the Federal Register on July 19, 1995 (60 FR 37101). However, by letter dated April 24, 1996, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 6, 1995, and the licensee's letter dated April 24, 1996, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, DC, and at the local public document room located at the Richland City Library, 955 Northgate Street, Richland, Washington 99352.

Dated at Rockville, Maryland, this 4th day of June 1996.

For the Nuclear Regulatory Commission.  
Timothy G. Colburn,  
*Senior Project Manager, Project Directorate IV-2, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*  
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