

NISMART-3. The great majority of these will have no stereotypical kidnapping cases during the 1-year timeframe of the survey and OJJDP estimates the average time to complete the mail screener to be 15 minutes ($2,836 \times 15 \text{ minutes} = 709.05 \text{ hours}$), 1,891 will not respond by mail ($1,891 \times 3 \text{ minutes} = 94.54 \text{ hours}$). OJJDP estimates that 1,229 (26 percent) of the law enforcement agencies will complete the mail screener by telephone, based on the percentage of mail screeners completed by telephone in NISMART-3. OJJDP estimates that the time to complete the screener by telephone will be 4 minutes ($1,229 \times 4 \text{ minutes} = 81.9 \text{ hours}$), and 662 will not respond ($662 \times 3 \text{ minutes} = 33.1 \text{ hours}$). OJJDP estimates that 204 cases will be identified that appear to meet the definition of a qualifying stereotypical kidnapping case. The estimate is based on the number of cases identified in NISMART-3 for telephone followup from the mail screener and searches of other databases. Investigators of these cases will be asked to complete the online survey about case details. OJJDP estimates that 161 (79 percent) of the law enforcement officers will complete the case detail online instrument (estimate again based on the percentage of investigators who completed this component for NISMART-3) with 145 (90 percent) completing online. OJJDP estimates that the instrument will take an average of 40 minutes to complete ($145 \times 40 \text{ minutes} = 96.6 \text{ hours}$), 59 will not respond online ($59 \times 3 \text{ minutes} = 2.95 \text{ hours}$). OJJDP estimates that 16 (10 percent) of the 161 law enforcement officers who complete the detailed case survey will do it via telephone interview and that the interview will take 60 minutes ($16 \times 60 \text{ minutes} = 16 \text{ hours}$), and that 43 will not respond ($43 \times 3 \text{ minutes} = 2.15 \text{ hours}$). OJJDP estimates the time for NCMEC and state MCCs database administrators to conduct a database search of any stereotypical kidnapping cases in their states to be 4 hours and expect that all NCMEC and the state MCCs in the 49 states where the sampled PSUs are located will participate ($50 \times 4 \text{ hour} = 200 \text{ hours}$). The total amount of time for the National LES-SK study is 1,236.5 hours.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 1,712 total burden hours (1,259 hours for law enforcement investigators and 453 hours for NCMEC and MCC database administrators) associated with the three pilot studies and the national LES-SK study.

If additional information is required contact: Melody Braswell, Department

Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: January 30, 2019.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

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DEPARTMENT OF JUSTICE

U.S. Marshals Service

[OMB Number 1105-0097]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension with No Changes, of a Previously Approved Collection; Leased/Charter/Contract Personnel Expedited Clearance Request

AGENCY: U.S. Marshals Service, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice (DOJ), U.S. Marshals Service (USMS), will submit the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection was previously published in the **Federal Register** on November 1, 2018, allowing for a 60-day comment period.

DATES: Comments are encouraged and will be accepted for an additional 30 days until March 6, 2019.

FOR FURTHER INFORMATION CONTACT: If you have additional comments, particularly with respect to the estimated public burden or associated response time, have suggestions, need a copy of the proposed information collection instrument with instructions, or desire any other additional information, please contact Nicole Timmons either by mail at CG-3, 10th Floor, Washington, DC 20530-0001, by email at Nicole.Timmons@usdoj.gov, or by telephone at 202-236-2646. Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to OIRA_submissions@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning

the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; 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.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension with No Change, of a Currently Approved Collection.

(2) *The Title of the Form/Collection:* Leased/Charter/Contract Personnel Expedited Clearance Request.

(3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* Form number: USM-271. Component: U.S. Marshals Service, U.S. Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Abstract: This form is used to be completed by people applying to become contract personnel. It is required so that USMS can perform an expedited background check before workers may be hired to transport USMS and Bureau of Prisons prisoners.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An estimated 180 respondents will utilize the form, and it will take each respondent approximately 5 minutes to complete the form.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated annual public burden associated with this collection is 15 hours. It is estimated that applicants will take 5 minutes to complete a Form USM-271. In order to calculate the public burden for Form USM-271, USMS multiplied 5 by 180 and divided

by 60 (the number of minutes in an hour), which equals 15 total annual burden hours.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: January 30, 2019.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. 2019-2]

Copyright Restoration of Works in Accordance with the Uruguay Round Agreements Act

AGENCY: U.S. Copyright Office, Library of Congress.

ACTION: Publication of list identifying copyrights restored under the Uruguay Round Agreements Act for which a Notice of Intent to Enforce restored copyrights was filed in the U.S. Copyright Office.

SUMMARY: The U.S. Copyright Office is publishing a list of works for which it has received and processed a Notice of Intent to Enforce copyrights restored under the Uruguay Round Agreements Act. The Office is required by law to publish such lists to provide a public record of works in which copyrights have been restored and whose owners have notified the Office of their intent to enforce those copyrights. In addition, publication triggers the statutory 12-month grace period within which reliance parties may continue to exploit existing copies of the identified works.

DATES: February 4, 2019.

FOR FURTHER INFORMATION CONTACT:

Regan A. Smith, General Counsel and Associate Register of Copyrights, at regans@copyright.gov; or Kevin R. Amer, Senior Counsel for Policy and International Affairs, at kamer@copyright.gov. Each may be reached by telephone at 202-707-8350.

SUPPLEMENTARY INFORMATION:

I. Background

The Uruguay Round Agreements Act (“URAA”) ¹ provides for the restoration

of copyright in certain works of foreign origin that previously were in the public domain in the United States. Enacted in 1994 to implement U.S. obligations under the Agreement on Trade-Related Aspects of Intellectual Property Rights (“TRIPS”) of the World Trade Organization (“WTO”), the URAA extends copyright to works that are protected in nations adhering to certain international copyright agreements to which the United States is a party, but that were unprotected in the United States for any of three reasons: (1) Noncompliance with formalities imposed at any time by United States copyright law, including failure of renewal, publishing the work without a proper notice, or failure to comply with any manufacturing requirements; (2) lack of subject matter protection in the case of sound recordings fixed before February 15, 1972; or (3) lack of national eligibility (*i.e.*, the work is from a country with which the United States did not have copyright relations at the time of the work’s publication).² A work meeting these criteria is protected “for the remainder of the term of copyright that the work would have otherwise been granted in the United States if the work never entered the public domain in the United States.”³

Under the URAA, copyright in restored works vests automatically on the date of restoration.⁴ That date was January 1, 1996, if the work’s source country was already a member of the WTO or the Berne Convention for the Protection of Literary and Artistic Works (“Berne Convention”) as of that date. Otherwise, the date of restoration is the earliest of (1) the date the source country becomes a WTO member, (2) the date of the country’s adherence to the Berne Convention, the WIPO Copyright Treaty, or the WIPO Performances and Phonograms Treaty, or (3) the date when the President issues a proclamation extending copyright restoration to that country.⁵ For a published work, the “source country” is the eligible country in which the work is first published or, in the case of a work published on the same day in multiple countries, the eligible country with the most significant contacts with the work.⁶ For an unpublished work, the source country is (1) the eligible country in which the author or rightholder is a national or domiciliary, (2) if the work has multiple authors or rightholders, the country in which the

majority of foreign authors or rightholders are nationals or domiciliaries, or (3) the nation other than the United States with the most significant contacts with the work, in cases where the majority of authors or rightholders are not foreign.⁷

Although the copyright owner may immediately enforce the restored copyright against individuals who infringe his or her rights on or after the date of restoration, the copyright owner’s right to enforce the restored copyright is delayed against “reliance parties.” Typically, a reliance party is one who was already using the work before the source country became eligible for copyright restoration.⁸ Before a copyright owner can enforce a restored copyright against a reliance party, the copyright owner must file a Notice of Intent to Enforce the copyright (“NIE”) with the Copyright Office or serve an NIE on such a party.⁹ Thereafter, reliance parties may continue to exploit existing copies of the work for a twelve-month grace period.¹⁰

An NIE may be filed in the Copyright Office within twenty-four months after the date of restoration of copyright.¹¹ NIEs appropriately filed with the Copyright Office and published in the **Federal Register** serve as constructive notice to all reliance parties.¹² Alternatively, an owner may serve an NIE on an individual reliance party at any time after the date of restoration.¹³ Such notices, however, are effective only against the party served and other reliance parties who have actual knowledge of the notice and its contents.¹⁴

The Copyright Office is directed to “publish in the **Federal Register**, commencing not later than 4 months after the date of restoration for a particular nation and every 4 months thereafter for a period of 2 years, lists identifying restored works and the ownership thereof if a notice of intent to enforce a restored copyright has been filed.”¹⁵ The Office does not research the facts stated in an NIE to determine whether a work is or is not eligible for restoration or whether the submitter has asserted a valid claim of copyright ownership. Nor does the Office adjudicate between competing parties who have filed NIEs for the same

⁷ *Id.* 104A(h)(8)(B).

⁸ *Id.* 104A(h)(4).

⁹ *Id.* 104A(d)(2).

¹⁰ *Id.* 104A(d)(2)(A)(ii), (B)(iii).

¹¹ *Id.* 104A(d)(2)(A)(i).

¹² *Id.* 104A(c).

¹³ *Id.* 104A(e)(2)(A).

¹⁴ *Id.* 104A(c).

¹⁵ *Id.* 104A(e)(1)(B)(i).

² 17 U.S.C. 104A(h)(6).

³ *Id.* 104A(a)(1)(B).

⁴ *Id.* 104A(a)(1)(A).

⁵ *Id.* 104A(h)(1)–(2).

⁶ *Id.* 104(h)(8)(C).

¹ Public Law 103-465, 108 Stat. 4809 (1994).