

voluntary self-audits at the initiation of an enforcement inspection;

(b.) It contains a safe-harbor provision under which, if an employer is responding in good faith to a violative condition identified in a voluntary self-audits report, and OSHA discovers the violation during an enforcement inspection, OSHA will not treat that portion of the report as evidence of willfulness;

(c.) It describes how an employer's response to a voluntary self-audits may be considered evidence of good faith, qualifying the employer for a substantial civil penalty reduction, when OSHA determines a proposed penalty. See 29 U.S.C. 666(j). Under this section of the Act, a proposed penalty for an alleged violation is calculated giving due consideration to the good faith of the employer.

B. Definitions

1. "Self-Audit" means a systematic, documented, and objective review by an employer of its operations and practices related to meeting the requirements of the Occupational Safety and Health Act.

(a.) "Systematic" means that the self-audit is part of a planned effort to prevent, identify, and correct workplace safety and health hazards. A systematic self-audit is designed by the employer to be appropriate to the scope of hazards it is aimed at discovering, and to provide an adequate basis for corrective action;

(b.) "Documented" means that the findings of the self-audit are contemporaneously recorded and maintained by the employer;

(c.) "Objective" means that the self-audit is conducted by or under the direction of a safety and health professional who is competent to identify workplace safety and health hazards, given the scope and complexity of the processes under review.

2. "Voluntary" means that the self-audit is not required by statute, rule, order, or settlement agreement. Voluntary self-audits may assess compliance with substantive legal requirements (e.g., an audit to assess overall compliance with the general machine guarding requirement in 29 CFR 1910.212).

3. "Voluntary self-audit report" means the written information, analyses, conclusions, and recommendations resulting from a voluntary self-audit, but does not include matters required to be disclosed to OSHA by the records access rule, 29 CFR 1910.1020, or other rules.

4. "Good faith" response means an objectively reasonably, timely, and diligent effort to comply with the

requirements of the Act and OSHA standards.

C. OSHA Use of Voluntary Self-Audit Reports

1. No Routine Initial Request for Voluntary Self-Audit Reports

(a.) OSHA will not routinely request voluntary self-audit reports at the initiation of an inspection. OSHA will not use such reports as a means of identifying hazards upon which to focus inspection activity.

(b.) However, if the agency has an independent basis to believe that a specific safety or health hazard warranting investigation exists, OSHA may exercise its authority to obtain the relevant portions of voluntary self-audit reports relating to a hazard.

2. Safe Harbor—No Use of Voluntary Self-Audit Reports as Evidence of Willfulness

A violation is considered willful if the employer has intentionally violated a requirement of the Act, shown reckless disregard for whether it was in violation of the Act, or demonstrated plain indifference to employee safety and health. Consistent with the prevailing law on willfulness, if an employer is responding in good faith to a violative condition discovered through a voluntary self-audit and OSHA detects the condition during an inspection, OSHA will not use the voluntary self-audit report as evidence that the violation is willful.

This policy is intended to apply when, through a voluntary self-audit, the employer learns that violative conditions exist and promptly takes diligent steps to correct the violative conditions and bring itself into compliance, while providing effective interim employee protection, as necessary.

3. Good Faith Penalty Reduction

Under the OSH Act, an employer's good faith normally reduces the amount of penalty that otherwise would be assessed for a violation. 29 U.S.C. 666(j). OSHA's FIRM provides up to a 25% penalty reduction for employers who have implemented a safety and health program, including voluntary self-audits. OSHA will treat a voluntary self-audit that results in prompt action to correct violations found, in accordance with paragraph C.2. above, and appropriate steps to prevent similar violations, as strong evidence of an employer's good faith with respect to the matters covered by the voluntary self-audit. This policy does not apply to repeat violations.

D. Federal Program Change

This policy statement describes a Federal OSHA Program change for which State adoption is not required; however, in the interest of national consistency, States are encouraged to adopt a similar policy regarding voluntary self-audits.

This document was prepared under the direction of Charles N. Jeffress, Assistant Secretary for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 30th day of September 1999.

Charles N. Jeffress,

Assistant Secretary of Labor.

[FR Doc. 99-25956 Filed 10-5-99; 8:45 am]

BILLING CODE 4510-26-M

LIBRARY OF CONGRESS

Copyright Office

[Docket No. RM 98-9A]

Privacy Act of 1974: Current Systems of Records

AGENCY: Copyright Office, Library of Congress.

ACTION: Amendments.

SUMMARY: This document makes corrections to the Copyright Office's Notice of Current Systems of Records published in the **Federal Register** on Monday, September 28, 1998, as well as adding four new systems of records maintained by the Copyright Office related to appeals of Office decisions and notices filed with the Office. The entire current list of systems of records is available on the Copyright Office's website.

DATES: Comments are due on or before November 5, 1999. The changes made are effective November 22, 1999, unless the Copyright Office publishes notice to the contrary.

FOR FURTHER INFORMATION CONTACT: Marilyn J. Kretsinger, Assistant General Counsel, or Patricia L. Sinn, Senior Attorney. Telephone: (202) 707-8380. Fax: (202) 707-8366.

ADDRESSES: Interested persons should submit ten (10) copies of their written comments, if BY MAIL, to: Marilyn J. Kretsinger, Assistant General Counsel, Copyright GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024. If delivered BY HAND, ten (10) copies should be brought to: Office of the General Counsel, James Madison Memorial Building, Room LM-403, 101 Independence Avenue, SE, Washington, DC 20540.

SUPPLEMENTARY INFORMATION: On September 28, 1998, the Copyright Office published its most recent system of records as required by the Privacy Act of 1974 (5 U.S.C. 552 a(e)(4)). It noted that the list would be effective November 1, 1998, unless the Office published notice to the contrary. The Office received no comments about the notice from the public and the list went into effect. The Office is, however, now amending information contained in the list as last published concerning records maintained on the agreements between the Library of Congress and copyright owners of motion pictures and is also amending the notification procedures for several systems in order to establish the same procedure for accessing all systems. During the last year, the Office has also developed four additional systems of records that are now being added to the overall list.

Categories being added to the list include appeals of the Office's refusal to register a claim submitted by a copyright claimant; records concerning an online service provider's designation of an agent; records related to initial notices of digital transmissions of sound recordings; and records of notice of designation as a collective. These additional systems will become effective 45 days after publication of this document in the **Federal Register** unless the Office publishes notice to the contrary within 30 days after publication. The Office also notes that in the future it will only publish specific amendments, deletions, or additions to the list of current systems of records in the **Federal Register**, but it will maintain online the entire current system of records and make this list available to any member of the public who requests it.

I. Revisions to Systems of Records

A. Table of Contents

1. Amend the Table of Contents as follows: Redesignate "CO-28—Litigation Statement Authorization File" as "CO-31—Litigation Statement Authorization File" and add three additional systems of records to read as follows: "CO-28—Initial Notice of Digital Transmission of Sound Recordings Under Statutory License"; "CO-29—Notice of Designation as Collective Under Statutory License Notices"; and "CO-30—Online Service Provider Designation of Agents File"; after the new CO-31, add "CO-32—Copyright Office Appeal Decisions".

B. Systems of Records

2. Amend "CO-5" to read as follows:

CO-5

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SYSTEM LOCATION:

Motion Picture, Broadcasting, and Recorded Sound Division, Library of Congress, Washington, DC 20559-6000.

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ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The Library of Congress uses these records to determine if it has a Motion Picture Agreement with the depositor of a motion picture. If the Library has such an agreement, the copy of the motion picture submitted will be returned to the remitter if a written request has been made. In the absence of such an agreement, the Motion Picture, Broadcasting, and Recorded Sound Division of the Library of Congress will retain the copy.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The Agreements are retained and are publicly available in the Motion Picture Reading Room, Motion Picture, Broadcasting, and Recorded Sound Division, Room LM 338, James Madison Building, Library of Congress, Washington, D.C. 20540-4690.

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SYSTEM MANAGER(S) AND ADDRESS:

Reference Assistant, Motion Picture, Broadcasting, and Recorded Sound Division, Room LM 338, James Madison Building, Library of Congress, Washington, DC 20540-4690.

3. In CO-1 through CO-28 revise the "NOTIFICATION PROCEDURE" to read as follows:

NOTIFICATION PROCEDURE:

Inquiries about a record should be in writing addressed to the Supervisory Copyright Information Specialist, GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024.

II. Redesignation and Addition of Systems of Records

4. Redesignate System of Record CO-28 as CO-31 and add new Systems of Records CO-28, CO-29, CO-30 and CO-32 to read as follows:

CO-28

SYSTEM NAME:

Initial Notice of Digital Transmission of Sound Recordings under Statutory License.

SYSTEM LOCATION:

Copyright Office, Library of Congress, Washington, DC 20559-6000.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Entities engaged in the digital transmission of sound recordings pursuant to statutory license.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name of service, address of the service, telephone number, facsimile number, website address of service, name and title of an authorized representative of the service, signature of the authorized representative, and date of signature.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

17 U.S.C. 114(f)(4)(A).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records of notices of digital transmissions of sound recordings are useful to copyright owners of sound recordings who wish to monitor the use of their works by digital transmission services.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Folders in a file cabinet and binders. Information available through Copyright Office homepage.

RETRIEVABILITY:

Initial notices are indexed by service name.

SAFEGUARDS:

The records are maintained in a room which is restricted to authorized personnel and locked during nonworking hours.

RETENTION AND DISPOSAL:

Retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Licensing Division, Copyright Office, Library of Congress, Washington, DC 20557-6400.

NOTIFICATION PROCEDURE:

Inquiries about a Service's record should be in writing addressed to the Supervisory Copyright Information Specialist, GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024.

RECORD ACCESS PROCEDURES:

Requests from individuals should be in writing and addressed to the official designated under "Notification Procedure."

CONTESTING RECORD PROCEDURES:

See rules published in 37 CFR part 204.

RECORD SOURCE CATEGORIES:

Authorized agent of service to which record pertains.

CO-29**SYSTEM NAME:**

Notice of Designation as Collective under Statutory License.

SYSTEM LOCATION:

Copyright Office, Library of Congress, Washington, DC 20559-6000.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Collectives designated under a statutory license to collect and distribute royalty funds.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name of collective, address of the collective, telephone number, facsimile number, website address of collective, and statement of authorization.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

17 U.S.C. 114(f)(4)(A).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records of notice of designation as collective are useful to the services which make digital transmissions of the sound recordings.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Folders in a file cabinet and binders. Information available through Copyright Office homepage.

RETRIEVABILITY:

Initial notices are indexed by name of collective.

SAFEGUARDS:

The records are maintained in a room which is restricted to authorized personnel and locked during nonworking hours.

RETENTION AND DISPOSAL:

Retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Licensing Division, Copyright Office, Library of Congress, Washington, DC 20557-6400.

NOTIFICATION PROCEDURE:

Inquiries about a Service's record should be in writing addressed to the Supervisory Copyright Information Specialist, GC/I&R, P.O. Box 70400,

Southwest Station, Washington, DC 20024.

RECORD ACCESS PROCEDURES:

Requests from individuals should be in writing and addressed to the official designated under "Notification Procedure."

CONTESTING RECORD PROCEDURES:

See rules published in 37 CFR part 204.

RECORD SOURCE CATEGORIES:

Authorized agent of service to which record pertains.

CO-30**SYSTEM NAME:**

OnLine Service Provider Designation of Agent File.

SYSTEM LOCATION:

Copyright Office, Library of Congress, Washington, DC 20559-6000.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Designated agents of online service providers that receive notification of infringement by service providers.

CATEGORIES OF RECORDS IN THE SYSTEM:

Included in this file are documents that include: (1) The name, address, telephone number, and electronic mail address of a service provider's agent; and (2) other contact information the Register of Copyrights deems appropriate.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

17 U.S.C. 701, 702, 705.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The Office uses these records to maintain a record of agents of online service providers who should receive any notification of a claimed infringement which may afford a service provider limited liability under the copyright law.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE AND RETRIEVABILITY:**

Binders in the Public Information Office in the Information and Reference Division in the Copyright Office, Library of Congress. Also available online on the Copyright Office's web page.

SAFEGUARDS:

These records are maintained by the Public Information Office, in a secure room monitored by authorized personnel and locked during nonworking hours. Hours of operation

of the Public Information Office are 8:30 a.m.-5 p.m., Monday through Friday (except holidays).

RETENTION AND DISPOSAL:

Records are retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Section Head, Information Section, Information and Reference Division, Copyright Office, Library of Congress, Washington, DC 20559-6000.

NOTIFICATION PROCEDURE:

Inquiries about the decisions in this file should be in writing addressed to the Supervisory Copyright Information Specialist, GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024.

RECORD ACCESS PROCEDURES:

Requests from individuals should be in writing addressed to the official designated under "Notification Procedure."

CONTESTING RECORD PROCEDURES:

See rules published in 37 CFR part 204.

RECORD SOURCE CATEGORIES:

Individuals to whom the party pertains.

CO-32**SYSTEM NAME:**

Copyright Office Appeal Decisions.

SYSTEM LOCATION:

Copyright Office, Library of Congress, Washington, DC 20559-6000.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants or their representatives who have appealed the Office's decision not to register claims submitted for copyright registration.

CATEGORIES OF RECORDS IN THE SYSTEM:

Included in this file are: (1) Copies of letters written by designated Examining Division personnel who review decisions to refuse to register a claim after the applicant or his or her representative has filed a petition for reconsideration of the Examining Division's initial denial of registration; and (2) copies of the final decisions issued by the Copyright Office Appeals Board after reexamination of an applicant's file upon a second request for reconsideration of the Office's refusal to register a claim.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

17 U.S.C. 701, 705.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The Office uses these records to maintain a record of decisions made by the Examining Division and the Copyright Office Appeals Board when an applicant seeks reconsideration of the Office's refusal to register his or her claims to copyright.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Binders in the Public Information Office in the Information and Reference Division in the Copyright Office, Library of Congress.

RETRIEVABILITY:

Documents are maintained in two categories, the first being Examining Division responses to initial requests for reconsideration of a refusal to register a claim, and the second being the Appeals Board's final decisions upon a second request for reconsideration of a claim. Each set of documents is retained in chronological order by the date of the correspondence in which the Office sends responses to the applicant or his or her agent.

SAFEGUARDS:

These records are maintained in the Public Information Office, a room monitored by authorized personnel and locked during nonworking hours. Hours of operation of the Public Information Office are 8:30 a.m.–5p.m., Monday through Friday (except holidays).

RETENTION AND DISPOSAL:

Records are retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Section Head, Information Section, Information and Reference Division, Copyright Office, Library of Congress, Washington, DC 20559-6000.

NOTIFICATION PROCEDURE:

Inquiries about the decisions in this file should be in writing addressed to the Supervisory Copyright Information Specialist, GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024.

RECORD ACCESS PROCEDURES:

Requests from individuals should be in writing addressed to the official designated under "Notification Procedure."

CONTESTING RECORD PROCEDURES:

See rules published in 37 CFR part 204.

RECORD SOURCE CATEGORIES:

Individuals to whom the record pertains, and Copyright Office records.

Marilyn J. Kretsinger,

Assistant General Counsel.

[FR Doc. 99-25449 Filed 10-5-99; 8:45 am]

BILLING CODE 1410-30-P

MEDICARE PAYMENT ADVISORY COMMISSION

Commission Meeting

AGENCY: Medicare Payment Advisory Commission.

ACTION: Notice of meeting.

SUMMARY: The Commission will hold its next public meeting on Thursday, October 14, 1999 and Friday, October 15, 1999 at the Embassy Suites Hotel, 1250 22nd Street, NW, Washington, DC. The meeting is tentatively scheduled to begin at 10:00 a.m. on October 14, and 9:00 a.m. on October 15.

The Commission will discuss Medicare survey and certification issues, PRO 6th scope of work, mechanisms for improving and safeguarding quality, ESRD quality issues, outpatient therapy services, home health, prospective payment systems for rehabilitation and long-term hospitals, BBA impact on SNF utilization patterns, geographic variation in Medicare fee-for-service spending and payments to Medicare+Choice plans, payment adequacy for hospital services, DSH payments, APC systems for hospital outpatient departments, and payments to teaching hospitals.

Agendas will be mailed on Monday, October 4, 1999. The final agenda will be available on the Commission's website (www.MedPAC.gov).

ADDRESSES: MedPAC's address is: 1730 K Street, NW, Suite 800, Washington, DC 20006. The telephone number is (202) 653-7220.

FOR FURTHER INFORMATION CONTACT: Diane Ellison, Office Manager, (202) 653-7220.

SUPPLEMENTARY INFORMATION: If you are not on the Commission's mailing list and wish to receive an agenda, please call (202) 653-7220.

Murray N. Ross,

Executive Director.

[FR Doc. 99-26031 Filed 10-5-99; 8:45 am]

BILLING CODE 6820-BW-M

NATIONAL CREDIT UNION ADMINISTRATION

Notice of Meetings; Sunshine Act

TIME AND DATE: 1:30 p.m., Wednesday, October 6, 1999.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, Virginia 22314-3428.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Final Rule: Amendments to Part 741, NCUA's Rules and Regulations, Insurance Premium and One Percent Deposit.
2. National Credit Union Share Insurance Fund (NCUSIF) Dividend for 1999 & NCUSIF Insurance Premium for 2000.
3. Final Rule: Amendment to Part 701, NCUA's Rules and Regulations, Statutory Liens.
4. Appeal from a Federal Credit Union of the Regional Director's Denial of a Field of Membership Expansion Request.
5. Notice of Changes to Federal Credit Union Bylaws.
6. Proposed Rule: Amendment to Part 714, NCUA's Rules and Regulations, Leasing.
7. Proposed Rule: Amendments to Parts 724 and 745, NCUA's Rules and Regulations, Individual Retirement Accounts in Several U.S. Territories and Possessions.
8. Personal Computer Procurement for FY 2000.

RECESS: 2:45 p.m.

TIME AND DATE: 3:00 p.m., Wednesday, October 6, 1999.

PLACE: Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, Virginia 22314-3428.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Field of Membership Appeal. Closed pursuant to exemption (8).
2. Modification of NCUA's Indemnification Policy. Closed pursuant to exemptions (2) and (6).

FOR FURTHER INFORMATION CONTACT: Becky Baker, Secretary of the Board, Telephone (703) 518-6304.

Becky Baker,

Secretary of the Board.

[FR Doc. 99-26166 Filed 10-4-99; 12:08 pm]

BILLING CODE 7535-01-M