

Federal, State, and local officials may submit written comments and accompanying data as described in **ADDRESSES**, above. Comments regarding specific CBRS unit(s) should reference the appropriate unit number(s) and unit name(s). Please note that boundary modifications through the 5-year review process can only be made to reflect changes that have occurred in the size or location of any CBRS unit as a result of natural forces. Other requests for changes to the CBRS outside of the Service's administrative authorities (16 U.S.C. 3503(c)–(d)) will not be considered at this time. We must receive comments on or before the date listed above in **DATES**.

The draft revised boundaries may be viewed in a web mapping application accessed from the Service's website at <https://www.fws.gov/project/cbrs-5-year-review>. A shapefile of the draft revised CBRS boundaries, which can be used with GIS software, is also available for download. The shapefile is best viewed using the base imagery to which the boundaries were drawn; the base imagery sources and dates are included in the metadata for the shapefile. The Service is not responsible for any misuse or misinterpretation of the shapefile.

Interested parties who are unable to access the draft revised boundaries or other information online may contact the individual identified in **FOR FURTHER INFORMATION CONTACT**, above, and reasonable accommodations will be made.

Next Steps

Following the close of the comment period, the Service will review all comments received on the draft revised boundaries; adjust the boundaries, as appropriate; prepare final revised maps; and publish a notice in the **Federal Register** to announce the availability of the final revised maps. The revised maps will take effect upon the date of publication of that notice in the **Federal Register**.

Authority

Coastal Barrier Resources Act (CBRA); 16 U.S.C. 3501 *et seq.*

Gary Frazer,

Assistant Director for Ecological Services.

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DEPARTMENT OF THE INTERIOR

Bureau of Ocean Energy Management

[Docket No. BOEM–2023–0047]

Notice of Availability of a Joint Record of Decision for the Proposed Coastal Virginia Offshore Wind Commercial Project

AGENCY: Bureau of Ocean Energy Management (BOEM), Interior; National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Record of decision (ROD); notice of availability.

SUMMARY: BOEM announces the availability of the joint ROD on the Final Environmental Impact Statement (EIS) for the construction and operations plan (COP) submitted by Virginia Electric and Power Company (dba Dominion Energy) for its proposed Coastal Virginia Offshore Wind Commercial Project (Project), offshore Virginia Beach, Virginia. The joint ROD includes the Department of the Interior's (DOI) decision regarding the COP and NMFS' plans for decision, pending completion of all statutory processes, regarding Dominion Energy's requested Incidental Take Regulations (ITR) and an associated Letter of Authorization (LOA) under the Marine Mammal Protection Act (MMPA). NMFS has adopted the final EIS to support its decision of whether or not to issue the requested ITR under the MMPA. The joint ROD concludes the National Environmental Policy Act process for each agency.

ADDRESSES: The joint ROD and associated information are available on BOEM's website at <https://www.boem.gov/renewable-energy/state-activities/CVOW-C>.

FOR FURTHER INFORMATION CONTACT: For information related to BOEM's action, contact Jessica Stromberg, BOEM Office of Renewable Energy Programs, 45600 Woodland Road, VAM–OREP, Sterling, Virginia 20166, (703) 787–1730, or jessica.stromberg@boem.gov; For information related to NMFS' action, contact Katherine Renshaw, NOAA Office of General Counsel, (302) 515–0324.

SUPPLEMENTARY INFORMATION: Dominion Energy seeks approval to construct, operate, and maintain the Project: a wind energy facility and the associated export cables on the Outer Continental Shelf (OCS) offshore Virginia. The Project would be developed within the range of design parameters outlined in

the COP, subject to applicable mitigation measures.

The Project as proposed in the COP would include up to 202 wind turbine generators (WTGs); 3 offshore, high voltage, alternating current substations; inter-array cables linking the individual turbines to the offshore substations; substation interconnector cables linking the substations to each other; offshore export cables; an onshore export cable system; an onshore switching station north of Harpers Road (Harpers Switching Station) or north of Princess Anne Road (Chicory Switching Station) in Virginia Beach, Virginia; and an overhead power line connection to the existing electrical grid at the Fentress Substation in Chesapeake, Virginia.

The WTGs, offshore substations, inter-array cables, and substation interconnector cables would be located on the OCS approximately 24 nautical miles (27 statute miles) east of Virginia Beach, Virginia, within the area defined by Renewable Energy Lease OCS–A–0483. The offshore export cables would be buried below the seabed surface on the OCS and Commonwealth of Virginia-owned submerged lands. The onshore export cables, substations, and grid connections would be located in Princess Anne County, Virginia.

After carefully considering public comments on the draft EIS and the alternatives described and analyzed in the final EIS, DOI selected Alternative B, "Revised Layout to Accommodate the Fish Haven and Navigation," in combination with Alternative D–1, "Onshore Habitat Impact Minimization Alternative." This combination of alternatives B and D–1 is the preferred alternative identified in the final EIS. The anticipated mitigation, monitoring, and reporting requirements, which will be included in BOEM's COP approval as terms and conditions, are included in the ROD, which is available at: <https://www.boem.gov/renewable-energy/state-activities/CVOW-C>.

NMFS has adopted BOEM's final EIS to support its decision of whether or not to promulgate the requested ITR and issue the associated LOA to Dominion Energy. NMFS' final decision of whether or not to promulgate the requested ITR and issue the LOA will be documented in a separate Decision Memorandum prepared in accordance with internal NMFS policy and procedures. The final ITR and a notice of issuance of the LOA, if issued, will be published in the **Federal Register**. The LOA would authorize Dominion Energy to take small numbers of marine mammals incidental to Project construction and would set forth permissible methods of incidental

taking; means of affecting the least practicable adverse impact on the species and their habitat; and requirements for monitoring and reporting. Pursuant to section 7 of the Endangered Species Act, NMFS issued a final Biological Opinion to BOEM on September 18, 2023, evaluating the effects of the proposed action on ESA-listed species. The proposed action in the Biological Opinion includes the associated permits, approvals, and authorizations that may be issued.

Authority: National Environmental Policy Act of 1969, as amended, (42 U.S.C. 4321 *et seq.*); 40 CFR 1505.2.

Karen Baker,

Chief, Office of Renewable Energy Programs,
Bureau of Ocean Energy Management.

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OFFICE OF MANAGEMENT AND BUDGET

Request for Comments on Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence Draft Memorandum

AGENCY: Office of Management and Budget.

ACTION: Notice of public comment period.

SUMMARY: The Office of Management and Budget (OMB) is seeking public comment on a draft memorandum titled *Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence (AI)*. As proposed, the memorandum would establish new agency requirements in areas of AI governance, innovation, and risk management, and would direct agencies to adopt specific minimum risk management practices for uses of AI that impact the rights and safety of the public. The full text of the draft memorandum is available for review at <https://www.ai.gov/input> and <https://www.regulations.gov>.

DATES: Written comments must be received on or before December 5, 2023.

ADDRESSES: Please submit comments via <https://www.regulations.gov>, a Federal website that allows the public to find, review, and submit comments on documents that agencies have published in the **Federal Register** and that are open for comment. Simply type “OMB-2023-0020” in the search box, click “Search,” click the “Comment” button underneath “Request for Comments on Advancing Governance, Innovation, and Risk Management for Agency Use of

Artificial Intelligence Memorandum,” and follow the instructions for submitting comments. The OMB System of Records Notice, OMB Public Input System of Records, OMB/INPUT/01, includes a list of routine uses associated with the collection of this information.

Privacy/FOIA Notice: Comments submitted in response to this notice may be publicly available and are subject to disclosure under the Freedom of Information Act. For this reason, please do not include in your comments information of a confidential nature, such sensitive personal information or proprietary information, or any other information that you would not want publicly disclosed.

FOR FURTHER INFORMATION CONTACT:

Please direct questions regarding this Notice to Cindy Martinez at OFCIO_AI@OMB.eop.gov with “AI Memo Request for Comment” in the subject line, or by phone at 202-395-0379. Please direct media inquiries to OMB OFCIO’s Office of Public Affairs, email: MBX.OMB.Media@OMB.eop.gov.

SUPPLEMENTARY INFORMATION: The Administration has undertaken numerous efforts to advance responsible AI innovation and secure protections for people’s rights and safety. This work spans targeted sector-specific initiatives, such as the Department of Health and Human Services’ proposed rule to protect patients from discriminatory algorithms in health care,ⁱ as well as more broadly applicable guidance from the Department of Justice and Equal Employment Opportunity Commission to help employers avoid AI-enabled disability discrimination in employment.ⁱⁱ Significant efforts have also yielded the development of landmark voluntary frameworks such as the National Institute of Standards and Technology’s (NIST) AI Risk Management Framework and White House Office of Science and Technology Policy’s Blueprint for an AI Bill of Rights. To build upon this body of policy, and in accord with President Biden’s Executive Order of October 30, 2023 (Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence), OMB has prepared a draft memorandum that would direct Federal agencies to strengthen their AI governance and innovation programs while managing risks from the use of AI,

ⁱ Section 1557 of the Patient Protection and Affordable Care Act; 42 U.S.C. 18116, <https://www.hhs.gov/civil-rights/for-individuals/section-1557/index.html>.

ⁱⁱ *Algorithms, Artificial Intelligence, and Disability Discrimination in Hiring*, Department of Justice and Equal Employment Opportunity Commission, <https://www.ada.gov/resources/ai-guidance/>.

particularly when that use affects the safety and rights of the public. This memorandum also would carry out provisions of the AI in Government Act of 2020, secs. 101–104, Div. U, Public Law 116–260, and the Advancing American AI Act, secs. 7221–7228, Public Law 117–263.

Requests for Comment

Through this Request for Comment, OMB hopes to gather information on the questions posed below. However, this list is not intended to limit the scope of topics that may be addressed. Commenters are invited to provide feedback on any topic believed to have implications for the content or implementation of the proposed memorandum.

When responding to one or more of the questions below, please note in the text of your response the number of the question to which you are responding. Commenters should include a page number on each page of their submissions. Commenters are not required to respond to all questions.

OMB is requesting feedback related to the following:

1. The composition of Federal agencies varies significantly in ways that will shape the way they approach governance. An overarching Federal policy must account for differences in an agency’s size, organization, budget, mission, organic AI talent, and more. Are the roles, responsibilities, seniority, position, and reporting structures outlined for Chief AI Officers sufficiently flexible and achievable for the breadth of covered agencies?
2. What types of coordination mechanisms, either in the public or private sector, would be particularly effective for agencies to model in their establishment of an AI Governance Body? What are the benefits or drawbacks to having agencies establishing a new body to perform AI governance versus updating the scope of an existing group (for example, agency bodies focused on privacy, IT, or data)?
3. How can OMB best advance responsible AI innovation?
4. With adequate safeguards in place, how should agencies take advantage of generative AI to improve agency missions or business operations?
5. Are there use cases for presumed safety-impacting and rights-impacting AI (Section 5 (b)) that should be included, removed, or revised? If so, why?
6. Do the minimum practices identified for safety-impacting and rights-impacting AI set an appropriate baseline that is applicable across all agencies and all such uses of AI? How