

DEPARTMENT OF THE INTERIOR

Bureau of Safety and Environmental Enforcement

30 CFR Part 285

Bureau of Ocean Energy Management

30 CFR Part 585

[Docket No. BSEE–2023–0015 EEEE500000 245E1700D2 ET1SF0000.EAQ000]

RIN 1010–AE04

Renewable Energy Modernization Rule; Correction

AGENCY: Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Environmental Enforcement (BSEE), Interior.

ACTION: Proposed rule; correction.

SUMMARY: The Department of the Interior (DOI) is publishing this correction to certain collections of information described in the preamble of the proposed rule titled “Renewable Energy Modernization Rule” (Proposed Rule) for public notice and comment. BSEE, in coordination with BOEM, is correcting and soliciting comments related to the preamble discussion of certain information collection burdens that subsequently transferred to BSEE under the rule titled “Reorganization of Title 30–Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf” (Reorganization Rule).

DATES: BSEE must receive your comments on or before March 4, 2024.

ADDRESSES: You may submit comments on the proposed amendments to the collections of information by any of the following methods. Please use the

Regulation Identifier Number (RIN) RIN 1010–AE04 as an identifier in your message:

- Electronically go to <https://www.regulations.gov>. In the search box, enter BSEE–2023–0015 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.

- Email kye.mason@bsee.gov, fax (703) 787–1546, or mail or hand-carry comments to the Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; ATTN: Nikki Mason; 45600 Woodland Road, Sterling, VA 20166. Please reference OMB Control Number 1014–0034 in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: Nikki Mason by email at kye.mason@bsee.gov or by telephone at (703) 787–1607. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the information collection request (ICR) at <http://www.reginfo.gov/public/do/PRAMain>.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (PRA) and 5 CFR 1320.8(d)(1), all information collections require approval under the PRA.

This correction pertains to the Proposed Rule, which published in the **Federal Register** on January 30, 2023 (88 FR 5968). Subsequently, DOI

published the Reorganization Rule in the **Federal Register** on January 31, 2023 (88 FR 6376). The Reorganization Rule relocated or reproduced certain regulatory provisions addressed in the Proposed Rule under 30 CFR part 585 to the newly created 30 CFR part 285. The Office of Management and Budget (OMB) has assigned OMB Control Number 1014–0034 to the collections of information under 30 CFR part 285.

The DOI is correcting the proposed rule preamble discussion in section VII.A.2, “Paperwork Reduction Act of 1995,” by adding the relevant BSEE burden hours covered under 30 CFR 285 Subpart H. The proposed burden information for 30 CFR 285 Subpart H reflects the reallocation of the relevant information collection burdens from part 585 to part 285, now under BSEE’s administration. Accordingly, DOI is publishing these corrections to allow for public comment on the amended collections of information only.

Correction

In FR Doc No. 2023–00668, appearing on page 5968, in the **Federal Register** of January 30, 2023, make the following correction:

1. Add the following information to the end of the preamble section VII.A.2 “Paperwork Reduction Act of 1995”:

The following Proposed Rule information collections found in 30 CFR part 585, subpart I, “Environmental and Safety Management, Inspections, and Facility Assessments for Activities Conducted Under SAPs, COPs, and Gaps,” are now administered by BSEE under 30 CFR part 285, subpart H. These information collections are included in OMB Control Number 1014–0034.

Section(s) in 30 CFR part 285	Reporting and recordkeeping requirement	Burden changes and/or additions
Subpart H—Environmental and Safety Management, Inspections, and Facility Assessments for Activities Conducted Under SAPs, COPs, and Gaps		
285.810; 285.614(b); 285.632(b); 285.651 (See Note 1 below)	Use a Safety Management System for all activities conducted pursuant to a lease and make available to BSEE upon request. Submit safety management system description with a COP, or with a SAP or GAP, if facilities being installed are deemed by BOEM to be complex or significant.	35 hours × 2 submissions = 70 annual burden hours. 60 hours attributable to 285.810.
285.812(b)(1) Form BSEE–0187 (See note 2 below)	Submit safety and environmental performance data (Form BSEE–0187, Performance Measures Data—Renewable Energy).	82 hours × 10 submissions = 820 annual burden hours.
285.812(b)(2) (See note 3 below)	Provide report summary on SMS audit, corrective actions, and changes to SMS every 3 years.	5 hours × 1 report = 5 annual burden hours.
285.830(d) (See note 4 below)	Report oil spills as required by <i>BSEE 30 CFR 250.187</i>	Burden covered under BSEE 1014–0007. (–2 annual burden hours and –1 report).
Total would add to 1014–0034 BSEE inventory:		883 burden hours.

Note 1: Proposed § 285.810 would clarify that BSEE requires lessees to submit a safety management system (SMS) before conducting any activities under a lease, including meteorological buoy placement and site assessment work. This would clarify that BSEE requires a structured approach to safe operations during the conduct of any activity under a lease, through an SMS, whether or not covered by a formal plan. BSEE proposes to add 60 annual burden hours to § 285.810. The remaining 10 burden hours associated with the proposed revisions would remain under the BOEM information collection number identified in the Proposed Rule.

Note 2: Proposed § 285.812(b)(1) would add new reporting requirements: it would require an annual summary of safety performance data covering the previous calendar year during which site assessment, construction, operations, or decommissioning activities occurred by submitting Form BSEE–0187, *Performance Measures Data—Renewable Energy*. This form would include company identification and number of injuries, illnesses, and hours worked by company employees and contractors. This information would be used to develop incident rates that would help assess workplace safety and environmental compliance across the OCS renewable energy industry. BSEE proposes to add 820 annual burden hours to § 285.812(b)(1).

Note 3: Proposed § 285.812(b)(2) would require a summary of the most recent SMS audit, corrective actions implemented or pending because of that audit, and an updated SMS description highlighting changes made since the last report. This report would be due every 3 years or upon BSEE's request. BSEE proposes to add 5 annual burden hours to § 285.812(b)(2).

Note 4: For § 285.830(d), BSEE is proposing to subtract 2 burden hours because the burdens for reporting oil spills falls under OMB Control Number 1014–0007.

Abstract: BSEE will use the collected information to oversee facility design, fabrication, installation, and safety management systems; ensure the safety of operations through inspection programs and incident reporting and investigations; enforce compliance with all applicable safety, environmental, and other laws and regulations through enforcement actions (such as noncompliance notices, cessation orders, and certain lease suspensions); and oversee decommissioning activities.

Title of Collection: 30 CFR part 285, “Renewable Energy and Alternate Uses

of Existing Facilities on the Outer Continental Shelf.”

OMB Control Number: 1014–0034.

Form Number: Forms BSEE–1835 Notice(s) of Noncompliance (NONCs) and BSEE–0187 Performance Measures Data—Renewable Energy.

Type of Review: Revision of a currently approved collection.

Respondents/Affected Public: Primary respondents comprise companies that submit unsolicited proposals or responses to **Federal Register** notices or are lessees, designated operators, and right-of-way or right-of-use and easement grant holders. Other potential respondents are companies or State and local governments that submit information or comments relative to alternative energy-related uses of the OCS; certified verification agents; and surety or third-party guarantors.

Total Estimated Number of Annual Respondents: Currently there are approximately 47 lessees holding leases for OCS wind energy development. Not all the potential respondents will submit information in any given year, and some may submit multiple times.

Total Estimated Number of Annual Responses: 10.

Estimated Completion Time per Response: Varies from 30 minutes to 6,000 hours, depending on activity.

Total Estimated Number of Annual Burden Hours: 883.

Respondent's Obligation: Responses are mandatory and are required to obtain or retain a benefit.

Frequency of Collection: Generally, submissions are on occasion or annual.

Total Estimated Annual Nonhour Burden Cost: N/A.

If the proposed requirements become effective and OMB approves the information collection request, BSEE would revise the existing OMB Control Number 1014–0034 for the affected subpart discussed above and would adjust the annual burden hours accordingly. The information collections related to 30 CFR part 285 do not include questions of a sensitive nature. BSEE will continue to protect proprietary information in keeping with its legal obligations and DOI's implementing regulations, which address disclosure of information to the public.

In addition, the PRA requires agencies to estimate the total annual reporting and recordkeeping non-hour cost burden resulting from the collection of information. BSEE solicits your comments regarding non-hour cost burdens arising from this amendment. For reporting and recordkeeping only, your response should split the cost estimate into two components: (1) total

capital and startup cost component, and (2) annual operation, maintenance, and disclosure cost component to provide the information. You should describe the methods you use to estimate your cost components, including system and technology acquisition, expected useful life of capital equipment, discount rates, and the period over which you incur costs. Generally, your estimates should not include equipment or services purchased: (1) before October 1, 1995; (2) to comply with requirements not associated with the information collection arising from this proposed rule; (3) for reasons other than to provide information or to keep records for the U.S. Government; or (4) as part of customary and usual business or private practices.

As part of BSEE's continuing effort to reduce paperwork and respondent burdens, BSEE invites the public and other Federal agencies to comment on any aspect of this information collection, including:

(1) Is the proposed information collection necessary or useful for BSEE to properly perform its functions?

(2) Are the estimated annual burden hour increases and decreases resulting from the proposed rule reasonable?

(3) Is the estimated annual non-hour cost burden resulting from this information collection reasonable?

(4) Do you have any suggestions that would enhance the quality, clarity, or usefulness of the information to be collected?

(5) Is there a way to minimize the information collection burden on those who must respond, such as by using appropriate automated digital, electronic, mechanical, or other forms of information technology?

Comments submitted in response to this amendment are a matter of public record. BSEE will include or summarize each comment to OMB for approval of this information collection. You should be aware that your entire comment—including your address, phone number, email address, or other personally identifiable information included in your comment—may be made publicly available at any time. BSEE will make available for public inspection all comments in their entirety (except proprietary information).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Steven H. Feldgus,

Deputy Assistant Secretary, Land and Minerals Management.

[FR Doc. 2023–27019 Filed 1–2–24; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Office

37 CFR Parts 201 and 202

[Docket No. 2023–8]

Group Registration of Updates to a News Website

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

ACTION: Notice of proposed rulemaking.

SUMMARY: The U.S. Copyright Office is proposing to create a new group registration option for frequently updated news websites. The rapid pace at which many web-based materials are created and updated presents a challenge for copyright registrants. This challenge is especially pronounced for frequently updated news websites. This option will enable online news publishers to register a group of updates to a news website as a collective work with a deposit composed of identifying material representing sufficient portions of the works, rather than the complete contents of the website. The Office invites comment on this proposal and the questions below.

DATES: Comments on the proposed rule must be made in writing and must be received by the U.S. Copyright Office no later than February 20, 2024.

ADDRESSES: For reasons of government efficiency, the Copyright Office is using the *regulations.gov* system for the submission and posting of public comments in this proceeding. All comments are therefore to be submitted electronically through *regulations.gov*. Specific instructions for submitting comments are available on the Copyright Office website at <https://copyright.gov/rulemaking/newswebsite>. If electronic submission of comments is not feasible due to lack of access to a computer and/or the internet, please contact the Office using the contact information below for special instructions.

FOR FURTHER INFORMATION CONTACT:

Rhea Efthimiadis, Assistant to the General Counsel, by email at meft@copyright.gov or by telephone at 202–707–8350.

SUPPLEMENTARY INFORMATION:

I. Background

The U.S. Copyright Office (“Office”) is proposing to create a new group registration option for frequently updated news websites. When Congress enacted the Copyright Act of 1976 (“Copyright Act” or “Act”), it authorized the Register of Copyrights (“Register”) to specify by regulation the administrative classes of works for the purpose of seeking registration and the nature of the deposit required for each such class.¹ Congress afforded the Register discretion to permit registration of groups of related works with one application and one filing fee, known as “group registration.”² As the legislative history explains, allowing “a number of related works to be registered together as a group represent[ed] a needed and important liberalization of the law.”³

In providing the Register the discretion to provide for group registrations, Congress recognized that requiring applicants to submit separate applications for certain types of works may be so burdensome and expensive that authors and copyright owners may forgo registration altogether.⁴ Group registration options must be designed, however, in a manner that balances claimants’ need for an efficient method to submit applications with the Office’s need to examine applications and provide an adequate public record. Exercising this statutory discretion, Registers have over the years issued regulations providing for group registrations for certain categories of works and establishing eligibility requirements.

The Copyright Act also gives the Register broad authority to issue regulations concerning the nature of the copies that must be deposited in support of registration. Section 408 provides that the Register may issue regulations establishing “the nature of the copies . . . to be deposited” in specific classes of works and to “permit, for particular classes, the deposit of identifying material instead of copies or phonorecords.”⁵ The legislative history indicates that Congress believed that a deposit of identifying material should be permitted in cases where the copies

or phonorecords would be too “bulky, unwieldy, easily broken, or otherwise impractical [to serve] as records identifying the work registered.”⁶ The Office has used this authority to require only identifying material in certain circumstances. For example, for computer programs, automated databases, or other literary works fixed or published solely in machine-readable copies, the Office permits the deposit of “identifying portions” of the specific version of the work the applicant intends to register.⁷

After receiving input from stakeholders and carefully considering the issue, the Office has concluded that there is a need for a new group registration accommodation for frequently updated news websites.⁸ The Office welcomes public comment on its proposal and subjects of inquiry set forth here.

A. The Need for a New Group Registration Option

This proposed rulemaking stems from the rapid development and predominance of news websites over print newspapers, and requests submitted by online publishers to the Office. Over the past two decades, the internet has become an increasingly common method for distributing, displaying, and performing copyrightable content. More than eight in ten Americans get news from digital devices, and, as of 2021, more than half prefer digital platforms to access news.⁹ Thus, a significant amount of news content must be offered in an online environment to meet demand. The current state of the news media industry requires dynamism, “with content constantly changing, updating, and refreshing in real time.”¹⁰ Because of

⁶ H.R. Rep. No. 94–1476, at 154.

⁷ See 37 CFR 202.20(c)(2)(vii). For example, with regards to deposit requirements for computer programs, the Office has defined “identifying portions” as the first and last twenty-five pages of the work.

⁸ The proposed regulations define a “website” as a web page or set of interconnected web pages that are accessed using a uniform resource locator (“URL”) organized under a particular domain name. See also U.S. Copyright Office, *Compendium of U.S. Copyright Office Practices* sec. 1002.1 (3d ed. 2021) (“Compendium (Third)”). For example, the Office’s website is located at *copyright.gov*, and the Library of Congress’s website is located at *loc.gov*.

⁹ Elisa Shearer, *More Than Eight-In-Ten Americans Get News from Digital Devices*, Pew Research Center (Jan. 12, 2021), <https://www.pewresearch.org/fact-tank/2021/01/12/more-than-eight-in-ten-americans-get-news-from-digital-devices/>.

¹⁰ MPA—The Association of Magazine Media Comments at 5, Submitted in Response to Nov. 9, 2021 Notice of Inquiry, Publishers’ Protections Study, U.S. Copyright Office Dkt. No. 2021–5 (Jan.

¹ See 17 U.S.C. 408(c)(1).

² *Id.*

³ H.R. Rep. No. 94–1476, at 154 (1976), reprinted in 1976 U.S.C.C.A.N. 5659, 5770; S. Rep. No. 94–473, at 136 (1975).

⁴ Copyright registration is not a prerequisite to copyright protection, although registration generally must be made before instituting a civil infringement action in Federal court. See 17 U.S.C. 411(a); *Fourth Estate Pub. Benefit Corp. v. Wall-Street.com, LLC*, 139 S. Ct. 881, 886 (2019).

⁵ 17 U.S.C. 408(c)(1).