

that is created to carry out its statutory responsibilities.⁵⁵

2. Indicia of Endorsement and Support

The Office requests information from the Digital Licensee Coordinator regarding whether it continues to be “endorsed by and enjoy[] substantial support from digital music providers and significant nonblanket licensees that together represent the greatest percentage of the licensee market for uses of musical works in covered activities, as measured over the preceding 3 calendar years.”⁵⁶

3. Administrative Capabilities and Governance

The DLC must have the administrative capabilities to perform its statutory functions.⁵⁷ The Office requests a detailed description of the Digital Licensee Coordinator’s administrative capabilities and its performance of the following functions:

i. Governance

The Office requests a copy of the Digital Licensee Coordinator’s current bylaws, including a summary of changes made, if any, from its initial bylaws. To the extent not addressed by its bylaws, the Office also requests a summary of its governance structure, criteria for membership, and dues paid by its members. Lastly, the Office requests a list of the Digital Licensee Coordinator’s current members, and a description of its efforts to grow its membership to other DMPs, and any challenges related to such efforts.

ii. Notice and Payment Obligations

The Office requests information addressing the Digital Licensee Coordinator’s efforts to enforce notice and payment obligations with respect to the administrative assessment, including: (1) how it is coordinating such efforts with the Mechanical Licensing Collective; and (2) the extent to which it is disclosing information to, and receiving information from, the Mechanical Licensing Collective on this topic.

iii. Participation in Proceedings Before the Copyright Office and Copyright Royalty Judges

The Office requests a summary of the Digital Licensee Coordinator’s participation in Office or Copyright Royalty Judge proceedings, including: (1) participating in proceedings before the Copyright Royalty Judges to

establish the administrative assessment; (2) gathering and providing documentation for use in proceedings before the Copyright Royalty Judges to set rates and terms under the mechanical license; and (3) participating in proceedings before the Office with respect to activities regarding the blanket license.⁵⁸

iv. Maintaining Records of the Digital Licensee Coordinator’s Activities

The Office requests a description of how the Digital Licensee Coordinator is maintaining records of its activities, including efforts to ensure that confidential, private, proprietary, or privileged information contained in its records is not improperly disclosed or used.⁵⁹

v. Assistance With Publicity for Unclaimed Royalties

The MMA directs the DLC to “make reasonable, good-faith efforts to assist the mechanical licensing collective . . . by encouraging digital music providers to publicize the existence of the collective and the ability of copyright owners to claim unclaimed accrued royalties.”⁶⁰ The Office requests a detailed description of the steps that the Digital Licensee Coordinator has taken to fulfill this requirement, including whether all its members have posted the MLC’s contact information in a prominent location on their websites and applications.⁶¹ The Office also requests a summary of the Digital Licensee Coordinator’s in-person outreach activities with songwriters.⁶²

The Digital Licensee Coordinator is encouraged to provide any other information that it believes is relevant to demonstrate it continues to meet the statutory designation criteria.

IV. Public Participation

Interested members of the public are encouraged to comment on the topics addressed in the designees’ submissions or raised by the Office in this notification of inquiry.⁶³ Commenters may also address any topics relevant to this periodic review of the MLC and DLC designations. Without prejudice to its review of the current designations, the Office hopes that this proceeding will serve as an opportunity for any

songwriter, publisher, or DMP who wishes to express concerns, satisfaction, or priorities with respect to the administration of the MMA’s blanket licensing regime to do so, and that any designated MLC or DLC will use that feedback to continually improve its services.

Dated: January 25, 2024.

Suzanne V. Wilson,

General Counsel and Associate Register of Copyrights.

[FR Doc. 2024–01781 Filed 1–29–24; 8:45 am]

BILLING CODE 1410–30–P

OFFICE OF MANAGEMENT AND BUDGET

Request for Information: Privacy Impact Assessments

AGENCY: Office of Management and Budget.

ACTION: Request for information.

SUMMARY: Pursuant to the Executive order on *Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence*, the Office of Management and Budget (OMB) is requesting public input on how privacy impact assessments (PIAs) may be more effective at mitigating privacy risks, including those that are further exacerbated by artificial intelligence (AI) and other advances in technology and data capabilities.

DATES: Consideration will be given to written comments received by April 1, 2024.

ADDRESSES: Please submit comments via <https://www.regulations.gov/> and follow the instructions for submitting comments. Public comments are valuable, and they will inform any potential updates to relevant OMB guidance; however, OMB will not respond to individual submissions.

Privacy Act Statement: OMB is issuing this request for information (RFI) pursuant to Executive Order 14110 on *Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence*.¹ Submission of comments in response to this RFI is voluntary. Comments may be used to inform sound decision making on topics related to this RFI, including potential updates to guidance. Please note that submissions received in response to this notice may be posted on <https://www.regulations.gov/> or otherwise released in their entirety, including any personal information, business confidential information, or other

⁵⁵ *Id.* at 115(d)(5)(C)(i)(III)–(V).

⁵⁶ *Id.* at 115(d)(5)(C)(i)(VI), (d)(12)(C).

⁵⁷ *See id.* at 115(d)(5)(C)(iii).

⁵⁸ *Id.* at 115(d)(5)(C)(iii)(I).

⁵⁹ *Id.* at 115(d)(5)(C)(iii)(II).

⁶⁰ Submissions by the Mechanical Licensing Collective and Digital Licensee Coordinator will be found on the Office’s website at <https://www.copyright.gov/rulemaking/mma-designations/2024> approximately sixty days after the publication of this Notification of Inquiry.

¹ E.O. No. 14110, 88 FR 75191 (Nov. 1, 2023).

⁵⁵ 17 U.S.C. 115(d)(5)(A)(i).

⁵⁶ *Id.* at 115(d)(5)(A)(ii).

⁵⁷ *Id.* at 115(d)(5)(A)(iii).

sensitive information provided by the commenter. Do not include in your submissions any copyrighted material; information of a confidential nature, such as personal or proprietary information; or any information you would not like to be made publicly available. Comments are maintained under the OMB Public Input System of Records, OMB/INPUT/01; the system of records notice accessible at 88 FR 20913 (<https://www.federalregister.gov/documents/2023/04/07/2023-07452/privacy-act-of-1974-system-of-records>) includes a list of routine uses associated with the collection of this information.

FOR FURTHER INFORMATION CONTACT: Alex Goodenough, Office of Management and Budget, via email at MBX.OMB.PIA_RFI_FY24@omb.eop.gov or via phone at 202-395-3039.

SUPPLEMENTARY INFORMATION: Privacy safeguards are foundational to the Executive Branch's ability to maintain the public's trust, and analysis of privacy risks associated with the various activities of Executive Branch departments and agencies ("agencies") is key to establishment of those safeguards. PIAs are a tool that agencies use to conduct that analysis. Indeed, as described in OMB's Circular No. A-130, *Managing Information as a Strategic Resource*, "[a] PIA is one of the most valuable tools Federal agencies use to ensure compliance with applicable privacy requirements and manage privacy risks."² In addition to being a key analytical tool, PIAs also make available to the public agencies' analysis of privacy risks and safeguards put in place to mitigate those risks.

Requirements exist in statute and in OMB guidance for how agencies conduct and publish PIAs. Section 208 of the E-Government Act establishes minimum requirements for PIAs, and it requires the OMB Director to issue guidance on the required contents of PIAs.³ OMB M-03-22, *OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002*, requires agencies to "conduct privacy impact assessments for electronic information systems and collections and, in general, make them publicly available."⁴ Additionally, it includes

requirements related to certain agency contractors. OMB reinforced and built on the requirements in OMB M-03-22 through additional guidance on PIAs in OMB M-10-23, *Guidance for Agency Use of Third-Party websites and Applications*,⁵ and in OMB Circular No. A-130.

As agency programs and services increasingly rely on rapidly advancing technology and data capabilities (e.g., artificial intelligence), the privacy risk landscape also is evolving. Existing privacy risks are escalating, and new privacy risks are emerging. It is important to hear from the public as OMB considers what updates to PIA guidance may be necessary to ensure that PIAs continue to facilitate robust analysis and transparency about how agencies address these evolving privacy risks.

Seeking Input on Improving the Use of PIAs To Mitigate Privacy Risks

OMB developed this RFI in consultation with the Department of Justice, National Economic Council, and Office of Science and Technology Policy, in accordance with Executive Order 14110. OMB seeks responses to the following questions:

Role of PIAs in Addressing and Mitigating Privacy Risks

1. A wide range of privacy risks are associated with the creation, collection, use, processing, storage, maintenance, dissemination, disclosure, and disposal of personally identifiable information (PII). What improvements to OMB guidance on PIAs as analytical tools and notices to the public would assist agencies in identifying, addressing, and mitigating these risks, including when an agency:

- Develops, procures, or uses information technology to handle PII;
- Initiates, consistent with the Paperwork Reduction Act, a new electronic collection of information that contains PII;
- Uses a third-party website or application that makes PII available to the agency; or
- Engages in a relevant cross-agency initiative that involves PII?

2. What other models or best practices for conducting and documenting PIAs

or similar analyses could improve agencies' PIAs?

a. Are there approaches to analyzing and documenting how an entity addresses and mitigates privacy risks used by non-federal government entities, specific sectors or industries, academia, or civil society that OMB should consider?

b. Are there similar approaches to analyzing and documenting how an entity addresses and mitigates other risks in information governance (e.g., security risks) that OMB should consider from other federal guidance or frameworks?

3. What guidance should OMB consider providing to agencies to help reduce any duplication that may arise in preparing PIAs along with other assessments focused on managing risks (e.g., security authorization packages or the AI impact assessments proposed in OMB's *Draft Memorandum on Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence*⁶) and to support these assessments' different functions?

Role of PIAs in Facilitating Transparency

4. What role do PIAs play in your search for information about how agencies handle PII and address privacy risks? For what purpose(s) do you read agencies' PIAs?

5. What improvements to PIAs would help you better understand agencies' assessment of privacy impacts and risk mitigation strategies?

a. What improvement(s) would you recommend to make it easier to find and access agencies' PIAs?

b. What improvement(s) would you recommend to make it easier to read and understand agencies' PIAs?

6. How can agencies increase awareness of PIAs among stakeholders?

Privacy Risks Associated With Advances in Technology and Data Capabilities, Including AI

7. AI and AI-enabled systems used by agencies can rely on data that include PII, and agencies may develop those systems or procure them from the private sector.

a. What privacy risks specific to the training, evaluation, or use of AI and AI-enabled systems (e.g., related to AI system inputs and outputs, including

² Off. of Mgmt. & Budget, Exec. Off. of the President, Circular No. A-130, *Managing Information as a Strategic Resource* app. II, section 5(e) (July 28, 2016), available at https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/circulars/A130/a130revised.pdf.

³ E-Government Act of 2002, Public Law 107-347, section 208(b)(2), (3), 116 Stat. 2899, 2921 (codified as amended at 44 U.S.C. 3501 note).

⁴ Off. of Mgmt. & Budget, Exec. Off. of the President, OMB M-03-22, *OMB Guidance for Implementing the Privacy Provisions of the E-*

Government Act of 2002, attach. A, section I.A.a (Sept. 30, 2003), available at <https://www.whitehouse.gov/wp-content/uploads/2017/11/203-M-03-22-OMB-Guidance-for-Implementing-the-Privacy-Provisions-of-the-E-Government-Act-of-2002-1.pdf>.

⁵ Off. of Mgmt. & Budget, Exec. Off. of the President, OMB M-10-23, *Guidance for Agency Use of Third-Party websites and Applications* (June 25, 2010), available at https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/memoranda/2010/m10-23.pdf.

⁶ OMB released for public comment a draft memorandum on agency use of AI. See Off. of Mgmt. & Budget, Exec. Off. of the President, *Draft Memorandum on Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence* (Nov. 2023), available at <https://ai.gov/wp-content/uploads/2023/11/AI-in-Government-Memo-Public-Comment.pdf>.

inferences and assumptions; obtaining consent to use the data involved in these activities; or AI-facilitated reidentification) should agencies consider when conducting PIAs?

b. What guidance updates should OMB consider to improve how agencies address and mitigate the privacy risks that may be associated with their use of AI?

8. What role should PIAs play in how agencies identify and report on their use of commercially available information (CAI)⁷ that contains PII?

a. What privacy risks specific to CAI should agencies consider when conducting PIAs?

b. OMB M–03–22 requires PIAs “when agencies systematically incorporate into existing information systems databases of information in identifiable form purchased or obtained from commercial or public sources,” while noting that “[m]erely querying such a source on an ad hoc basis using existing technology does not trigger the PIA requirement.”⁸ What guidance updates should OMB consider to improve how agencies address and mitigate the privacy risks that may be associated with their use of CAI that contains PII?

9. What guidance updates should OMB consider to improve how agencies address and mitigate the privacy risks that may be associated with their use of other emerging technology and data capabilities?

Other Considerations

10. What else could help promote greater effectiveness and consistency across agencies in how they approach PIAs?

11. What else should OMB consider when evaluating potential updates to its guidance on PIAs?

Richard L. Revesz,

Administrator, Office of Information and Regulatory Affairs.

[FR Doc. 2024–01756 Filed 1–26–24; 8:45 am]

BILLING CODE 3110–01–P

NATIONAL SCIENCE FOUNDATION

Sunshine Act Meetings

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: The meeting was

⁷ Section 3(f) of Executive Order 14110 defines “commercially available information” as “any information or data about an individual or group of individuals, including an individual’s or group of individuals’ device or location, that is made available or obtainable and sold, leased, or licensed to the general public or to governmental or non-governmental entities.” 88 FR 75194.

⁸ OMB M–03–22, attach. A, section II.B.b.6.

noticed on January 25, 2024, at 89 FR 4998.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Monday, January 26, 2024, from 3:00–5:00 p.m. Eastern.

CHANGE IN THE MEETING: The correct date for the meeting is Monday, January 29, 2024. The time remains the same.

CONTACT PERSON FOR MORE INFORMATION: Point of contact for this meeting is: Chris Blair, cblair@nsf.gov, 703/292–7000.

Christopher Blair,

Executive Assistant to the National Science Board Office.

[FR Doc. 2024–01851 Filed 1–26–24; 11:15 am]

BILLING CODE 7555–01–P

OFFICE OF PERSONNEL MANAGEMENT

Submission for Review: 3206–0201, Federal Employees Health Benefits (FEHB) Open Season Express Interactive Voice Response (IVR) System and Open Season Website

AGENCY: Office of Personnel Management.

ACTION: 30-Day notice and request for comments.

SUMMARY: The Office of Personnel Management (OPM), Retirement Services, offers the general public and other Federal agencies the opportunity to comment on an expiring information collection request (ICR), with change: 3206–0201, Federal Employees Health Benefits (FEHB) Open Season Express Interactive Voice Response (IVR) System and the Open Season website, Open Season Online.

DATES: Comments are encouraged and will be accepted until February 29, 2024.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via electronic mail to oira_submission@omb.eop.gov or faxed to (202) 395–6974.

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Retirement Services Publications Team, Office of Personnel Management, 1900 E Street NW, Room 3316–L, Washington, DC 20415, Attention: Cyrus S. Benson, or sent via electronic mail to

RSPublicationsTeam@opm.gov or faxed to (202) 606–0910 or via telephone at (202) 936–0403.

SUPPLEMENTARY INFORMATION: As required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. chapter 35), as amended by the Clinger-Cohen Act (Pub. L. 104–106), OPM is soliciting comments for this collection. This information collection (OMB No. 3206–0201) was previously published in the **Federal Register** on November 14, 2023, at 88 FR 78069, allowing for a 60-day public comment period. No comments were received for this collection. The purpose of this notice is to allow an additional 30 days for public comments. The Office of Management and Budget is particularly interested in comments that:

1. 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;

2. 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;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. 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 submissions of responses.

Federal Employees Health Benefits (FEHB) Open Season Express Interactive Voice Response (IVR) System, and the Open Season website, Open Season Online, are used by retirees and survivors. They collect information for changing FEHB enrollments, collecting dependent and other insurance information for self and family enrollments, requesting plan brochures, requesting a change of address, requesting cancellation or suspension of FEHB benefits, asking to make payment to the Office of Personnel Management when the FEHB payment is greater than the monthly annuity amount, or for requesting FEHB plan accreditation and Customer Satisfaction Survey information.

The revisions are as follows: The Open Season enrollment dates have been updated to reflect the upcoming benefits year of 2024 and enrollment period of November 13, 2023 through December 11, 2023. The Public Burden