

TABLE 1—APPROPRIATE TEST STANDARD FOR INCLUSION IN ITSNA'S NRTL SCOPE OF RECOGNITION

Test standard	Test standard title
UL 2225	Cables and Cable-Fittings for Use in Hazardous (Classified) Locations.

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, a NRTL's scope of recognition does not include these products.

The American National Standards Institute (ANSI) may approve the test standards listed above as American National Standards. However, for convenience, we may use the designation of the standards-developing organization for the standard as opposed to the ANSI designation. Under the NRTL Program's policy (see OSHA Instruction CPL 01-00-004, chapter 2, section VIII), any NRTL recognized for a particular test standard may use either the proprietary version of the test standard or the ANSI version of that standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

A. Conditions

Recognition is contingent on continued compliance with 29 CFR 1910.7, including, but not limited to, abiding by the following conditions of the recognition:

1. ITSNA must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in its operations as a NRTL, and provide details of the change(s);

2. ITSNA must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and

3. ITSNA must continue to meet the requirements for recognition, including all previously published conditions on ITSNA's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of ITSNA as a NRTL, subject to the limitations and conditions specified above.

III. Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational

Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8-2020 (85 FR 58393, Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on January 24, 2024.

James S. Frederick,

Deputy Assistant Secretary of Labor for Occupational Safety and Health.

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DEPARTMENT OF LABOR

Office of the Workers' Compensation Programs

Agency Information Collection Activities; Comment Request; Agreement and Undertaking (OMB Control No. 1240-0039)

AGENCY: Division of Coal Mine Workers' Compensation, (OWCP/DCMWC), Labor.

ACTION: Request for public comments.

SUMMARY: The Department of Labor (DOL) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Agreement and Undertaking." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

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

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free by contacting Anjanette Suggs by telephone at 202-354-9660 or by email at suggs.anjanette@dol.gov.

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Office of Workers' Compensation Programs, Room S3323, 200 Constitution Avenue NW, Washington, DC 20210; by email: suggs.anjanette@dol.gov.

FOR FURTHER INFORMATION CONTACT:

Contact Anjanette Suggs by telephone at 202-354-9660 or by email at suggs.anjanette@dol.gov.

SUPPLEMENTARY INFORMATION: The DOL, as part of continuing efforts to reduce

paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the OMB for final approval. This program helps to ensure requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The Black Lung Benefits Act (30 U.S.C. 901 *et seq.*) and its implementing regulations necessitate this information collection. The OWCP-1 form is executed by the self-insurer who agrees to abide by the Department's rules and authorizes the Secretary, in the event of default, to file suit to secure payment from a bond underwriter or, in the case of a Federal Reserve account, to sell the securities for the same purpose. This information collection is currently approved for use through April 30, 2021. 30 U.S.C. 933 and 20 CFR 726.110 authorize this information collection.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB under the PRA approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Written comments will receive consideration, and summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention 1240-0039.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. The DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

The DOL is particularly interested in comments that:

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

Agency: DOL—Office of Workers' Compensation Programs.

Type of Review: Extension.

Title of Collection: Agreement and Undertaking.

Form: Agreement and Undertaking, OWCP-1.

OMB Control Number: 1240-0039.

Affected Public: Business or other for-profit.

Estimated Number of Respondents: 20.

Frequency: As requested.

Total Estimated Annual Responses: 20.

Estimated Average Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 5 hours.

Total Estimated Annual Other Cost Burden: \$120.74.

Authority: 44 U.S.C. 3506(c)(2)(A).

Dated: January 24, 2024.

Anjanette Suggs,

Agency Clearance Officer.

[FR Doc. 2024-01757 Filed 1-29-24; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. 2024-1]

Periodic Review of the Designations of the Mechanical Licensing Collective and Digital Licensee Coordinator

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

ACTION: Notification of inquiry.

SUMMARY: The U.S. Copyright Office is issuing a notification of inquiry, as required by the Music Modernization Act, regarding whether the existing designations of the mechanical licensing collective and digital licensee coordinator should be continued.

DATES: Initial submissions by the currently designated mechanical licensing collective and digital licensee coordinator must be received no later than 11:59 p.m. Eastern Time on April 1, 2024. Written initial public comments must be received no later than 11:59 p.m. Eastern Time on May 29, 2024. Written reply public comments must be received no later than 11:59 p.m. Eastern Time on June 28, 2024. Reply submissions of the currently designated mechanical licensing collective and digital licensee coordinator must be received no later than 11:59 p.m. Eastern Time on July 29, 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 public comments in response to this notice are therefore to be submitted electronically through *regulations.gov*. Specific instructions for submitting comments are available on the Copyright Office's website at <https://www.copyright.gov/rulemaking/mma-designations/2024>. If electronic submission of comments is not feasible due to lack of access to a computer or the internet, please contact the Office using the contact information below for special instructions. Initial and reply submissions by the currently designated mechanical licensing collective and digital licensee coordinator should be made by email to the Copyright Office's Assistant to the General Counsel.

FOR FURTHER INFORMATION CONTACT: Rhea Efthimiadis, Assistant to the General Counsel, by email at mef@copyright.gov or telephone at (202) 707-8350.

SUPPLEMENTARY INFORMATION:

I. Statutory Background

The Orrin G. Hatch–Bob Goodlatte Music Modernization Act (“MMA”) ¹ created a statutory blanket mechanical license for the reproduction and distribution of nondramatic musical works by digital music providers (“DMPs”) in the form of digital phonorecord deliveries, including permanent downloads, limited downloads, and interactive streams (the “blanket license”), and eliminated the song-by-song “notice of intention” process for such uses.

The MMA directed the Copyright Office (“Office”) to designate a mechanical licensing collective (“MLC”) to administer the blanket license ² and a digital licensee

coordinator (“DLC”) to represent DMPs in matters related to the administration of the blanket license. However, if the Office is unable to identify an entity that meets the statutory qualifications to serve as the DLC, it may decline to designate one.³ As discussed further below, the Office made its initial MLC and DLC designations in July 2019.⁴ At that time, it designated the entity “Digital Licensee Coordinator, Inc.” as the DLC and the entity “Mechanical Licensing Collective” as the MLC.⁵ The Office is required to review these designations every five years, with the first review to begin in January 2024.⁶ This notice initiates the review process.

A. The MLC's Designation Criteria

The MMA provides that an entity wishing to be designated as the MLC must: (1) be a single nonprofit entity, not owned by any other entity, created by copyright owners to carry out its statutory responsibilities;⁷ (2) be “endorsed by, and enjoy[] substantial support from, musical work copyright owners that together represent the greatest percentage of the licensor market for uses of such works in covered activities, as measured over the preceding 3 full calendar years”;⁸ and (3) possess the administrative and technological capabilities necessary to carry out a wide array of responsibilities associated with administering the blanket license.⁹ If no entity meets these statutory criteria, the Office must designate an entity as the MLC that most nearly fits them.¹⁰

While the first criterion regarding nonprofit status is straightforward, the second and third criteria require more explanation. As part of the initial MLC designation proceeding, the Office had to address the correct construction and

³ *Id.* at 115(d)(3)(D)(i)(IV), (d)(5).

⁴ 37 CFR 210.23; 84 FR 32274, 32296 (July 8, 2019).

⁵ 37 CFR 210.23; 84 FR at 32292, 32296. In this notice, the currently designated digital licensing coordinator will be designated as the “Digital Licensing Coordinator” and the statutory digital licensing coordinator will be designated in lowercase or by using the abbreviated term, “the DLC.” Similarly, the currently designated mechanical licensing collective will be designated via capitalization (the “Mechanical Licensing Collective”) and the statutory mechanical licensing collective will be designated in lowercase or by using the abbreviated term, “the MLC.”

⁶ 17 U.S.C. 115(d)(3)(B)(ii) (noting that the review occurs “every 5 years, beginning with the fifth full calendar year to commence after the initial designation”); *id.* at 115(d)(5)(B)(ii) (same).

⁷ *Id.* at 115(d)(3)(A)(i).

⁸ *Id.* at 115(d)(3)(A)(ii).

⁹ *Id.* at 115(d)(3)(A)(iii); *see also id.* at 115(d)(3)(C)(i)–(iii) (enumerating thirteen functions, in addition to the ability to administer voluntary licenses).

¹⁰ *Id.* at 115(d)(3)(B)(iii).

¹ Public Law 115-264, 132 Stat. 3676 (2018).

² 17 U.S.C. 115(d)(3)(B); *see also id.* at 115(e)(15).