

PART 422—ORGANIZATION AND FUNCTIONS OF THE SOCIAL SECURITY ADMINISTRATION

Subpart B—General Procedures

■ 13. The authority citation for subpart B of part 422 is revised to read as follows:

Authority: 42 U.S.C. 405, 432, 902(a)(5), 1320b-1, 1320b-13, and 1320e-3, and sec. 7213(a)(1)(A) of Pub. L. 108-458.

■ 14. Add § 422.150 to read as follows:

§ 422.150 Guidelines for Establishing and Maintaining an Information Exchange with Payroll Data Providers

(a) *Guidelines for Establishing an Information Exchange with Payroll Data Providers.* In establishing an information exchange under section 1184 of the Social Security Act, we will do the following:

(1) Identify the payroll data providers (as defined in §§ 404.702 and 416.702 of this chapter) that may be interested in participating in an information exchange with us.

(2) Review the payroll data providers and consider factors such as: whether a payroll data provider is able and willing to engage in an information exchange; what data the payroll data provider could provide; whether the data from the payroll data provider is sufficiently accurate, complete, and up-to-date; and any conditions and limitations associated with our receipt of the data.

(3) Consistent with applicable law and regulations, establish an information exchange with the selected payroll data provider. The arrangement between us and the selected payroll data provider will describe:

(i) the records that will be matched;

(ii) the procedures for the match;

(iii) any requirements established related to accuracy, completeness, and up-to-date records;

(iv) the procedures for ensuring the administrative, technical, and physical security of the records matched; and

(v) such other provisions as are necessary.

(4) Prior to receiving payroll data provider information, publish a notice in the **Federal Register** that describes the information exchange and the extent to which the information received through such exchange is:

(i) relevant and necessary to: (A) accurately determine initial and ongoing entitlement to, and the amount of, disability benefits under title II of the Social Security Act; (B) accurately determine eligibility for, and the amount of, benefits under the Supplemental Security Income program under title XVI of the Social Security

Act; and (C) prevent improper payments of such benefits; and

(ii) sufficiently accurate, up-to-date, and complete.

(b) *Guidelines for Maintaining an Information Exchange with Payroll Data Providers.* We will perform the following activities while we maintain an established information exchange with a payroll data provider described in paragraph (a):

(1) Periodically assess whether the data we receive under the information exchange continues to be accurate, complete, and up-to-date; and

(2) Monitor compliance with the requirements of the information exchange described in paragraph (a)(3).

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DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 656

[Docket No. ETA-2023-0006]

RIN 1205-AC16

Labor Certification for Permanent Employment of Foreign Workers in the United States; Modernizing Schedule A To Include Consideration of Additional Occupations in Science, Technology, Engineering, and Mathematics (STEM) and Non-STEM Occupations

AGENCY: Employment and Training Administration (ETA), Labor.

ACTION: Request for information; extension of public comment period.

SUMMARY: On December 21, 2023, ETA published a Request for Information (RFI), titled “Labor Certification for Permanent Employment of Foreign Workers in the United States; Modernizing Schedule A To Include Consideration of Additional Occupations in Science, Technology, Engineering, and Mathematics (STEM) and Non-STEM Occupations.” The period for submitting public comments is being extended to May 13, 2024, to allow stakeholders additional time to comment.

DATES: The comment period for the RFI published in the **Federal Register** on December 21, 2023 (88 FR 88290), is extended. Submit comments to the RFI and other information by May 13, 2024.

ADDRESSES: You may submit written comments electronically by the following method:

• *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the

instructions on the website for submitting comments.

• *Instructions:* Include the docket number ETA-2023-0006 in your comments. All comments received will be posted without change to <https://www.regulations.gov>. Please do not include any personally identifiable or confidential business information you do not want publicly disclosed.

FOR FURTHER INFORMATION CONTACT: Brian Pasternak, Administrator, Office of Foreign Labor Certification, Employment and Training Administration, Department of Labor, 200 Constitution Avenue NW, N-5311, Washington, DC 20210; Telephone (202) 513-7350 (this is not a toll-free number). For persons with a hearing or speech disability who need assistance to use the telephone system, please dial 711 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION: On December 21, 2023, ETA published an RFI titled, “Labor Certification for Permanent Employment of Foreign Workers in the United States; Modernizing Schedule A To Include Consideration of Additional Occupations in Science, Technology, Engineering, and Mathematics (STEM) and Non-STEM Occupations.” 88 FR 88290. In the RFI, ETA invited public comment on “evaluating the utility of expanding Schedule A to include STEM occupations, the Department invites the public to provide input on the appropriate data sources and methods for determining whether labor shortages exist, whether Schedule A should be used to alleviate any labor shortages in STEM occupations should it be determined from these data sources and methods that such shortages exist, and if so, how the Department could establish a reliable, objective, and transparent methodology for identifying STEM occupations that are experiencing labor shortages.” The RFI further invited the public to answer a number of questions in their responses that would assist ETA in making this evaluation.

The public comment period for this RFI was to conclude on February 20, 2024, 60 days after publication of the RFI. To date, ETA has received a very limited number of comments, many of which do not provide the information requested or address the questions raised in the RFI. In addition, ETA received a request from a stakeholder for an extension of the public comment period (Document ID ETA-2023-0006-0035). ETA agrees to an extension of the public comment period and believes that an extension until May 13, 2024, is sufficient and appropriate to balance the

agency's need for timely and robust input and to satisfy the stakeholder's request. Accordingly, the comment period for this RFI is being extended and will now conclude on May 13, 2024.

Brent Parton,

Principal Deputy Assistant Secretary for Employment and Training, Labor.

[FR Doc. 2024-03187 Filed 2-14-24; 8:45 am]

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LIBRARY OF CONGRESS

Copyright Office

37 CFR Parts 201, 202

[Docket No. 2024-2]

Group Registration of Two-Dimensional Artwork

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 two-dimensional artwork. This option will allow applicants to register up to ten works published within a thirty-day time period by submitting a single online application with a digital deposit copy of each work. The Office will examine each work to determine if it contains a sufficient amount of creative pictorial or graphic authorship. If the Office registers the claim, the registration will cover each artwork as a separate work of authorship. The Office invites comment on this proposal.

DATES: Comments on the proposed rule must be made in writing and must be received by the U.S. Copyright Office no later than April 1, 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 <http://copyright.gov/rulemaking/gr2d>. 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 mefth@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 works of two-dimensional art. 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. Congress afforded the Register discretion to permit registration of groups of related works with one application and one filing fee, known as “group registration.”¹ Pursuant to this authority, the Register has established regulations permitting the Office to issue group registrations for certain limited categories of works, provided certain conditions have been met.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 Congress recognized that requiring applicants to submit separate applications where related works are separately published may be so burdensome that authors and copyright owners may forgo registration altogether, since registration is not a prerequisite to copyright protection.⁴ If copyright owners do not submit their works for registration, the public record will not contain any information concerning these works.

At the same time, when published works are bundled together in one application, it can be difficult to capture adequate information about each work, particularly within the technological constraints of the current electronic registration system (known as “eCO”). The Office also must consider the potential effect of a group registration option on its overall administration of the registration system, including the processing times for other types of works. Group registration options require balancing the copyright owner's desire for more liberal registration options, the importance of an accurate public record, and the Office's need for an efficient method of examining, indexing, and cataloging each work.

¹ 17 U.S.C. 408(c)(1).

² See generally 37 CFR 202.3(b)(5), 202.4(c)–(k), (o).

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 H.R. Rep. No. 94-1476 at 154; S. Rep. No. 94-473 at 136.

A. Calls for a New Registration Option for Two-Dimensional Artwork⁵

On numerous occasions, groups representing artists have asked the Office to establish a new group registration option for two-dimensional artwork.⁶ They assert that such an option is needed because visual artists are often prolific creators who produce a significant number of works each year.⁷ These works can be particularly susceptible to infringement, because in most cases they are fixed in a digital file that can easily be copied, even if the file includes copyright management information or technical protection measures.⁸ Once a file has been sent to

⁵ This document references a number of prior rulemakings in which commenters have requested group registration, including: 60 FR 18742 (Mar. 28, 2021) (“2014 Fee Study NPRM”); 80 FR 23054 (Apr. 24, 2015) (“Visual Works NOI”); 81 FR 86643 (Dec. 1, 2016) (“Group Photographs NPRM”); 82 FR 47415 (Oct. 12, 2017) (“GRUW NPRM”); 83 FR 24054 (May 24, 2018) (“2019 Fee Study NPRM”); 83 FR 52336 (Oct. 17, 2018) (“Registration Modernization NOI”); 84 FR 66328 (Dec. 4, 2019) (“Online Publication NOI”); and 86 FR 70540 (Dec. 10, 2021) (“Deferred Registration Examination Study NOI”).

⁶ Copyright Alliance Comment in response to Deferred Registration Examination NOI, at 31 (Jan. 24, 2022) (urging the Office to create “a group registration option for illustrations”); Coalition of Visual Artists (“Coalition”) Comment in response to 2019 Fee Study NPRM, at 35 (May 24, 2018) (“We believe that the current GRPPH [“Group Registration of Published Photographs”] and GRUPH [“Group Registration of Unpublished Photographs”] group registrations should be expanded to include all such two-dimensional visual works, including without limitation, illustrations, graphic art, video clips, textile arts or visual art in any medium.”); Coalition Comment in response to Group Photographs NPRM, at 60 (Jan. 30, 2017) (asking the Office to “[a]llow group registration for all two-dimensional artworks (visual works)”; Graphic Artists Guild Comment in response to Visual Works NOI, at 9 (July 20, 2015) (requesting “a new ruling to allow Group registration for illustration and graphic design; for all visual works, not just photographs”); Association of Medical Illustrators (“AMI”) Comment in response to Registration Modernization NOI, at 9 (Jan. 15, 2019) (“The AMI wishes to emphasize that the option of group registration for multiple published images for a single, reasonable fee should be available for works of visual art”); Shaftel & Schmelzer Comment in response to Registration Modernization NOI, at 30–31 (Jan. 11, 2019) (“The Graphic Artists Guild has been on record to the Copyright Office asking to include illustration and graphic art in the Group registration category since 1999; at every Roundtable discussion, annual meeting, and nearly every NOI comment letter for the last 20 years.” (footnote omitted)).

⁷ Coalition Comment in response to Deferred Registration Examination Study NOI, at 3 (Jan. 24, 2022); Graphic Artists Guild Reply Comment in response to Online Publication NOI, at 2 (June 15, 2020); Graphic Artists Guild Comment in response to Registration Modernization NOI, at 6 (Jan. 15, 2019); Shaftel & Schmelzer Comment in response to Registration Modernization NOI, at 30 (Jan. 11, 2019); Coalition Comment in response to 2019 Fee Study NPRM, at 35 (May 24, 2018).

⁸ Coalition Comment in response to Online Publication NOI, App. B, at 16 n.27 (Mar. 19, 2020);