

(c) The criminal history record information provided from the FBI to the designated entity shall not be provided to the qualified entity.

**§ 105.37 Rights of a covered individual.**

(a) Upon request to the designated entity, the covered individual who is the subject of the background check shall be provided with a copy of any background check report from the designated entity, including a copy of the criminal history record information that the designated entity received from the FBI.

(b) Each designated entity must ensure that the covered individual who is the subject of the background check is provided notice of the opportunity to appeal and instructions on how to complete the appeals process.

(1) Each covered individual may appeal the results of the determination made by the designated entity to challenge the accuracy or completeness of the information contained in the background check report of the covered individual and obtain a prompt determination as to the validity of such challenge before a final determination is made.

(2) Each covered individual may appeal the information contained in the FBI criminal history record information through procedures the FBI has in place pursuant to 28 CFR part 16, subpart C, wherein the subject of a criminal history record may request production of that record to review it or to obtain a change, correction, or update of that record.

**§ 105.38 Collection of fees.**

(a) Each designated entity shall set the fees to be collected under the CPIA Program at a level that will ensure the recovery of the full costs of providing all such services under the standards of the CPIA. The fee schedule by the designated entity shall be established to ensure that fees to qualified entities for background checks of covered individuals do not discourage volunteers from participating in the programs of qualified entities.

(b) The designated entity shall remit the appropriate portion of such fee to the FBI. That amount shall be the amount published in the **Federal Register** to be collected for the provision of a fingerprint-based criminal history background check conducted by the FBI.

(c) A fee charged to a qualified entity not organized under 26 U.S.C. 501(c)(3) shall not be less than the total sum of the costs of the FBI and the designated entity.

Dated: August 17, 2023.

**Merrick B. Garland,**  
*Attorney General.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Ocean Energy Management**

**30 CFR Parts 550, 556, and 590**

[Docket No. BOEM–2023–0027]

RIN 1010–AE14

**Risk Management and Financial Assurance for OCS Lease and Grant Obligations; Extension of Public Comment Period**

**AGENCY:** Bureau of Ocean Energy Management, Interior.

**ACTION:** Notice of proposed rulemaking; extension of public comment period.

**SUMMARY:** The Bureau of Ocean Energy Management (BOEM) is extending the public comment period on our notice of proposed rulemaking (NPRM), “Risk Management and Financial Assurance for Outer Continental Shelf Lease and Grant Obligations,” by 10 days. Comments previously submitted do not need to be resubmitted and will be fully considered.

**DATES:** The comment period for the proposed rule “Risk Management and Financial Assurance for Outer Continental Shelf [OCS] Lease and Grant Obligations,” which was published on June 29, 2023, at 88 FR 42136, is extended by 10 days. Online comments submitted at <https://www.regulations.gov> must be uploaded by 11:59 p.m. eastern daylight time on September 7, 2023. Hardcopy comments submitted by a parcel delivery service must be received by BOEM or postmarked on or before September 7, 2023.

**ADDRESSES:** The publicly available documents relevant to this action are available for public inspection electronically at <https://www.regulations.gov> in Docket No. BOEM–2023–0027.

**Submitting Comments.** You may send comments regarding the substance of this proposed rule, identified by Docket No. BOEM–2023–0027 or regulation identifier number (RIN) 1010–AE14, using any of the following methods:

- *Federal e-rulemaking portal:* <https://www.regulations.gov>. Search for and submit comments on Docket No. BOEM–2023–0027.
- *U.S. Postal Service or other parcel delivery service:* Address comments to

the Office of Regulations, Bureau of Ocean Energy Management, Department of the Interior, Attention: Kelley Spence, 45600 Woodland Road, Mailstop: DIR–BOEM, Sterling, VA 20166.

*Instructions:* All comments submitted regarding this proposed rule should reference Docket No. BOEM–2023–0027 or RIN 1010–AE14. All comments received by BOEM will be reviewed and may be posted to <https://www.regulations.gov>, including any personal information provided with the submission. For further instructions on protecting personally identifiable information, see “Public Availability of Comments” under **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:**

Kelley Spence, Office of Regulations, BOEM, at telephone number 984–298–7345 or email address [Kelley.Spence@boem.gov](mailto:Kelley.Spence@boem.gov); or Karen Thundiyil, Chief, Office of Regulations, BOEM, at telephone number 202–742–0970 or email address [Karen.Thundiyil@boem.gov](mailto:Karen.Thundiyil@boem.gov). 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.

**SUPPLEMENTARY INFORMATION:** On June 29, 2023, BOEM published the proposed rule “Risk Management and Financial Assurance for [OCS] Lease and Grant Obligations.” 88 FR 42136. That proposed rule would modify the criteria for determining whether oil, gas, and sulfur lessees, right-of-use and easement (RUE) grant holders, and pipeline right-of-way grant holders may be required to provide financial assurance above the current regulatorily prescribed base financial assurance to ensure compliance with their Outer Continental Shelf Lands Act obligations. This proposed rule would also remove existing restrictive provisions for third-party guarantees and decommissioning accounts and would add new criteria under which a bond or third-party guarantee that was provided as supplemental financial assurance may be canceled. Additionally, this proposed rule would clarify financial assurance requirements for RUEs serving Federal leases. With this notice, we are extending the public comment period on the NPRM from August 28, 2023, to September 7, 2023.

### Public Availability of Comments

You may submit your comments and materials by one of the methods listed in the **ADDRESSES** section of this notice. Before including your name, return address, phone number, email address, or other personally identifiable information in your comment, you should be aware that your entire comment—including your personally identifiable information—may be made publicly available. In order for BOEM to withhold from disclosure your personally identifiable information, you must identify, in a cover letter, any information contained in the submittal of your comments that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe in such cover letter any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so. Even if BOEM withholds your information in the context of this rulemaking, your submission is subject to the Freedom of Information Act (FOIA) and any relevant court orders. If your submission is requested under the FOIA or such court order, your information will only be withheld if a determination is made that one of the FOIA's exemptions to disclosure applies or if such court order is challenged. Such a determination will be made in accordance with the Department's FOIA regulations and applicable law.

**Elizabeth Klein,**  
Director, Bureau of Ocean Energy  
Management.

[FR Doc. 2023-18370 Filed 8-24-23; 8:45 am]

**BILLING CODE 4310-MR-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2022-0520]

RIN 1625-AA09

#### Drawbridge Operation Regulation; Mianus River, Greenwich, CT

**AGENCY:** Coast Guard, DHS.

**ACTION:** Supplemental notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to modify the operating schedule that

governs the Metro-North (Cos Cob) Bridge, across Mianus River, mile 1.0, at Greenwich, CT. The bridge owner, Metro-North Railroad (MNR), submitted a request on May 5, 2022 to modify the regulation to align with the Metro-North "WALK" Bridge train schedule and avoid bridge openings during peak transit hours. It is expected that this change to the regulations will better serve the needs of the community while continuing to meet the reasonable needs of navigation. We invite your comments on this proposed rulemaking. The original notice of proposed rulemaking did not accurately reflect the owner's request. As such, the Coast Guard is issuing a supplemental notice of proposed rulemaking to accurately describe the owner's request and proposed changes to the existing regulation.

**DATES:** Comments and related material must reach the Coast Guard on or before September 25, 2023.

**ADDRESSES:** You may submit comments identified by docket number USCG-2022-0520 using Federal Decision Making Portal at <https://www.regulations.gov>.

See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call or email Ms. Stephanie E. Lopez, First Coast Guard District, Project Officer, telephone 212-514-4335, email [Stephanie.E.Lopez@uscg.mil](mailto:Stephanie.E.Lopez@uscg.mil).

### SUPPLEMENTARY INFORMATION:

#### I. Table of Abbreviations

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
OMB Office of Management and Budget  
SNPRM Supplemental Notice of Proposed Rulemaking  
§ Section  
U.S.C. United States Code  
MNR Metro-North Railroad

#### II. Background, Purpose and Legal Basis

The Metro-North (Cos Cob) Bridge at mile 1.0, across Mianus River, Greenwich, CT, has a vertical clearance of 20 feet at mean high water and a horizontal clearance of approximately 67 feet. Waterway users include recreational and commercial vessels, including fishing vessels.

The existing drawbridge operating regulations are listed at 33 CFR 117.209. Under the current regulation, the draw

shall open on signal from 5 a.m. to 9 p.m. but no later than 20 minutes after the signal to open unless a train is scheduled to cross. Once the train scheduled to cross has passed the Greenwich or Riverside stations, the bridge will open once the train has made passage. From April 1 through October 31, from 9 p.m. to 5 a.m., the bridge will open after at least a four-hour advance notice is given. From November 1 through March 30, from 9 p.m. to 5 a.m., the bridge will open after at least a twenty-four-hour advance notice is given.

MNR is requesting the modification of the requirements in 33 CFR part 117.209 to align with the existing requirements for the Metro-North "WALK" Bridge, across the Norwalk River, at mile 0.1.

The Cos Cob Bridge is located at one of the busiest rail segments in the United States and the Northeast Corridor. Openings at Cos Cob Bridge, between the calendar years of 2019 and 2021, resulted in seventy-one (71) delays to MNR train service. A delay due to a bridge opening has cascading affects, resulting in multiple delayed and late trains. Delays due to the openings of Cos Cob Bridge were notably high among the drawbridges on MNR service territory. Aligning the Cos Cob Bridge regulation with the WALK Bridge regulation 33 CFR 117.217 (b) provides a balance between railroad operations and vessels interest in waterway passage.

#### III. Discussion of Supplemental Proposed Rule

The supplemental proposed rule provides the draw to open on signal between 4:30 a.m. and 9 p.m. after at least a two-hour advance notice is given via marine radio or telephone. The bridge will not open from 5:45 a.m. through 9:45 a.m. and from 4 p.m. through 8 p.m. From 9 p.m. through 4:30 a.m. the draw shall open on signal after at least a four-hour advance notice is given via marine radio or telephone. A delay in opening the draw not to exceed 10 minutes may occur when a train scheduled to cross the bridge without stopping has entered the drawbridge lock. The reason for these changes is to minimize train delays while balancing the interests of vessels in the waterway.

#### IV. Regulatory Analyses

We developed this supplemental proposed rule after considering numerous statutes and Executive Orders related to rulemaking. A summary of our analysis based on these statutes and Executive Orders follows.