

it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Environment

We have considered the environmental impact of this rule and concluded that under figure 2-1, paragraph 34(g), of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" is available for inspection or copying where indicated under ADDRESSES.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191, 33 CFR 1.05-1(g), 6.04-1, 6.04-6, 160.5; 49 CFR 1.46.

2. A new temporary § 165.T08-001 is added to read as follows:

§ 165.T08-001 Security Zone; Missouri River Miles 646.0 to 645.6, Fort Calhoun, NE.

(a) *Location.* The following area is a security zone: The waters of the Missouri River, extending 75 feet from the shoreline of the right descending bank beginning from mile marker 646.0 and ending at mile marker 645.6.

(b) *Effective date.* This section is effective from 12 p.m. on January 7, 2002 through 8 a.m. on June 15, 2002.

(c) *Authority.* The authority for this section is 33 U.S.C. 1226, 33 U.S.C. 1231, 33 CFR 1.05-1(g), and 49 CFR 1.46.

(d) *Regulations.* (1) Entry into this security zone is prohibited unless authorized by the Coast Guard Captain of the Port St. Louis or his designated representative.

(2) Persons or vessels requiring entry into or passage through the zone must request permission from the Captain of the Port St. Louis, or his designated representative. They may be contacted

via VHF Channel 16 or via telephone at (309) 782-0627 or (314) 539-3091, ext. 540.

(3) All persons and vessels shall comply with the instructions of the Captain of the Port St. Louis and designated on-scene U.S. Coast Guard patrol personnel. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard.

Dated: January 7, 2002.

E.A. Washburn,

Commander, U.S. Coast Guard, Captain of the Port St. Louis.

[FR Doc. 02-5464 Filed 3-6-02; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Charleston-01-145]

RIN 2115-AA97

Security Zone; Port of Charleston, SC

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is continuing for six more months a temporary, fixed security zone on the Cooper River in the vicinity of the U.S. Naval Weapons Station, Charleston, SC that we established in September 2001. The continuation of this security zone is needed for national security reasons following the recent events in New York City, Washington DC and Western Pennsylvania. No person or vessel may enter this zone unless specifically authorized by the Captain of the Port, Charleston, South Carolina or his designated representative.

DATES: This regulation becomes effective at 12:01 p.m. on December 17, 2001 and will terminate at 11:59 p.m. on June 15, 2002.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of [COTP Charleston 1-145] and are available for inspection or copying at Marine Safety Office Charleston, 196 Tradd Street, Charleston, S.C. 29401 between 7:30 a.m. and 4 p.m. Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LT Erin Healey, Coast Guard Marine Safety Office Charleston, at (843) 747-7411.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a NPRM. Because of the events described below, publishing a NPRM and delaying the rule's effective date would be contrary to the public interest since immediate action is needed to protect the public, ports and waterways of the United States. The Coast Guard will issue a broadcast notice to mariners and the U.S. Navy will place vessels in the vicinity of these zones to advise mariners of the restriction.

For the same reasons, under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

Background and Purpose

On September 28, 2001, the Coast Guard published a temporary final rule in the **Federal Register** that established a temporary fixed security zone on the Cooper River in the vicinity of the U.S. Naval Weapons Station, Charleston, SC, that expires at 12 a.m. (noon) December 17, 2001. (66 FR 49533). This rulemaking will continue the security zone for six months because it is necessary to protect the significant national security interests in this area. The security zone encompasses all waters of the Cooper River between the Cooper River Lighted Buoy 62 (LLNR 2930) in the vicinity of the entrance to Goose Creek and Cooper River Light 87 (LLNR 3135) near the entrance to Foster Creek. Goose Creek is also covered by this security zone.

This security zone is needed for national security reasons following the September 11, 2001, terrorist attacks in New York City, Washington, DC, and Western Pennsylvania, particularly the attack on United States military interests in Washington, DC. Following these attacks by well-trained and clandestine terrorists, national security and intelligence officials have warned that future terrorists attacks are likely. There will be naval patrol vessels on scene to patrol and enforce this security zone. Entry into this security zone is prohibited unless specifically authorized by the Commanding Officer of Naval Weapons Station Charleston or the Captain of the Port, Charleston, South Carolina.

The Coast Guard has met with members of the waterway community to discuss this closure. Vessels may be allowed to enter the zone with the authorization of the Commanding

Officer Naval weapons Station Charleston or the Coast Guard Captain of the Port. Vessels wishing to transit the security zone are encouraged to contact the Commanding Officer Naval weapons Station Charleston or the Captain of the Port as soon as possible to request this authorization. This security zone continues our slight extension of the existing Army Corps of Engineers restricted area for this facility. The restricted area is described in section 334.460 of title 33 of the Code of Federal Regulations, 33 CFR 334.460.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This rule allows vessels to enter the zone upon approval of Commanding Officer Naval Weapons Station Charleston, the Captain of the Port, or a Coast Guard commissioned, warrant, or petty officer designated by him. Requests will be evaluated on a case-by-case basis.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), the Coast Guard considered whether this rule would have a significant economic effect upon a substantial number of small entities. “Small entities” include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

This rule may affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit a portion of the Cooper River in the vicinity of U.S. Naval Weapons Station, Charleston, SC. The Coast Guard preliminary review indicates this temporary rule will not have a significant economic impact on a substantial number of small entities under 5 U.S.C. 605(b) because small entities may be allowed to enter on a case-by-case basis with the authorization of the Commanding

Officer Naval Weapons Station Charleston or the Captain of the Port.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. If the rule will affect your small business, organization, or government jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding this rule.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small each agency’s responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

Collection of Information

This rule calls for no new collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501–3520).

Federalism

A rule has implication for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and

Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Environmental

The Coast Guard considered the environmental impact of this rule and concluded under Figure 2–1, paragraph 34(g) of Commandant Instruction M16475.1D, this rule is categorically excluded from further environmental documentation. The Categorical Exclusion Determination will be made available in the docket for inspection or copying where indicated under **ADDRESSES**.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationships between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or use. We have determined that it is not a “significant energy action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reports and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165, as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191, 33 CFR 1.05-1(g), 6.04-1, 6.04-6, 160.5; 49 CFR 1.46.

2. A new temporary § 165.T07-145 is added to read as follows:

§ 165.T07-145 Security Zone; Cooper River, Charleston, South Carolina.

(a) *Regulated area.* All waters of the Cooper River from Cooper River Lighted Buoy 62 (LLNR 2930) in the vicinity of the entrance to Goose Creek to Cooper River Light 87 (LLNR 3135) near the entrance to Foster Creek including Goose Creek.

(b) *Regulations.* In accordance with the general regulations in § 165.33 of this part, entry into this zone is prohibited except as authorized by the Commanding Officer Naval Weapons Station Charleston or the Captain of the Port, or a Coast Guard commissioned, warrant, or petty officer designated by him. The Captain of the Port will notify the public of any changes in the status of this zone by Marine Safety Radio Broadcast on VHF Marine Band Radio, Channel 13 and 16 (157.1 MHz).

(c) *Authority.* In addition to 33 U.S.C. 1231, the authority for this section includes 33 U.S.C. 1226.

(d) *Dates.* This section becomes effective at 12:01 p.m. on December 17, 2001 and will terminate at 11:59 p.m. on June 15, 2002. The Coast Guard will publish a separate document in the **Federal Register** announcing any earlier termination of this rule.

Dated: December 17, 2001.

G.W. Merrick,

Commander, U.S. Coast Guard, Captain of the Port Charleston, SC.

[FR Doc. 02-5466 Filed 3-6-02; 8:45 am]

BILLING CODE 4910-15-U

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 202

[Docket No. 2002-2]

Registration of Claims to Copyright: Group Registration of Contributions to Periodicals

AGENCY: Copyright Office, Library of Congress.

ACTION: Final rule.

SUMMARY: This amendment publishes as a final rule an existing practice which makes it easier for applicants to register a group of contributions to periodicals by expanding the number of acceptable deposits relating to registering on a single application groups of contributions to periodicals. The expanded number of acceptable deposits is both consistent with the intent of copyright law and the existing practices.

EFFECTIVE DATE: March 7, 2002.

FOR FURTHER INFORMATION CONTACT: Kent Dunlap, Principal Legal Advisor for the General Counsel, Telephone: (202) 707-8380. Fax: (202) 707-8366.

SUPPLEMENTARY INFORMATION: Section 408(c)(2) of title 17 authorizes the Register of Copyrights to establish a procedure permitting a single registration for groups of contributions to periodicals published by the same author within a twelve month period. Current regulations designate the deposit as "one copy of the entire issue of the periodical, or of the entire section in the case of a newspaper, in which each contribution was first published." 37 CFR 202.3(b)(7)(i)(E).

The above designated deposit proved a hardship for many applicants who did not have immediate access to either the entire issue or the entire section in which each contribution was first published. As a result over the past several years, the Examining Division has permitted a number of alternative deposits under the special relief provision of the deposit regulation. Among the alternatives were photocopies of the contribution or copies of the contribution cut or torn from the collective work. These alternative deposits permitted under special relief were broadly consistent with the wide variety of deposits see, e.g. 66 FR 37142 (July 17, 2001), the Office has accepted since 1978 in compliance with the spirit of administrative flexibility Congress indicated the Register had in order to ensure that the deposit requirement was reasonable and non-burdensome for the applicant. *See generally* H.R. Rep. No. 94-1476 150-155 (1976). Permitting deposit without the entire issue or periodical will not diminish the public record since the application form used for these works elicits specific information on the periodical in which the contribution was published.

This regulation is issued without inviting public comment for these reasons: the regulation confers a positive benefit on the public affected;

the regulation establishes an optional procedure only; and the Copyright Office prepared the regulation based on its past experience in administering the deposit provisions for this kind of works including its experience with the types of alternative deposits frequently submitted by applicants. By this **Federal Register** notice, the Copyright Office is merely incorporating these alternative deposits for group registration of contributions to periodicals into the relevant deposit regulation.

List of Subjects in 37 CFR Part 202

Claims to copyright, Copyright registration, Registration of claims to copyright.

Final Regulation

On consideration of the foregoing, the Copyright Office is amending part 202 of 37 CFR, chapter II in the manner set forth below.

PART 202—REGISTRATION OF CLAIMS TO COPYRIGHT

1. The authority citation for part 202 continues to read as follows:

Authority: 17 U.S.C. 702.

2. Section 202.3(b)(7)(i)(E) is revised to read as follows:

§ 202.3 Registration of copyright.

* * * * *

(b) * * *

(7) * * *

(i) * * *

(E) The deposit accompanying the application must consist of one of the following: one copy of the entire issue of the periodical, or, in the case of a newspaper, the entire section containing the contribution; tear sheets or proof copies of the contribution; a photocopy of the contribution itself, or a photocopy of the entire page containing the contribution; the entire page containing the contribution cut or torn from the collective work; the contribution cut or torn from the collective work; or photographs or photographic slides of the contribution or entire page containing the contribution as long as all contents of the contribution to be registered are clear and legible.

Dated: February 26, 2002.

Marybeth Peters,

Register of Copyrights.

Approved by:

James H. Billington,

Librarian of Congress.

[FR Doc. 02-5456 Filed 3-6-02; 8:45 am]

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