

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191, 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; and Department of Homeland Security Delegation No. 0170.

■ 2. Add a temporary § 165.T07–0131 to read as follows:

**§ 165.T07–0131 Safety Zone; Space Coast Super Boat Grand Prix; Atlantic Ocean, Cocoa Beach, FL.**

(a) *Location.* The following regulated area is a safety zone located offshore from Cocoa Beach, FL: All waters of the Atlantic Ocean encompassed within the following points: Starting at Point 1 in position 28°22'16" N., 080°36'04" W.; thence east to Point 2 in position 28°2'15" N., 080°35'38" W.; thence south to Point 3 in position 28°19'46" N., 080°35'38" W.; thence west to Point 4 in position 28°19'47" N., 080°36'22" W.; thence north back to origin. These coordinates are based on North American Datum 1983.

(b) *Definition.* As used in this section, the term “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels, and Federal, state, and local officers designated by or assisting the Captain of the Port (COTP) Jacksonville in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering, transiting through, anchoring in, or remaining within the regulated area unless authorized by the COTP Jacksonville or a designated representative.

(2) Persons and vessels desiring to enter, transit through, anchor in, or remain within the regulated area may contact the COTP Jacksonville by telephone at 904–714–7557, or a designated representative via VHF–FM radio on channel 16 to request authorization. If authorization is granted, all persons and vessels receiving such authorization must comply with the instructions of the COTP Jacksonville or designated representative.

(3) The Coast Guard will provide notice of the regulated area by Local Notice to Mariners, Broadcast Notice to Mariners via VHF–FM channel 16, and/or by on-scene designated representatives.

(d) *Enforcement Period.* This rule will be enforced from 10 a.m. until 5 p.m. on May 21, 2017.

Dated: May 8, 2017.

**T.C. Wiemers,**

*Captain, U.S. Coast Guard, Captain of the Port Jacksonville.*

[FR Doc. 2017–10148 Filed 5–18–17; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket Number USCG 2017–0294]

RIN 1625–AA00

**Safety Zone; Sabine River, Orange, Texas**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for certain navigable waters of the Sabine River adjacent to the public boat ramp located in Orange, TX. This safety zone is necessary to protect persons and vessels from hazards associated with a high speed boat race competition. Persons and vessels are prohibited from entering into, transiting through, or anchoring within this safety zone unless authorized by the Captain of the Port, Port Arthur.

**DATES:** This rule is effective from 8:30 a.m. on May 20, 2017 through 6 p.m. on May 21, 2017.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG–2017–0294 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Mr. Scott Whalen, Marine Safety Unit Port Arthur, U.S. Coast Guard; telephone 409–719–5086, email [Scott.K.Whalen@uscg.mil](mailto:Scott.K.Whalen@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
COTP Captain of the Port, Port Arthur  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

**II. Background Information and Regulatory History**

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are

“impracticable, unnecessary, or contrary to the public interest.” Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule. The Coast Guard received notice on March 22, 2017 that this boat racing event is scheduled to take place from May 20 to 21, 2017. Upon full review of the event details, the Coast Guard determined that additional safety measures were necessary due to potential navigational hazards present during the high speed boat race. The safety zone needs to be established by May 20, 2017. As such, it is impracticable to publish an NPRM because we lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

We are issuing this rule, and under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making it effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be contrary to public interest because regulatory action is necessary to limit access to the area of the high speed boat races, protecting participants, spectators, and other persons and vessels from the potential hazards during a high speed boat race on a navigable waterway. The Coast Guard will notify the public and maritime community that the safety zone will be in effect and of its enforcement periods via broadcast notices to mariners (BNM) and the event will be advertised in the Local Notice to Mariners (LNM).

**III. Legal Authority and Need for Rule**

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1231. The Captain of the Port, Port Arthur (COTP) has determined that the potential hazards associated with high speed boat races are a safety concern for vessels operating on the Sabine River. This rule is needed to protect participants, spectators, and other persons and vessels in the navigable waters within the safety zone during the scheduled races.

**IV. Discussion of the Rule**

This rule establishes a temporary safety zone from 8:30 a.m. on May 20, 2017 through 6 p.m. on May 21, 2017. The safety zone covers all navigable waters of the Sabine River, shoreline to shoreline, adjacent to the public boat ramp located in Orange, TX. The northern boundary is from the end of Navy Pier One at 30°05'50" N., 93°43'15" W. then easterly to the rivers eastern shore. The southern boundary is a line shoreline to shoreline at latitude

30°05'33" N. (NAD83). The duration of the safety zone is intended to protect participants, spectators, and other persons and vessels, in the navigable waters of the Sabine River during the high speed boat races. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

## V. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive Orders, and we discuss First Amendment rights of protestors.

### A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule has not been designated a "significant regulatory action," under Executive Order 12866. Accordingly, it has not been reviewed by the Office of Management and Budget.

This regulatory action determination is based on the size, location, and duration of the safety zone. This safety zone is over a 2-day period and enforcement during the effective times, enforcement periods will include scheduled breaks, providing opportunity for vessels to transit through the affected area. Moreover, the Coast Guard will issue Broadcast Notice to Mariners via VHF-FM marine channel 16 about the zone and the rule allows vessel to seek permission to enter the zone.

### B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term "small entities" comprises 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. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on vessel owners or operators.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

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 Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates 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). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

### C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, 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 relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal

Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

### E. 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 (adjusted for inflation) or more in any one year. Though this rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

### F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves a safety zone during a 2-day period that will prohibit entry within the zone without permission of the Captain of the Port. It is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. An environmental analysis checklist supporting this determination and a Record of Environmental Consideration are available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this rule.

### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, and 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, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add temporary § 165.T08–0294 to read as follows:

### § 165.T08–0294 Safety Zone; Sabine River, Orange, Texas.

*Location.* The following area is a safety zone: Certain navigable waters of the Sabine River adjacent to the Orange public boat ramps located in Orange, TX. The northern boundary is from the end of old Navy Pier One at 30°05′50″ N., 93°43′15″ W., then easterly to the rivers eastern shore. The southern boundary is a line shoreline to shoreline at latitude 30°05′33″ N. (NAD83).

(a) *Effective period.* This rule is effective from 8:30 a.m. on May 20, 2017 through 6 p.m. on May 21, 2017. Enforcement during the effective period will allow for scheduled breaks allowing vessels to pass through the safety zone. Notice of scheduled breaks will be provided as indicated under paragraph (c) of this section.

(b) *Regulations.* (1) Under the general safety zone regulations in § 165.23 of this part, entry into this zone is prohibited to all persons and vessels except those vessels specifically authorized by the Captain of the Port, Port Arthur (COTP) or a designated representative.

(2) Persons or vessels requiring entry into or passage through must request permission from the COTP or a designated representative. They may be contacted on VHF–FM channel 13 or 16, or by phone at 409–719–5070.

(3) All persons and vessels shall comply with the lawful orders or directions given to them by the COTP or COTP’s designated representative.

(c) *Information broadcasts.* The Coast Guard will inform the public through broadcast notices to mariners of channel restrictions and Vessel Traffic Service advisories on VHF–FM channel 65A.

Dated: May 16, 2017

### R.S. Ogrydziak

*Captain, U.S. Coast Guard, Captain of the Port, Port Arthur, Texas.*

[FR Doc. 2017–10213 Filed 5–18–17; 8:45 am]

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## LIBRARY OF CONGRESS

### Copyright Office

#### 37 CFR Part 201

[Docket No. 2013–5]

### Authentication of Electronic Signatures on Electronically Filed Statements of Account

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

**ACTION:** Final rule.

**SUMMARY:** The United States Copyright Office is amending its regulation prescribing requirements related to the submission of Statements of Account under the section 111 license for secondary transmissions of broadcast programming by cable systems. The amendments will allow cable systems operating under the statutory license to electronically sign Statements of Account, and to submit them to the Office electronically.

**DATES:** Effective June 19, 2017.

#### FOR FURTHER INFORMATION CONTACT:

Sarang V. Damle, General Counsel and Associate Register of Copyrights, by email at [sdam@loc.gov](mailto:sdam@loc.gov), or Regan A. Smith, Deputy General Counsel, by email at [resm@loc.gov](mailto:resm@loc.gov). Each can be contacted by telephone by calling (202) 707–8350.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 111 of the Copyright Act, title 17 of the United States Code, provides cable operators with a statutory license to retransmit a performance or display of a work embodied in a primary transmission made by a television station licensed by the Federal Communications Commission (“FCC”). As section 111 directs, the Copyright Office has issued a regulation prescribing deposit requirements for cable operators to make use of this license. 37 CFR 201.17; *see* 17 U.S.C. 111(d). Cable system statutory licensees are required to file Statements of Account (“SOAs”) and pay royalty and filing fees to the Copyright Office, which are received by its Licensing Division. SOAs contain information on a cable operator’s channel line-ups and gross receipts for the sale of cable service to the public. Cable systems are directed to file either a short- or long-form SOA (called the “SA1/2” and “SA3” forms, respectively), depending upon whether the system has reported semiannual gross receipts of more or less than \$527,600. 37 CFR 201.17(d). Payments made under the cable

statutory license are remitted semi-annually to the Office, which invests the royalties in United States Treasury securities pending distribution of the funds to those copyright owners who are entitled to receive a share of the fees.

Currently, the process for submission of SOAs is paper-based, and each cable system filer (or “remitter”) is required to include “the handwritten signature” of a person of authority (e.g., a corporate officer if the system is owned by a corporation) accompanying a “declaration of the veracity of the statements of fact contained in the [SOA] and the good faith of the person signing in making such statement of fact.” 37 CFR 201.17(e)(14). On June 26, 2013, the Copyright Office issued a notice of proposed rulemaking (“NPRM”) proposing amendments to its regulations to allow remitters to use electronic signatures and file Statements of Account electronically. 78 FR 38240 (June 26, 2013). At that time, as part of a broader reengineering of the workflow of the Licensing Division, the Office was in the process of configuring and deploying a software package to serve as an electronic filing system. 78 FR at 38241. The NPRM presumed that electronic signatures and submission of SOAs, and, eventually, royalty payments, would occur through deployment of this new system. The Office received two comments in response to the NPRM: One from National Cable & Telecommunications Association (“NCTA”), which is addressed below, and another from Hooks Management Group, LLC, which expressed overall support for electronic filing.

Since the issuance of the NPRM, the Office discovered a number of issues with the development of the new system, which caused reassessment of the project in its original form.<sup>1</sup> Accordingly, the Office shifted efforts to identify a more cost-effective and efficient solution, and requested that the Library of Congress terminate the contract.

At that same time, the Office made plans to develop an alternate, spreadsheet-based form to allow the electronic submission of SOAs. In addition to the PDF forms already available on the Office’s Web site, the

<sup>1</sup> For example, the vendor hired to develop this software indicated that it would be unable to fulfill the deliverables under the current development contract and that basic operation and maintenance would rise in 2017 to a costly annual overhead expense. Further, the Office learned that after June 2018, the vendor would no longer be supporting the software version that had been licensed, and that a significant additional expenditure of funds would be necessary to move the project to a new software version.