

**SUPPLEMENTARY INFORMATION:** On March 21, 2019, the EEOC's 2019 Adjustment of the Penalty for Violation of Notice Posting Requirements was published in the **Federal Register**. (84 FR 10410). The rule provided notice of an annual inflationary adjustment to the penalty for covered employers that fail to post a notice of employee rights under federal employment anti-discrimination laws as required by the Federal Civil Penalties Inflation Adjustment Act of 1990 (FCPIA), as amended. This publication also inadvertently repeated an old regulatory identification number (RIN) from a past year's penalty adjustment. The correct RIN number for this item is 3046-AB14.

As discussed in March 21 publication's preamble, the FCPIA, as amended by the Debt Collection Improvement Act of 1996 and the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, requires federal agencies, including the EEOC, to issue regulations adjusting for inflation the maximum civil penalty that may be imposed pursuant to its statutes. This publication also adds the authority for making these adjustments to the statutory authority for 29 CFR part 1601.

#### Regulatory Procedures

The Commission finds that public notice-and-comment on this rule is unnecessary, because the revision makes no substantive change; it merely corrects the RIN identifier to ease any effort by the public to locate this regulation on regulations.gov and to distinguish the 2019 penalty adjustment from those made in other years. It additionally adds to the list of authorities for the regulation to increase the transparency of all statutes that the EEOC relies upon in issuing its procedural regulations at 29 CFR part 1601. The correction is therefore exempt from the notice-and-comment requirements of 5 U.S.C. 553(b) under 5 U.S.C. 553(b)(B).

This technical correction also is not "significant" for purposes of Executive Order 12866, as reaffirmed by E.O. 13563, and therefore is not subject to review by Office of Management and Budget.

#### Regulatory Analysis

Since this technical correction contains no substantive changes to the law, the EEOC certifies that it contains no new information collection requirements subject to review by the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. chapter 35), it requires no formal cost-benefit analysis pursuant to E.O. 12866,

it creates no significant impact on small business entities subject to review under the Regulatory Flexibility Act, and it imposes no new economic burden requiring further analysis under the Unfunded Mandates Reform Act of 1995.

#### Congressional Review Act

This Correction concerns a penalty adjustment that is a "rule" for purposes of the Congressional Review Act, but not a major rule. As a result, this Correction, with the original penalty adjustment appended, was provided to Congress and the General Accountability Office pursuant to the requirements of 5 U.S.C. 801 shortly before publication of this correction.

#### List of Subjects in 29 CFR Part 1601

Administrative practice and procedure.

Accordingly, 29 CFR part 1601 is corrected by making the following correcting amendment:

#### PART 1601—PROCEDURAL REGULATIONS

- 1. The authority citation for part 1601 is revised to read as follows:

**Authority:** 29 U.S.C. 621-634; 28 U.S.C. 2461 note; 5 U.S.C. 301; Pub. L. 99-502; 100 Stat. 3341; Secretary's Order No. 10-68; Secretary's Order No. 11-68; sec. 2 Reorg. Plan No. 1 of 1978, 43 FR 19807; Executive Order 12067, 43 FR 28967.

Dated: January 28, 2020.

For the Commission.

**Janet Dhillon,**  
*Chair.*

[FR Doc. 2020-02144 Filed 2-26-20; 8:45 am]

**BILLING CODE 6570-01-P**

#### DEPARTMENT OF HOMELAND SECURITY

##### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2018-0532]

RIN 1625-ZA38

#### Navigation and Navigable Waters, and Shipping; Technical, Organizational, and Conforming Amendments for U.S. Coast Guard Field District 1; Correction

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule; correction.

**SUMMARY:** The Coast Guard is correcting a final rule that appeared in the **Federal Register** on January 31, 2020. The final rule announced technical changes to

local regulated navigation areas, special local regulations, safety zones and security zones within District 1 of the U.S. Coast Guard. The rule has an effective date of March 2, 2020. This correction fixes an incorrect table entry number in the amendatory instructions of the final rule for an entry related to safety zones, fireworks displays, air shows and swim events in the Captain of the Port Long Island Sound Zone.

**DATES:** This correction is effective on March 2, 2020.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Craig D. Lapiejko, Coast Guard; telephone (617) 223-8351, email [Craig.D.Lapiejko@uscg.mil](mailto:Craig.D.Lapiejko@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### Correction

In FR Doc. 2020-01294 appearing on page 5570 in the **Federal Register** of Friday, January 31, 2020, the following correction is made:

#### § 165.151 [Corrected]

- On page 5570, in the first column, in part 165, in amendment 6.c., "7.48" is corrected to read "7.49".

Dated: February 19, 2019.

**M.W. Mumbach,**

*Chief, Office of Regulations and Administrative Law, U.S. Coast Guard.*

[FR Doc. 2020-03586 Filed 2-26-20; 8:45 am]

**BILLING CODE 9110-04-P**

#### LIBRARY OF CONGRESS

##### Copyright Office

#### 37 CFR Part 201

[Docket No. 2020-3]

#### DMCA Designated Agent Post Office Box Waiver Request Process

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

**ACTION:** Final rule.

**SUMMARY:** This final rule makes non-substantive technical amendments to the U.S. Copyright Office's regulations governing the submission of designated agent and service provider information to the Office pursuant to the Digital Millennium Copyright Act ("DMCA").

**DATES:** Effective February 27, 2020.

**FOR FURTHER INFORMATION CONTACT:** Regan A. Smith, General Counsel and Associate Register of Copyrights, by email at [regans@copyright.gov](mailto:regans@copyright.gov), or Mark Gray, Attorney-Advisor, by email at [mgray@copyright.gov](mailto:mgray@copyright.gov). Each can be contacted by telephone by calling (202) 707-8350.

**SUPPLEMENTARY INFORMATION:** Effective December 1, 2016, the Copyright Office adopted regulations governing the submission of designated agent and service provider information to the Office pursuant to the Digital Millennium Copyright Act (“DMCA”) in connection with the implementation of an electronic registration system launched the same day.<sup>1</sup> Under that rule, service providers must provide their physical street address and may not provide a post office box absent “exceptional circumstances (e.g., where there is a demonstrable threat to an individual’s personal safety or security, such that it may be dangerous to publicly publish a street address where such individual can be located).”<sup>2</sup> Service providers seeking to provide a post office box as their address are required to first obtain a waiver of the street address requirement from the Copyright Office. To request a waiver, a service provider “must send a signed letter, addressed to the [Office],” that contains, among other things, “a detailed statement providing the reasons supporting the request, with explanation of the specific threat(s) to an individual’s personal safety or security.”<sup>3</sup> Upon receipt, the Office evaluates these requests to determine whether the circumstances warrant a waiver.

Based on its experience administering the current waiver system, the Office has determined that it is unnecessary to require that waiver requests be sent by mail, and that also permitting electronic requests to be sent via email would be beneficial both to service providers and the Office. Moreover, it would further the goals of the designation regulations. Because waiver requests must be approved in advanced of being able to designate an agent, the amount of time that passes between the service provider submitting its request and the Office receiving and acting on the request can impact the service provider’s safe harbor protection under 17 U.S.C. 512. Thus, it is in everyone’s best interest that the Office receive these requests as quickly as possible. Not only is email a much faster and more efficient method of delivery than ordinary mail, but because of the Office’s physical location within the U.S. Capitol Complex, all mail, including waiver requests, undergo mandatory off-site security screening and decontamination before arriving at

the Offices, which can further delay delivery beyond what a service provider might normally anticipate.

Because this rule only adds an additional, optional method by which a request for a waiver may be submitted to the Office, this final rule is a non-substantive, procedural change not “alter[ing] the rights or interests of parties,” and thus is not subject to the notice and comment requirements of the Administrative Procedure Act.<sup>4</sup> Furthermore, the Office finds good cause that permitting notice and comment would be “contrary to the public interest” in this instance.<sup>5</sup> Because this final rule will make it even easier and faster for service providers to seek waivers, it is in the public’s best interest that it take effect without delay. For these same reasons, the Office is making this final rule effective immediately upon publication in the **Federal Register**.<sup>6</sup>

#### List of Subjects in 37 CFR Part 201

Copyright, General provisions.

#### Final Regulations

For the reasons set forth in the preamble, the Copyright Office amends 37 CFR part 201 as follows:

#### PART 201—GENERAL PROVISIONS

■ 1. The authority citation for part 201 continues to read as follows:

**Authority:** 17 U.S.C. 702.

■ 2. Amend § 201.38 as follows:

■ a. Revise paragraph (b)(1)(ii) to read as follows:

#### § 201.38 Designation of agent to receive notification of claimed infringement.

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(ii) A post office box may not be substituted for the street address for the

service provider, except in exceptional circumstances (e.g., where there is a demonstrable threat to an individual’s personal safety or security, such that it may be dangerous to publicly publish a street address where such individual can be located) and, upon written request by the service provider, the Register of Copyrights determines that the circumstances warrant a waiver of this requirement. To obtain a waiver, the service provider must make a written request submitted either by email, to [poboxwaiver@copyright.gov](mailto:poboxwaiver@copyright.gov), or by signed letter, addressed to the “U.S. Copyright Office, Office of the General Counsel” and sent to the address for time-sensitive requests set forth in § 201.1(c)(1). Requests must contain the following information: The name of the service provider; the post office box address that the service provider wishes to use; a detailed statement providing the reasons supporting the request, with explanation of the specific threat(s) to an individual’s personal safety or security; and an email address for any responsive correspondence from the Office. There is no fee associated with making this request. If the request is approved, the service provider may display the post office box address on its website and will receive instructions from the Office as to how to complete the Office’s electronic registration process.

Dated: February 10, 2020.

**Maria Strong,**

*Acting Register of Copyrights and Director of the U.S. Copyright Office.*

Approved by:

**Carla D. Hayden,**

*Librarian of Congress.*

[FR Doc. 2020–03260 Filed 2–26–20; 8:45 am]

**BILLING CODE 1410–30–P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA–2020–0005; Internal Agency Docket No. FEMA–8619]

#### Suspension of Community Eligibility

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for

<sup>1</sup> 81 FR 75695 (Nov. 1, 2016). Technical amendments to these regulations were subsequently adopted, effective May 10, 2017. 82 FR 21696 (May 10, 2017).

<sup>2</sup> 37 CFR 201.38(b)(1)(i)–(ii).

<sup>3</sup> 37 CFR 201.38(b)(1)(ii).

<sup>4</sup> See *Nat’l Mining Ass’n v. McCarthy*, 758 F.3d 243, 250 (D.C. Cir. 2014) (“The critical feature of a procedural rule is that it covers agency actions that do not themselves alter the rights or interests of parties, although it may alter the manner in which the parties present themselves or their viewpoints to the agency.”) (internal quotation marks omitted); 5 U.S.C. 553(b) (notice and comment not required for “interpretative rules, general statements of policy, or rules of agency organization, procedure, or practice”).

<sup>5</sup> See 5 U.S.C. 553(b) (notice and comment not required “when the agency for good cause finds . . . that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest”).

<sup>6</sup> See *id.* at 553(d) (“The required publication or service of a substantive rule shall be made not less than 30 days before its effective date, except—(1) a substantive rule which grants or recognizes an exemption or relieves a restriction; (2) interpretative rules and statements of policy; or (3) as otherwise provided by the agency for good cause found and published with the rule.”).