

State party	Cultural property	Decision No.
Morocco .....	Archaeological material from Morocco ranging in date from approximately 1 million B.C. to A.D. 1750, and ethnological material from Morocco ranging in date from approximately A.D. 1549 to 1912.	CBP Dec. 21–02.

Mark A. Morgan, the Chief Operating Officer and Senior Official Performing the Duties of the Commissioner, having reviewed and approved this document, is delegating the authority to electronically sign this notice document to Robert F. Altneu, who is the Director of the Regulations and Disclosure Law Division for CBP, for purposes of publication in the **Federal Register**.

**Robert F. Altneu,**  
*Director, Regulations & Disclosure Law Division, Regulations & Rulings, Office of Trade, U.S. Customs and Border Protection.*

Approved: January 15, 2021.

**Timothy E. Skud,**  
*Deputy Assistant Secretary of the Treasury.*  
 [FR Doc. 2021–01394 Filed 1–15–21; 4:15 pm]

**BILLING CODE 9111–14–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket Number USCG–2021–0020]

RIN 1625–AA00

**Safety Zone; Lower Mississippi River, Mile Marker 368 and 370, Natchez, MS**

**AGENCY:** Coast Guard, DHS.  
**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for all navigable waters of the Lower Mississippi River (LMR), between Mile Marker 368 and 370. The safety zone is needed to protect persons, property, and the marine environment from the potential safety hazards associated with line pulling operations in the vicinity of the Natchez, MS. Entry of persons or vessels into this zone is prohibited unless authorized by the Captain of the Port Sector Lower Mississippi River or a designated representative.

**DATES:** This rule is effective without actual notice from January 22, 2021 until February 5, 2021. For the purposes of enforcement, actual notice will be

used from January 14, 2021 until January 22, 2021.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2021–0020 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 MSTC Lindsey Swindle, U.S. Coast Guard; telephone 901–521–4813, email [Lindsey.M.Swindle@uscg.mil](mailto:Lindsey.M.Swindle@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR Code of Federal Regulations  
 COTP Captain of the Port  
 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 because it is impracticable. Immediate action is needed to protect persons and property from the potential safety hazards associated with line pulling operations. The NPRM process would delay the establishment of the safety zone until after the date of the event and compromise public safety. We must establish this temporary safety zone immediately and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing the rule.

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**. Delaying the effective date of this rule would be contrary to the public interest because immediate action is needed to respond to the potential safety hazards associated with the line pulling operations in the vicinity of Natchez, MS.

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

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port (COTP) Sector Lower Mississippi River (LMR) has determined that potential hazards associated with the line pulling operations at Mile Marker (MM) 369.0, scheduled to start on January 14, 2021, would be a safety concern for all persons and vessels on the Lower Mississippi River between MM 368.0 and MM 370.0 through February 5, 2021. This rule is needed to protect persons, property, infrastructure, and the marine environment in all waters of the LMR within the safety zone while line pulling operations are being conducted.

**IV. Discussion of the Rule**

This rule establishes a temporary safety zone from January 14, 2021 to February 5, 2021. The safety zone will cover all navigable waters of the LMR from MM 368.0 to MM 370.0. The duration of this safety zone is intended to ensure the safety of waterway users on these navigable waters during the line pulling operations.

Entry of persons or vessels into this safety zone is prohibited unless authorized by the COTP or a designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector Lower Mississippi River. Persons or vessels seeking to enter the safety zones must request permission from the COTP or a designated representative on VHF–FM channel 16 or by telephone at 901–521–4822. If permission is granted, all persons and vessels shall comply with the instructions of the COTP or

designated representative. The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners (BNMs), Local Notices to Mariners (LNMs), and/or Marine Safety Information Bulletins (MSIBs), as appropriate.

## 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 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on the size, location, and duration of the safety zone. Vessel traffic will be prohibited from entering this temporary safety zone, which will impact a one-mile stretch of Lower Mississippi River for approximately 23 days. Moreover, The Coast Guard will issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the safety zone, and the rule allows vessels 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 temporary 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 any vessel owner or operator.

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 call or email 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 13132, 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.

### 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 an 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 Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), 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 that will prohibit entry on a one-mile stretch of the Lower Mississippi River. It is categorically excluded from further review under paragraph L60 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

### G. Protest Activities

The Coast Guard respects the First Amendment rights of protestors. Protesters are asked to call or email 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, 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:** 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5;

Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T08–0020 to read as follows:

**§ 165.T08–0020 Safety Zone; Lower Mississippi river, Mile Marker 368 and 370, Natchez, MS.**

(a) *Location.* The following area is a safety zone: All navigable waters of the Lower Mississippi River from Mile Marker (MM) 368 through MM 370.

(b) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in paragraph (a) of this section unless authorized by the Captain of the Port Sector Lower Mississippi River (COTP) or the COTP's designated representative. A designated representative is a commissioned, warrant, or petty officer of the U.S. Coast Guard assigned to units under the operational control of USCG Sector Lower Mississippi River.

(2) To seek permission to enter, contact the COTP or the COTP's representative via VHF–FM channel 16 or by telephone at 901–521–4822. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(c) *Effective period.* This section is effective without actual notice from January 22, 2021 until February 5, 2021. For the purposes of enforcement, actual notice will be used from January 14, 2021 until January 22, 2021.

(d) *Information broadcasts.* The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners, Local Notices to Mariners, and/or Safety Marine Information Broadcasts, as appropriate.

Dated: January 13, 2021.

**R.S. Rhodes,**

*Captain, U.S. Coast Guard, Captain of the Port Sector Lower Mississippi River.*

[FR Doc. 2021–01329 Filed 1–21–21; 8:45 am]

**BILLING CODE 9110–04–P**

## LIBRARY OF CONGRESS

### Copyright Royalty Board

#### 37 CFR Part 390

[Docket No. 19–CRB–0009 AA]

#### Determination and Allocation of Initial Administrative Assessment To Fund Mechanical Licensing Collective

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Final rule; amended determination.

**SUMMARY:** The Copyright Royalty Judges are amending regulations to revise the allocation of the initial administrative assessment To fund the mechanical licensing collective.

**DATES:** *Effective:* January 22, 2021.

**ADDRESSES:** *Docket:* For access to the docket to read submitted documents, go to eCRB, the Copyright Royalty Board's electronic filing and case management system at <https://app.crb.gov/> and search for docket number 19–CRB–0009 AA.

**FOR FURTHER INFORMATION CONTACT:**

Anita Blaine, CRB Program Specialist, by telephone at (202) 707–7658 or by email at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** On July 8, 2019, the Copyright Royalty Board initiated the *Determination and Allocation of Initial Administrative Assessment to Fund Mechanical Licensing Collective* proceeding by notice published in the **Federal Register** at 84 FR 32475, pursuant to the Orrin G. Hatch–Bob Goodlatte Music Modernization Act, Public Law 115–264, 132 Stat. 3676 (Oct. 11, 2018), 17 U.S.C. 115(d)(7)(D)(vi) and 801(b)(8) (2018). The purpose of this proceeding was to determine the initial administrative assessment that digital music providers and any significant nonblanket licensees must pay to fund the collective total costs of the mechanical licensing collective. Pursuant to a settlement of that proceeding, the Copyright Royalty Judges (“Judges”) adopted a negotiated agreement that had been agreed to by the mechanical licensing collective (MLC) and the digital licensee coordinator (DLC) as to both the amount of the assessment and the method of allocation of that assessment among digital music providers and significant nonblanket licensees and published final regulations implementing that settlement. See 85 FR 832 (Jan. 8, 2020); see also 37 CFR 390.

On December 18, 2020, the DLC and the MLC jointly filed a motion with the Judges to modify the terms of implementation of the initial administrative assessment, invoking the Judges' authority under 17 U.S.C. 115(d)(7)(D)(vi) which gives the Judges “continuing authority to amend a determination of an administrative assessment . . . to modify the terms of implementation, for good cause.” In particular, the motion sought modification of the existing regulations to provide a revised method of allocation of the administrative

assessment to provide flat fee rates for smaller licensees and services that exclusively operate download stores under pass-through licenses received from record labels. The motion also sought certain clarifications and technical changes in terms based upon the DLC and MLC's improved understanding of operational needs gained since the initial administrative assessment was adopted. The proposed amendments do not affect the amount of the assessments.

Based on the representations that the current allocation methodology could have “significant impacts on smaller Licensees”, that the revised allocation methodology “is specifically calculated to address market participation by smaller Licensees and pass-through download stores in an equitable manner, and has support from a diverse cross-section of the Licensee industry”, and that the MLC also supports the amendments and has determined that they are administrable, the Judges find good cause to amend the regulations pursuant to their authority under 17 U.S.C. 115(d)(7)(D)(vi).

#### List of Subjects in 37 CFR Part 390

Copyright, Licensing and registration, Music, Phonorecords, Recordings, Royalties.

#### Final Regulations

For the reasons set forth in the preamble, the Copyright Royalty Judges amend 37 CFR part 390 as follows:

#### PART 390—AMOUNTS AND TERMS FOR ADMINISTRATIVE ASSESSMENTS TO FUND MECHANICAL LICENSING COLLECTIVE

■ 1. The authority citation for part 390 continues to read as follows:

**Authority:** 17 U.S.C. 115, 801(b).

■ 2. Revise § 390.1 to read as follows:

##### § 390.1 Definitions.

*Administrative assessment* has the meaning set forth in 17 U.S.C. 115(e)(3).

*Aggregate Sound Recordings Count* means the sum of the Unique Sound Recordings Counts of each and every Allocated Licensee, calculated over the respective Quarterly Allocation calculation period.

*Allocated Licensees* mean licensees as set forth in § 390.3(a) who are allocated an additional share of assessments beyond the annual minimum fee.

*Allocated Licensee Assessment Pool* means an amount equaling 50% of each Annual Assessment and Quarterly Allocation.