

material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(g) This amendment becomes effective on June 13, 2005.

**Note:** The subject of this AD is addressed in Ente Nazionale per l'Aviazione Civile (Italy) AD No. 2004-108, dated April 8, 2004.

Issued in Fort Worth, Texas, on April 27, 2005.

**Carl Mittag,**

*Acting Manager, Rotorcraft Directorate,  
Aircraft Certification Service.*

[FR Doc. 05-8953 Filed 5-6-05; 8:45 am]

**BILLING CODE 4910-13-U**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[CGD13-05-013]

RIN 1625-AA87

#### Security Zone; Protection of Military Cargo, Captain of the Port Zone Puget Sound, WA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement.

**SUMMARY:** The Captain of the Port Puget Sound will begin enforcing the Budd Inlet security zone in West Bay, Olympia, WA on Monday, May 9, 2005, at 8 a.m. Pacific daylight time. The security zone provides for the security of Department of Defense assets and military cargo in the navigable waters of Puget Sound and adjacent waters. The security zone will be enforced until Friday, May 13, 2005, at 11:59 p.m. Pacific daylight time.

**DATES:** The Budd Inlet security zone set forth in 33 CFR 165.1321 will be enforced from Monday, May 9, 2005, at 8 a.m. to Friday, May 13, 2005, at 11:59 p.m. Pacific daylight time, at which time enforcement will be suspended.

**FOR FURTHER INFORMATION CONTACT:** Captain of the Port Puget Sound, 1519 Alaskan Way South, Seattle, WA 98134 at (206) 217-6200 or (800) 688-6664 to obtain information concerning enforcement of 33 CFR 165.1321.

**SUPPLEMENTARY INFORMATION:** On August 27, 2004, the Coast Guard published a final rule (69 FR 52603) establishing regulations, in 33 CFR 165.1321, for the security of Department of Defense assets and military cargo in the navigable waters of Puget Sound and adjacent waters. On December 10, 2004, the Coast Guard published a final rule (69 FR 71709), which amended 33 CFR

165.1321 by adding Budd Inlet, Olympia, WA as a permanent security zone. These security zones provide for the regulation of vessel traffic in the vicinity of military cargo loading facilities in the navigable waters of the United States. These security zones also exclude persons and vessels from the immediate vicinity of these facilities during military cargo loading and unloading operations. In addition, the regulation establishes requirements for all vessels to obtain permission of the COTP or the COTP's designated representative, including the Vessel Traffic Service Puget Sound (VTS) to enter, move within, or exit these security zones when they are enforced. Entry into these zones is prohibited unless otherwise exempted or excluded under 33 CFR 165.1321 or unless authorized by the Captain of the Port or his designee.

The Captain of the Port Puget Sound will begin enforcing the Budd Inlet security zone established by 33 CFR 165.1321 on Monday, May 9, 2005, at 8 a.m. Pacific daylight time. The security zone will be enforced until Friday, May 13, 2005, at 11:59 p.m. Pacific daylight time. All persons and vessels are authorized to enter, move within, and exit the security zone on or after Friday, May 13, 2005, at 11:59 p.m. Pacific daylight time unless a new notice of enforcement is issued before then.

Dated: May 3, 2005.

**Danny Ellis,**

*Captain, U.S. Coast Guard, Captain of the Port, Puget Sound.*

[FR Doc. 05-9208 Filed 5-6-05; 8:45 am]

**BILLING CODE 4910-15-P**

## LIBRARY OF CONGRESS

### Copyright Office

#### 37 CFR Part 270

[Docket No. RM 2005-2A]

#### Reports of Use of Sound Recordings Under Statutory License

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

**ACTION:** Final rule.

**SUMMARY:** The Copyright Office of the Library of Congress is adopting amendments to the rules governing reports of use of sound recordings under the statutory license for preexisting subscription services.

**DATES:** June 8, 2005.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or

William J. Roberts, Jr. Telephone: (202) 707-8380. Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** Digital audio services provide copyrighted sound recordings of music for the listening enjoyment of the users of those services. In order to provide these sound recordings, however, a digital audio service must license the copyrights to each musical work, as well as the sound recording of the musical work. There are two statutory licenses in the Copyright Act that enable a digital audio service to transmit performances of copyrighted sound recordings: section 112 and section 114. 17 U.S.C. 112 & 114. Congress initially established these licenses in the Digital Performance Right in Sound Recordings Act of 1995, Pub. L. No. 104-39, for subscription digital audio services then in existence, and later amended sections 112 and 114 in the Digital Millennium Copyright Act of 1998, Pub. L. No. 105-304, to include other types of digital audio services. It is the former category of services (hereinafter referred to as "preexisting subscription services") to which this final rule applies.

On June 24, 1998, the Copyright Office published interim regulations establishing the requirements by which copyright owners receive reasonable notice of the use of their works from preexisting subscription services, and how reports of use shall be kept and made available to copyright owners. Originally codified at §§ 201.35 through 201.37 of title 37 of the Code of Federal Regulations, these regulations have recently been moved to part 270 of the CFR, but have remained unchanged. On March 18, 2003, the preexisting subscription services—Music Choice, DMX Music Inc., and Muzak LLC—and representative organizations of copyright owners of sound recordings—SoundExchange, Inc., the American Federation of Television and Radio Artists, and the American Federation of Musicians—filed a petition with the Copyright Office seeking to amend the regulations regarding reports of use (formerly § 201.36, now § 270.2) for preexisting subscription services. At that time, the Office was conducting a rulemaking proceeding to establish notice and recordkeeping requirements for digital audio services other than preexisting subscription services and declined to include the petition in that proceeding. See 69 FR 11515, 11517 n.9 (March 11, 2004). Instead, the Office determined to address the petition "in a separate **Federal Register** document." *Id.* A Notice of Proposed Rulemaking ("NPRM") was published on March 15, 2005. 70 FR 12631 (March 15, 2005).