

environment. This rule involves a safety zone established to deal with an emergency situation, lasting less than one week, that will prohibit vessel traffic near the hydrocarbon response efforts in the vicinity of the Richmond Long Wharf. It is categorically excluded from further review under paragraph L60(c) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1.

#### 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, 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.T11-048 to read as follows:

#### § 165.T11-048 Emergency Safety Zone; Richmond Entrance Channel, Richmond, CA.

(a) *Location.* The following area is a safety zone: All navigable waters 250 yards around the Richmond Long Wharf, Richmond, CA.

(b) *Definitions.* As used in this section, “designated representative” means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel or a Federal, State, or local officer designated by or assisting the Captain of the Port San Francisco (COTP) in the enforcement of the safety zone.

(c) *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 COTP or the COTP’s designated representative.

(2) The safety zone is closed to all vessel traffic, except as may be

permitted by the COTP or the COTP’s designated representative.

(3) Vessel operators desiring to enter or operate within the safety zone must contact the COTP or the COTP’s designated representative to obtain permission to do so. Vessel operators given permission to enter or operate in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP’s designated representative. Persons and vessels may request permission to enter the safety zone on VHF-23A or through the 24-hour Command Center at telephone (415) 399-3547.

(d) *Enforcement period.* This section will be enforced from February 10, 2021 at 12:01 a.m. until February 16, 2021 at 11:59 p.m. or as announced via marine information broadcast.

(e) *Information broadcasts.* The COTP or the COTP’s designated representative will notify the maritime community of periods during which this zone will be enforced in accordance with 33 CFR 165.7.

Dated: February 9, 2021.

Marie B. Byrd,

Captain, U.S. Coast Guard, Captain of the Port, San Francisco.

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BILLING CODE 9110-04-P

### LIBRARY OF CONGRESS

#### Copyright Royalty Board

#### 37 CFR Part 303

[Docket No. 20-CRB-0013-RM]

#### Procedural Regulations of the Copyright Royalty Board Regarding Electronic Filing System (eCRB)

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

**ACTION:** Final rule.

**SUMMARY:** The Copyright Royalty Judges are amending regulations governing the electronic filing of documents through the Copyright Royalty Board’s electronic filing system (eCRB) to permit attorney designees with approved eCRB user accounts to file on behalf of attorneys.

**DATES:** Effective February 16, 2021.

**ADDRESSES:** Docket: For access to the docket to read background documents, go to eCRB at <https://app.crb.gov> and perform a case search for docket 20-CRB-0013-RM.

**FOR FURTHER INFORMATION CONTACT:** Anita Blaine, CRB Program Specialist, at 202-707-7658 or [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** On December 28, 2020, the Copyright

Royalty Judges (Judges) published a document in the **Federal Register** seeking comments on a proposed rule to add to Rule 303.5(c) a fourth category of filer that would be required to obtain an eCRB password: attorney designee. See 85 FR 84279 (Dec. 28, 2020). An attorney designee would be defined as “a person authorized to file documents on behalf of an attorney.” The proposed rule also included non-substantive changes to Rule 303.5.<sup>1</sup> The Judges received no comments. Therefore, for the reasons indicated in the December 28, 2020 document, the Judges adopt the changes and additions to part 303 proposed in that document, as detailed in this final rule.

#### List of Subjects in 37 CFR Part 303

Administrative practice and procedure, Copyright, Lawyers.

#### Final Regulations

For the reasons set forth in the preamble, the Copyright Royalty Judges amend 37 CFR part 303 as follows:

### PART 303—GENERAL ADMINISTRATIVE PROVISIONS

- 1. The authority citation for part 303 continues to read as follows:

**Authority:** 17 U.S.C. 803.

- 2. Revise § 303.5 to read as follows:

#### § 303.5 Electronic filing system (eCRB).

(a) *Documents to be filed by electronic means.* Except as otherwise provided in this chapter, all attorneys must file documents with the Copyright Royalty Board through eCRB. Pro se parties may file documents with the Copyright Royalty Board through eCRB, subject to § 303.4(c)(2).

(b) *Official record.* The electronic version of a document filed through and stored in eCRB will be the official record of the Copyright Royalty Board.

(c) *Obtaining an electronic filing password—(1) Attorneys.* An attorney must register for an eCRB account and create an eCRB password in order to file documents or to receive copies of orders and determinations of the Copyright Royalty Judges. The attorney’s eCRB account and password will be activated upon approval by the Copyright Royalty Board of the attorney’s completed online application form available on the eCRB website.

(2) *Attorney designees.* A person authorized by an attorney to file documents on behalf of that attorney (an attorney designee) must register for an eCRB account and create an eCRB password in order to file documents on

<sup>1</sup> See 85 FR 84279.

the attorney's behalf. The attorney designee's eCRB account and password will be activated upon approval by the Copyright Royalty Board of the attorney designee's completed online registration form available on the eCRB website.

(3) *Pro se parties.* A party not represented by an attorney (a pro se party) may register for an eCRB account and create an eCRB password. The pro se party's eCRB account and password will be activated if the Copyright Royalty Judges, in their discretion, approve the pro se party's completed online application form available on the eCRB website. Once a pro se party's application has been approved, that party must make all subsequent filings by electronic means through eCRB.

(4) *Claimants.* Any person desiring to file a claim with the Copyright Royalty Board for copyright royalties must register for an eCRB account and create an eCRB password for the limited purpose of filing claims by completing the registration form available on the eCRB website.

(d) *Use of an eCRB password.* An eCRB password may be used only by the person to whom it is assigned. The person to whom an eCRB password is assigned is responsible for any document filed using that password, except that designating attorneys are responsible for any document filed on the attorney's behalf by an attorney designee.

(e) *Signature.* The use of an eCRB password to log in and submit documents creates an electronic record. The password operates and serves as the signature of the person to whom the password is assigned for all purposes under this chapter III, except that the password of an attorney designee serves as the signature of the designating attorney on whose behalf the document is filed.

(f) *Originals of sworn documents.* The electronic filing of a document that contains a sworn declaration, verification, certificate, statement, oath, or affidavit certifies that the original signed document is in the possession of the attorney or pro se party responsible for the filing and that it is available for review upon request by a party or by the Copyright Royalty Judges. The filer must file through eCRB a scanned copy of the signature page of the sworn document together with the document itself.

(g) *Consent to delivery by electronic means.* An attorney or pro se party who obtains an eCRB password consents to electronic delivery of all documents, subsequent to the petition to participate, that are filed by electronic means through eCRB. Attorneys and pro se parties are responsible for monitoring

their email accounts and, upon receipt of notice of an electronic filing, for retrieving the noticed filing. Parties and their counsel bear the responsibility to keep the contact information in their eCRB profiles current.

(h) *Accuracy of docket entry.* A person filing a document by electronic means, or, if the filer is an attorney designee, the designating attorney, is responsible for ensuring the accuracy of the official docket entry generated by the eCRB system, including proper identification of the proceeding, the filing party, and the description of the document. The Copyright Royalty Board will maintain on its website ([www.loc.gov/crb](http://www.loc.gov/crb)) appropriate guidance regarding naming protocols for eCRB filers.

(i) *Documents subject to a protective order.* A person filing a document by electronic means must ensure, at the time of filing, that any documents subject to a protective order are identified to the eCRB system as "restricted" documents. This requirement is in addition to any requirements detailed in the applicable protective order. Failure to identify documents as "restricted" to the eCRB system may result in inadvertent publication of sensitive, protected material.

(j) *Exceptions to requirement of electronic filing—(1) Certain exhibits or attachments.* Parties may file in paper form any exhibits or attachments that are not in a format that readily permits electronic filing, such as oversized documents; or are illegible when scanned into electronic format. Parties filing paper documents or things pursuant to this paragraph must deliver legible or usable copies of the documents or things in accordance with § 303.6(a)(2) and must file electronically a notice of filing that includes a certificate of delivery.

(2) *Pro se parties.* A pro se party may file documents in paper form and must deliver and accept delivery of documents in paper form, unless the pro se party has obtained an eCRB password.

(k) *Privacy requirements.* (1) Unless otherwise instructed by the Copyright Royalty Judges, parties must exclude or redact from all electronically filed documents, whether designated "restricted" or not:

(i) *Social Security numbers.* If an individual's Social Security number must be included in a filed document for evidentiary reasons, the filer must use only the last four digits of that number.

(ii) *Names of minor children.* If a minor child must be mentioned in a

document for evidentiary reasons, the filer must use only the initials of that child.

(iii) *Dates of birth.* If an individual's date of birth must be included in a pleading for evidentiary reasons, the filer must use only the year of birth.

(iv) *Financial account numbers.* If a financial account number must be included in a pleading for evidentiary reasons, the filer must use only the last four digits of the account identifier.

(2) *Protection of personally identifiable information.* If any information identified in paragraph (k)(1) of this section must be included in a filed document, the filing party must treat it as confidential information subject to the applicable protective order. In addition, parties may treat as confidential, and subject to the applicable protective order, other personal information that is not material to the proceeding.

(l) *Incorrectly filed documents.* (1) The Copyright Royalty Board may direct an eCRB filer to re-file a document that has been incorrectly filed, or to correct an erroneous or inaccurate docket entry.

(2) If an attorney or a pro se party who has been issued an eCRB password inadvertently presents a document for filing in paper form, the Copyright Royalty Board may direct that person to file the document electronically. The document will be deemed filed on the date it was first presented for filing if, no later than the next business day after being so directed by the Copyright Royalty Board, the attorney or pro se participant files the document electronically. If the filer fails to make the electronic filing on the next business day, the document will be deemed filed on the date of the electronic filing.

(m) *Technical difficulties.* (1) A filer encountering technical problems with an eCRB filing must immediately notify the Copyright Royalty Board of the problem either by email, or by telephone, followed promptly by written confirmation.

(2) If a filer is unable, due to technical problems, to make a filing with eCRB by an applicable deadline, and makes the notification required by paragraph (m)(1) of this section, the filer shall use electronic mail to make the filing with the Copyright Royalty Board and deliver the filing to the other parties to the proceeding. The filing shall be considered to have been made at the time it was filed by electronic mail. The Copyright Royalty Judges may direct the filer to refile the document through eCRB when the technical problem has been resolved, but the document shall retain its original filing date.

(3) The inability to complete an electronic filing because of technical problems arising in the eCRB system may constitute “good cause” (as used in § 303.6(b)(4)) for an order enlarging time or excusable neglect for the failure to act within the specified time, provided the filer complies with paragraph (m)(1) of this section. This section does not provide authority to extend statutory time limits.

Dated: February 1, 2021.

**Jesse M. Feder,**

*Chief Copyright Royalty Judge.*

Approved by:

**Carla D. Hayden,**

*Librarian of Congress.*

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## POSTAL REGULATORY COMMISSION

### 39 CFR Part 3040

[Docket No. RM2020-8]

#### Update to Competitive Product List

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is announcing an update to the competitive product list. This action reflects a publication policy adopted by Commission rules. The referenced policy assumes periodic updates. The updates are identified in the body of this document. The competitive product list, which is re-published in its entirety, includes these updates.

**DATES:** This rule is effective April 2, 2021, without further action, unless adverse comment is received by March 18, 2021. If adverse comment is received, the Commission will publish a timely withdrawal of the rule in the **Federal Register**.

**ADDRESSES:** For additional information, this document can be accessed electronically through the Commission’s website at <https://www.prc.gov>.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6800.

#### SUPPLEMENTARY INFORMATION:

- I. Introduction
- II. Commission Process
- III. Authorization
- IV. Modifications
- V. Ordering Paragraphs

#### I. Introduction

Pursuant to 39 U.S.C. 3642(d)(2) and 39 CFR 3040.103, the Commission provides a Notice of Update to Competitive Product List by listing all

modifications to the competitive product list between October 1, 2020 and December 31, 2020.

#### II. Commission Process

Pursuant to 39 CFR part 3040, the Commission maintains a Mail Classification Schedule (MCS) that includes rates, fees, and product descriptions for each market dominant and competitive product, as well as product lists that categorize Postal Service products as either market dominant or competitive. *See generally* 39 CFR part 3040. The product lists are published in the Code of Federal Regulations as 39 CFR Appendix A to Subpart A of Part 3040—Market Dominant Product List and Appendix B to Subpart A of Part 3040—Competitive Product List pursuant to 39 U.S.C. 3642(d)(2). *See* 39 U.S.C. 3642(d)(2). Both the MCS and its product lists are updated by the Commission on its website on a quarterly basis.<sup>1</sup> In addition, these quarterly updates to the product lists are also published in the **Federal Register** pursuant to 39 CFR 3040.103. *See* 39 CFR 3040.103.

#### III. Authorization

Pursuant to 39 CFR 3040.103(d)(1), this Notice of Update to Product Lists identifies any modifications made to the market dominant or competitive product list, including product additions, removals, and transfers.<sup>2</sup> Pursuant to 39 CFR 3040.103(d)(2), the modifications identified in this document result from the Commission’s most recent MCS update posted on the Commission’s website on January 4, 2021, and supersede all previous product lists.<sup>3</sup>

#### IV. Modifications

The following list of products is being added to 39 CFR Appendix B to Subpart A of Part 3040—Competitive Product List:

1. First-Class Package Service Contract 113
2. First-Class Package Service Contract 114
3. Parcel Select Contract 38
4. Parcel Select Contract 39
5. Parcel Select Contract 40
6. Parcel Select Contract 41
7. Parcel Select Contract 42

<sup>1</sup> *See* <https://www.prc.gov/mail-classification-schedule> in the Current MCS section.

<sup>2</sup> 39 CFR 3040.103(d)(1). More detailed information (e.g., Docket Nos., Order Nos., effective dates, and extensions) for each market dominant and competitive product can be found in the MCS, including the “Revision History” section. *See, e.g.*, file “MCSRedline03312020.docx,” available at: <https://www.prc.gov/mail-classification-schedule>.

<sup>3</sup> Previous versions of the MCS and its product lists can be found on the Commission’s website, available at: <https://www.prc.gov/mail-classification-schedule> in the MCS Archives section.

8. Parcel Select Contract 43
9. Parcel Select Contract 44
10. Priority Mail & First-Class Package Service Contract 168
11. Priority Mail & First-Class Package Service Contract 169
12. Priority Mail & First-Class Package Service Contract 170
13. Priority Mail & First-Class Package Service Contract 171
14. Priority Mail & First-Class Package Service Contract 172
15. Priority Mail & First-Class Package Service Contract 173
16. Priority Mail & First-Class Package Service Contract 174
17. Priority Mail & First-Class Package Service Contract 175
18. Priority Mail & First-Class Package Service Contract 176
19. Priority Mail & First-Class Package Service Contract 177
20. Priority Mail & First-Class Package Service Contract 178
21. Priority Mail & First-Class Package Service Contract 179
22. Priority Mail & First-Class Package Service Contract 180
23. Priority Mail & First-Class Package Service Contract 181
24. Priority Mail & First-Class Package Service Contract 182
25. Priority Mail & First-Class Package Service Contract 183
26. Priority Mail Contract 664
27. Priority Mail Contract 665
28. Priority Mail Contract 666
29. Priority Mail Contract 667
30. Priority Mail Contract 668
31. Priority Mail Contract 669
32. Priority Mail Contract 670
33. Priority Mail Contract 671
34. Priority Mail Contract 672
35. Priority Mail Contract 673
36. Priority Mail Contract 674
37. Priority Mail Contract 675
38. Priority Mail Contract 676
39. Priority Mail Contract 677
40. Priority Mail Contract 678
41. Priority Mail Contract 679
42. Priority Mail Contract 680
43. Priority Mail Contract 681
44. Priority Mail Contract 682
45. Priority Mail Contract 683
46. Priority Mail Contract 684
47. Priority Mail Contract 685
48. Priority Mail Express & Priority Mail Contract 118
49. Priority Mail Express & Priority Mail Contract 119
50. Priority Mail Express & Priority Mail Contract 120
51. Priority Mail Express & Priority Mail Contract 121
52. Priority Mail Express Contract 83
53. Priority Mail Express Contract 84
54. Priority Mail Express Contract 85
55. Priority Mail Express International, Priority Mail International, First-Class Package International Service & Commercial ePacket 9
56. Priority Mail, First-Class Package Service & Parcel Select Contract 2

The following list of products is being removed from 39 CFR Appendix B to