

Burma. The scope of the national emergency with respect to Burma was modified and additional steps were taken to respond to the threat posed by the actions and policies of the Government of Burma in Executive Order 13310 of July 28, 2003 (E.O. 13310); Executive Order 13448 of October 18, 2007 (E.O. 13448); Executive Order 13464 of April 30, 2008 (E.O. 13464); Executive Order 13619 of July 11, 2012 (E.O. 13619); and Executive Order 13651 of August 6, 2013 (E.O. 13651). Further actions also were taken under Burma sanctions statutes, namely the Burmese Freedom and Democracy Act of 2003 (Public Law 108–61) and the Tom Lantos Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act of 2008 (Public Law 110–286) (JADE Act).

On May 21, 1998, OFAC issued the Burmese Sanctions Regulations, 31 CFR part 537 (the “Regulations”), as a final rule to implement E.O. 13047. The Regulations were amended and reissued in their entirety in 2005 to implement E.O. 13310, and again in 2014 to implement E.O. 13448, E.O. 13464, E.O. 13619, and E.O. 13651. OFAC also has amended the Regulations on various occasions to add general licenses and make other updates, as well as issued and made available on its Web site several general licenses.

On October 7, 2016, the President issued Executive Order 13742, “Termination of Emergency With Respect to the Actions and Policies of the Government of Burma” (E.O. 13742). In E.O. 13742, the President found that the situation that gave rise to the declaration of a national emergency in E.O. 13047, with respect to the actions and policies of the Government of Burma, had been significantly altered by Burma’s substantial advances to promote democracy, including historic elections in November 2015 that resulted in the former opposition party, the National League for Democracy, winning a majority of seats in the national parliament and the formation of a democratically elected, civilian-led government; the release of many political prisoners; and greater enjoyment of human rights and fundamental freedoms, including freedom of expression and freedom of association and peaceful assembly. Accordingly, the President terminated the national emergency declared in E.O. 13047, and revoked that order, E.O. 13310, E.O. 13448, E.O. 13464, E.O. 13619, and E.O. 13651.

As a result, OFAC is removing the Regulations from the Code of Federal Regulations. Pursuant to section 202 of the National Emergencies Act (50 U.S.C.

1622) and section 1 of E.O. 13742, termination of the national emergency declared in E.O. 13047, as modified in scope by E.O. 13448 and E.O. 13619, shall not affect any action taken or proceeding pending not fully concluded or determined as of 1:00 p.m. eastern daylight time on October 7, 2016 (the effective date of E.O. 13742), any action or proceeding based on any act committed prior to the effective date, or any rights or duties that matured or penalties that were incurred prior to the effective date.

Public Participation

Because the Regulations involve a foreign affairs function, the provisions of Executive Order 12866 and the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date and the provisions of Executive Order 13771 are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5 U.S.C. 601–612) does not apply.

Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this rule does not impose information collection requirements that would require the approval of the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

List of Subjects in 31 CFR Part 537

Administrative practice and procedure, Banks, Banking, Blocking of assets, Burma, Credit, Exportation, Foreign Trade, Importation, Imports, Investments, Jadeite, Loans, New investment, Penalties, Reporting and recordkeeping requirements, Rubies, Securities, Services, Specially Designated Nationals.

For the reasons set forth in the preamble, and under the authority of 3 U.S.C. 301; 50 U.S.C. 1601–1651; Pub. L. 110–286, 122 Stat. 2632; E.O. 13047, 62 FR 28301, 3 CFR, 1997 Comp., p. 202; E.O. 13310, 68 FR 44853, 3 CFR, 2003 Comp., p. 241; E.O. 13448, 72 FR 60223, 3 CFR, 2007 Comp., p. 304; E.O. 13464, 73 FR 24491, 3 CFR, 2008 Comp., p. 189; E.O. 13619, 77 FR 41243, 3 CFR, 2012 Comp., p. 279; E.O. 13651, 78 FR 48793, 3 CFR, 2014 Comp., p. 324; and E.O. 13742, 81 FR 70593 (October 12, 2016), OFAC amends 31 CFR chapter V as follows:

PART 537—[REMOVED]

- 1. Remove part 537.

Dated: June 13, 2017.

John E. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2017–12557 Filed 6–15–17; 8:45 am]

BILLING CODE 4810–AL–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 3

[Docket Number USCG–2017–0436]

Coast Guard Sector, Marine Inspection Zone, and Captain of the Port Zone Structure; Technical Amendment

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: This rule makes non-substantive amendments to Coast Guard regulations in association with a change in the Coast Guard’s internal organization. The amendment describes the boundaries of a sector, marine inspection zones, and Captain of the Port zones; and describes the reporting relationship between field units; or reflects a change in the identity of the field unit that is responsible for a particular matter. This rule will have no substantive effect on the regulated public.

DATES: This rule is effective June 15, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG–2017–0436 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 LCDR Steve Youde at (985) 380–5318 or at steven.m.youde@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
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

In June 2015, the Coast Guard decided to make a change to the reporting relationship between several of its units within the Eighth District. Specifically, Marine Safety Unit (MSU) Houma, Louisiana, will report directly to Sector

New Orleans, Louisiana, and MSU Morgan City, Louisiana, will report to MSU Houma. Currently, MSU Houma reports to MSU Morgan City. This action is needed in order to improve efficiency and increase capabilities by placing resources in closer proximity to work. Coast Guard forces in the MSU Morgan City area of responsibility are currently made up of the parent command at MSU Morgan City, a sub-unit, MSU Houma, located in Houma, and a small detached duty office located in Lafayette. This arrangement was appropriate when Morgan City was the hub of the offshore industry, but the energy boom and associated rise of deepwater exploration and production has made Port Fourchon, located much closer to Houma, the hub of the offshore industry. As a result, the marine safety workload has both increased and moved southeast towards Houma. To a lesser degree, the workload in Lafayette has also increased. This organizational change will transfer the larger command element, including the Captain of the Port (COTP) and Officer in Charge Marine Inspection (OCMI) and several offshore functions, including: Port state control, offshore investigations, and offshore pollution response from Morgan City to Houma. Houma is the central airborne support area for the Gulf of Mexico, the location of the district Bureau of Safety and Environmental Enforcement (BSEE) office, and the location of the Coast Guard's Outer Continental Shelf National Center of Expertise. Houma is a larger city than Morgan City and has better infrastructure to locate most of the Coast Guard Marine Safety functions and resources currently residing in Morgan City.

The purpose of this rulemaking is to align the text of 33 CFR 3.40–15 with a change in the Coast Guard's internal organization.

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under both 5 U.S.C. 553(b) (A) and (B), the Coast Guard finds that this rule is exempt from notice and comment rulemaking requirements because these changes involve rules of agency organization, and good cause exists for not publishing an NPRM because the changes made are all non-substantive. This rule consists only of organizational amendments. These changes will have no substantive effect on the public; therefore, it is unnecessary to publish an NPRM. Under 5 U.S.C. 553(d)(3), the Coast Guard finds that, for the same reasons, good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The

rule makes non-substantive amendments to 33 CFR 3.40–15, in order to align with a change in the Coast Guard's internal organization. The rule describes the boundaries of a Sector, marine inspection zones, and Captain of the Port zones; and describes the reporting relationship between field units; or reflects a change in the identity of the field unit that is responsible for a particular matter. This rule will have no substantive effect on the regulated public.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 14 U.S.C. 93(a)(2), as delegated, to establish, change the location of, maintain, and operate Coast Guard shore establishments. The rule is needed to reflect a change in the Coast Guard's internal organization.

IV. 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.

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.

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

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 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 consists only of organizational amendments. It is categorically excluded from further review under paragraph 34(b) of Figure 2–1 of the Commandant Instruction.

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 3

Organization and functions
(Government agencies).

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 3 as follows:

PART 3—SAFETY COAST GUARD AREAS, DISTRICTS, SECTORS, MARINE INSPECTION ZONES, AND CAPTAIN OF THE PORT ZONES

- 1. The authority citation for part 3 continues to read as follows:

Authority: 14 U.S.C. 92 & 93; Pub. L. 107–296, 116 Stat. 2135; Department of Homeland Security Delegation No. 0170.1, para. 2(23).

§ 3.40–15 [Amended]

- 2. In § 3.40–15, remove the words “Morgan City” wherever they appear in the section and add in their place the word “Houma”.

Dated: May 25, 2017.

W.R. Arguin,
*Captain, U.S. Coast Guard, Sector
Commander.*

[FR Doc. 2017–12578 Filed 6–13–17; 4:15 pm]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2017–0435]

RIN 1625–AA08

Special Local Regulation; Ohio River, New Martinsville, WV

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation for all navigable waters, surface to bottom, of the Ohio River miles 127.5 to 128.5. This action is necessary to provide for the safety of life on these navigable waters near New Martinsville, WV during a high-speed boat race on June 17, 2017 and June 18, 2017. This regulation prohibits persons and vessels from being in the regulated area unless authorized by the Captain of the Port Ohio Valley or a designated representative.

DATES: This rule is effective from 8:45 a.m. to 6:15 p.m. on June 17, 2017 and June 18, 2017.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG–2017–0435 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 Petty Officer Robert Miller, Marine Safety Unit Huntington, U.S. Coast Guard; telephone 304–733–0198, email Robert.A.Miller2@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
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II. Background Information and Regulatory History

On May 11, 2017, the New Martinsville Vintage Regatta notified the

Coast Guard that it will be sponsoring a high-speed boat race from 8:45 a.m. to 6:15 p.m. daily on June 17, 2017 and June 18, 2017 on the Ohio River miles 127.5 to 128.5 in the vicinity of New Martinsville, WV.

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. We must establish this safety zone by June 17, 2017 and 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**. This rule is necessary for the safety of life during the high-speed boat race on these navigable waters. It would be impracticable to delay this rule to provide a full 30 days notice because the event is scheduled, under contractual obligation and advertised to the local community to take place on June 17, 2017 and June 18, 2017.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 33 U.S.C. 1233. The Captain of the Port Ohio Valley (COTP) has determined that potential hazards associated with the high-speed boat race to occur on June 17, 2017 and June 18, 2017, present a safety concern for anyone within the regulated area. The purpose of this rulemaking is to ensure the safety of people and property within the regulated area before, during, and after the scheduled event.

IV. Discussion of Comments, Changes, and the Rule

This rule establishes a temporary special local regulation from 8:45 a.m. to 6:15 p.m. on June 17, 2017 and June 18, 2017. The temporary special local regulation will cover all navigable waters, surface to bottom, from mile 127.5 to 128.5 on the Ohio River in the vicinity of New Martinsville, WV. The duration of the regulated area is intended to ensure the safety of vessels and these navigable waters before,