

(6) If unusual circumstances apply and more than 5000 pages are necessary to respond to the request, HUD may charge search fees or, for requesters that are educational or noncommercial scientific institutions or representatives of the news media requesting records not sought for commercial use, duplication fees, if timely written notice has been made to the requester pursuant to requirements provided in § 15.103(c) and HUD has discussed with the requester through written mail, electronic mail, or telephone (or made not less than 3 good-faith attempts to do so) how the requester could effectively limit the scope of the request as stipulated in § 15.103(c).

(7)(i) If a court has determined that exceptional circumstances exist, a failure to comply with any time limit as described in § 15.103 shall be excused for the length of time provided by the court order.

(ii) For purposes of this section, the term “exceptional circumstances” does not include a delay that results from a predictable workload of requests, unless HUD demonstrates reasonable progress in reducing its backlog of pending requests. However, refusal by the requester to reasonably modify the scope of a request or arrange an alternative time frame for processing a request (or a modified request) after HUD gives them an opportunity to do so shall be considered a factor in determining whether exceptional circumstances exist.

\* \* \* \* \*

■ 7. Amend § 15.107 as follows:

- a. Remove paragraph (b);
- b. Redesignate the introductory text as new paragraph (b);
- c. Revise paragraph (a);
- d. Redesignate paragraphs (c) through (i) as (b)(1) through (b)(9), respectively, and
- e. Revise redesignated paragraph (b)(5);

Revisions and addition to read as follows:

**§ 15.107 Documents generally protected from disclosure.**

(a) HUD shall withhold information only if HUD reasonably foresees that disclosure would harm an interest protected by an exemption as provided in paragraph (b) of this section, or disclosure is prohibited by law. HUD will consider whether partial disclosure of information is possible whenever HUD determines that a full disclosure of a requested record is not possible, and will take reasonable steps necessary to segregate and release nonexempt information. Nothing in this section requires disclosure of information that

is otherwise prohibited from disclosure by law, or otherwise exempted from disclosure as provided in paragraph (b)(3) of this section.

\* \* \* \* \*

(b) \* \* \*

(5) *Certain interagency or intra-agency communications.* Exemption 5 (5 U.S.C. 552(b)(5)) protects interagency or intra-agency communications that are protected by legal privileges, such as the attorney-client privilege, attorney work-product privilege, or communications reflecting the agency’s deliberative process. The deliberative process privilege shall not apply to records created 25 years or more before the date on which the records were requested.

\* \* \* \* \*

Dated: December 27, 2016.

**Nani A. Coloretti,**  
*Deputy Secretary.*

[FR Doc. 2017–00178 Filed 1–11–17; 8:45 am]

**BILLING CODE 4210–67–P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**24 CFR Part 891**

[Docket No. FR 5890–C–03]

**RIN 2501–AD75**

**Narrowing the Digital Divide Through Installation of Broadband Infrastructure in HUD-Funded New Construction and Substantial Rehabilitation of Multifamily Rental Housing; Correction**

**AGENCY:** Office of General Counsel, HUD.

**ACTION:** Final rule; correction.

**SUMMARY:** On December 20, 2016, HUD published a final rule requiring the installation of broadband infrastructure at the time of new construction or substantial rehabilitation of multifamily rental housing that is funded or supported by HUD, the point at which such installation is generally easier and less costly than when undertaken as a stand-alone effort. This document corrects incorrect paragraph designations in one section of the regulatory text. The effective date for HUD’s final rule of January 19, 2017 is unchanged.

**DATES:** Effective January 19, 2017.

**FOR FURTHER INFORMATION CONTACT:** With respect to this supplementary document, contact Ariel Periera, Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, 451 7th Street SW., Room 10238,

Washington, DC 20410; telephone number 202–708–1793 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800–877–8339.

**SUPPLEMENTARY INFORMATION:** In the final rule FR Doc. 2016–30708, published in the **Federal Register** on December 20, 2016 (81 FR 92626), the following correction is made:

**§ 891.20 [Corrected]**

On page 92638, in the third column, in § 891.20, paragraphs (f)(a) through (c) are redesignated as paragraphs (f)(1) through (3).

Dated: January 4, 2017.

**Aaron Santa Anna,**  
*Assistant General Counsel for Regulations.*  
[FR Doc. 2017–00167 Filed 1–11–17; 8:45 am]

**BILLING CODE 4210–67–P**

**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**32 CFR Part 706**

**Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy (DoN) is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (DAJAG) (Admiralty and Maritime Law) has determined that USS OMAHA (LCS 12) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**DATES:** This rule is effective January 12, 2017 and is applicable beginning December 12, 2016.

**FOR FURTHER INFORMATION CONTACT:** Commander Theron R. Korsak, JAGC, U.S. Navy, Admiralty Attorney, (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave. SE., Suite 3000, Washington Navy Yard, DC 20374–5066, telephone number: 202–685–5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the DoN amends 32 CFR part 706.

This amendment provides notice that the DAJAG (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that USS OMAHA (LCS 12) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Annex I paragraph 2 (a)(i), pertaining to the height of the forward masthead light above the hull; Annex I, paragraph 2(f)(i), pertaining to the placement of the masthead light or lights above and clear of all other lights and obstructions; Annex I, paragraph 3(a), pertaining to the location of the forward masthead light in the forward quarter of the ship, and the horizontal distance between the forward and after masthead light; Annex I, paragraph 3(c), pertaining to the task light's horizontal distance from the fore and aft centerline of the vessel in the athwartship direction. The DAJAG (Admiralty and Maritime Law) has also certified that the

lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

#### List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

For the reasons set forth in the preamble, the DoN amends part 706 of title 32 of the Code of Federal Regulations as follows:

#### PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

■ 1. The authority citation for part 706 continues to read as follows:

**Authority:** 33 U.S.C. 1605.

■ 2. Section 706.2 is amended by:

■ a. In Table One, adding, in alpha numerical order, by vessel number, an entry for USS OMAHA (LCS 12);

■ b. In Table Four:

■ i. Under paragraph 15, adding, in alpha numerical order, by vessel number, an entry for USS OMAHA (LCS 12);

■ ii. Under paragraph 16, adding, in alpha numerical order, by vessel number, an entry for USS OMAHA (LCS 12); and

■ c. In Table Five, adding, in alpha numerical order, by vessel number, an entry for USS OMAHA (LCS 12).

#### § 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

\* \* \* \* \*

TABLE ONE

Vessel		Number		Distance in meters of forward masthead light below minimum required height. § 2(a)(i) Annex I	
* * * * *					
USS OMAHA	.....	LCS 12	.....	4.27	
* * * * *					
* * * * *		15. * * *			

TABLE FOUR

Vessel		Number		Horizontal distances from the fore and aft centerline of the vessel in the athwartship direction	
* * * * *					
USS OMAHA	.....	LCS 12	.....	Upper—0.17 meters. Middle—1.3 meters. Lower—1.3 meters.	
* * * * *					
* * * * *		16. * * *			

Vessel		Number		Obstruction angle relative ship's headings	
* * * * *					
USS OMAHA	.....	LCS 12	.....	72° thru 74°. 286° thru 288°.	

Vessel					Number	Obstruction angle relative ship's headings
*	*	*	*	*	*	*
*	*	*	*	*		

TABLE FIVE

Vessel	Number	Masthead lights not over all other lights and obstruc- tions. Annex I, sec. 2(f)	Forward mast- head light not in forward quarter of ship. Annex I, sec. 3(a)	After mast-head light less than 1/2 ship's length aft of forward masthead light. Annex I, sec. 3(a)	Percentage horizontal separation attained
USS OMAHA .....	LCS 12 .....		X	X	17.3
*	*	*	*	*	*

Approved: December 12, 2016.

**A.S. Janin,**

*Captain, USN, JAGC, Deputy Assistant Judge Advocate, General (Admiralty and Maritime Law).*

Dated: December 27, 2016.

**A.M. Nichols,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. 2016-31873 Filed 1-11-17; 8:45 am]

**BILLING CODE 3810-FF-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2016-0675]

RIN 1625-AA87

### Security Zone; Potomac River and Anacostia River, and Adjacent Waters; Washington, DC

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a security zone along the Potomac River and Anacostia River, and adjacent waters at Washington, DC, for activities associated with the 58th Presidential Inauguration. The zone will be enforced on the days leading up to and through the cessation of activities associated with the 58th Presidential Inauguration taking place on January 20, 2017. This action is necessary to protect government officials, mitigate potential terrorist acts and incidents, and enhance public and maritime safety and security

immediately before, during, and after these activities. During the enforcement period, entry into or remaining within the zone is prohibited unless authorized by the Captain of the Port or his designated representative.

**DATES:** The regulations in 33 CFR 165.508 will be enforced from 6 a.m. on January 15, 2017, through 6 a.m. on January 24, 2017, for the zone identified in 33 CFR 165.508(a)(6).

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email Mr. Ron Houck, U.S. Coast Guard Sector Maryland-National Capital Region (Waterways Management Division); telephone 410-576-2674, email [Ronald.L.Houck@uscg.mil](mailto:Ronald.L.Houck@uscg.mil).

**SUPPLEMENTARY INFORMATION:** On December 1, 2016, the Coast Guard was notified by the event organizer that the anticipated dates for the activities associated with the 58th Presidential Inauguration are scheduled from January 15, 2017, to January 24, 2017. The Coast Guard will enforce regulations in 33 CFR 165.508 for the zone identified in paragraph (a)(6). This action is being taken to protect government officials, mitigate potential terrorist acts and incidents, and enhance public and maritime safety and security immediately before, during, and after this event.

Our regulations for Security Zone; Potomac River and Anacostia River, and adjacent waters; Washington, DC, § 165.508, specifies the location for this security zone as an area that includes all navigable waters described in paragraphs (a)(1) through (a)(3). This zone includes (1) Security Zone 1; all navigable waters of the Potomac River, from shoreline to shoreline, bounded to

the north by the Francis Scott Key (US-29) Bridge, at mile 113, and bounded to the south by a line drawn from the Virginia shoreline at Ronald Reagan Washington National Airport, at 38°51'21.3" N., 077°02'00.0" W., eastward across the Potomac River to the District of Columbia shoreline at Hains Point at position 38°51'24.3" N., 077°01'19.8" W., including the waters of the Boundary Channel, Pentagon Lagoon, Georgetown Channel Tidal Basin, and Roaches Run. (2) Security Zone 2; all navigable waters of the Anacostia River, from shoreline to shoreline, bounded to the north by the John Philip Sousa (Pennsylvania Avenue) Bridge, at mile 2.9, and bounded to the south by a line drawn from the District of Columbia shoreline at Hains Point at position 38°51'24.3" N., 077°01'19.8" W., southward across the Anacostia River to the District of Columbia shoreline at Giesboro Point at position 38°50'52.4" N., 077°01'10.9" W., including the waters of the Washington Channel. (3) Security Zone 3 all navigable waters of the Potomac River, from shoreline to shoreline, bounded to the north by a line drawn from the Virginia shoreline at Ronald Reagan Washington National Airport, at 38°51'21.3" N., 077°02'00.0" W., eastward across the Potomac River to the District of Columbia shoreline at Hains Point at position 38°51'24.3" N., 077°01'19.8" W., thence southward across the Anacostia River to the District of Columbia shoreline at Giesboro Point at position 38°50'52.4" N., 077°01'10.9" W., and bounded to the south by the Woodrow Wilson Memorial (I-95/I-495) Bridge, at mile 103.8.

As specified in § 165.508 (b), during the enforcement period, entry into or remaining in the zone is prohibited