



DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2026-1070]

RIN 1625-AA87

Security Zone; Philippine Sea, Pacific Ocean, Apra Harbor, Guam

AGENCY: Coast Guard, Department of Homeland Security.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary security zone for certain navigable waters of the Philippine Sea in the Pacific Ocean in Apra Harbor, Guam. The Coast Guard will only enforce this rule when the United States government officials or other persons under the protection of the Secret Service are present or expected to be present. This action is necessary to protect the official party, public, and surrounding waterways from terrorist acts, sabotage, or other subversive acts. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Forces Micronesia/Sector Guam.

DATES: This rule is effective from 9 a.m. ChST on August 27, 2026 through 4 p.m. ChST on August 27, 2026. For the purposes of enforcement, actual notice by Marine Broadcast will be used from 0900-1600 August 27, 2026.

ADDRESSES: To view available documents go to <https://www.regulations.gov> and search for USCG-2026-1070.

FOR FURTHER INFORMATION CONTACT: If you have questions about this rule, contact MSTC Laurel Siegrist, Forces Micronesia/Sector Guam Waterways Management Division, U.S. Coast Guard; telephone 671-686-0092, or email WWMG Guam@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR	Code of Federal Regulations
COTP	Captain of the Port
DHS	Department of Homeland Security
FR	<i>Federal Register</i>
NPRM	Notice of proposed rulemaking
§	Section
U.S.C.	United States Code
DHS	Department of Homeland Security

II. Background and Authority

The Coast Guard was requested by the Department of Homeland Security (DHS) to provide a security zone for an official DHS visit to include a multi asset tactical exercise. The Coast Guard is issuing this rule under authority in 46 U.S.C. § 70034. The Captain of the Port (COTP) Forces Micronesia/Sector Guam has determined that a security zone is necessary to protect the official party, public, and surrounding waterways from terrorist acts, sabotage, or other subversive acts, accidents, or other events of a similar nature. The purpose of this rule is to ensure the security of vessels and navigable waters during the visit to USCG Station Apra Harbor and the waters of Apra Harbor by the United States government officials and other persons under the protection of the Secret Service.

The Coast Guard is issuing this temporary rule without prior notice and comment under the authority in 5 U.S.C. 553(b)(B). This statutory 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.” 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. It is impracticable to publish an NPRM because we must establish this security zone by August 27, 2026. This short timeframe makes it impracticable to publish an NPRM and receive and respond to public comments.

For the same reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), 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 impracticable because immediate action is needed to protect the official party, public, and surrounding waterways from terrorist acts, sabotage, or other subversive acts, accidents, or other events of a similar nature.

III. Discussion of the Rule

This rule establishes a temporary security zone from 9 a.m. to 4 p.m. ChST on August 27, 2026. The security zone will cover all navigable waters of the Philippine Sea in a moving circle with a radius extending 250 yards from each Coast Guard vessel participating in the exercise area within Apra Harbor, Guam. No vessel or person will be permitted to enter the security zone without obtaining permission from the COTP or their designated representative.

The Coast Guard will issue a Broadcast Notice to Mariners (BNM) over VHF marine radio on channel 16. The duration of the zone is intended to protect the official party, public, and surrounding waterways from terrorist acts, sabotage, or other subversive acts, accidents, or other events of a similar nature. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port (COTP) Forces Micronesia/Sector Guam.

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.

A. Impact on Small Entities

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment

requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 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.

B. 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).

C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

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.

D. Unfunded Mandates Reform Act

As required by The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538), the Coast Guard certifies that this rule will not result in an annual expenditure of

\$100,000,000 or more (adjusted for inflation) by a State, local, or tribal government, in the aggregate, or by the private sector.

E. 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 security zone lasting up to seven hours. It is categorically excluded from further review under paragraph L60(a) 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.

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, 70124; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.4.

2. Add § 165.T14-0069 to read as follows:

§ 165.T14-1070 Security Zone; Philippine Sea, Guam.

(a) *Location.* The following area is a security zone: All navigable waters of the

Philippine Sea in a moving circle with a radius extending 250 yards from each Coast Guard vessel participating in the exercise area within Apra Harbor, Guam.

(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 and a Federal, State, or local officer designated by or assisting the Captain of the Port (COTP) Forces Micronesia/Sector Guam in the enforcement of the security zone.

(c) *Regulations.* (1) Under the general security zone regulations in subpart D of this part, you may not enter the security zone described in paragraph (a) of this section unless authorized by the COTP or the COTP's designated representative.

(2) To seek permission to enter, contact the COTP or the COTP's representative on VHF-FM channel 16 or by telephone at (671) 355-4824. Those in the security zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement periods.* This section will be enforced from 9 a.m. ChST to 4 p.m. ChST on August 27, 2026.

Dated: August 17, 2026.

Jessica S. Worst,
Captain, U.S. Coast Guard,
Captain of the Port, Guam.

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