

Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

#### Indian Tribal Governments

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.

#### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies. This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National

Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(h), of the Instruction. This rule involves implementation of regulations within 33 CFR Part 100 applicable to organized marine events on the navigable waters of the United States that could negatively impact the safety of waterway users and shore side activities in the event area. The category of water activities includes but is not limited to sail boat regattas, boat parades, power boat racing, swimming events, crew racing, canoe and sail board racing. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under

#### ADDRESSES.

#### List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 100 as follows:

#### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

- 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233.

- 2. Add a temporary section, § 100.35T05-1120 to read as follows:

#### § 100.35T05-1120 Special Local Regulations for Marine Events; Spa Creek and Annapolis Harbor, Annapolis, MD.

(a) *Regulated area.* The following location is a regulated area: All waters of the Spa Creek and Annapolis Harbor, within lines connecting the following positions: from position latitude 38°58'34" N, longitude 076°29'05" W, thence to position latitude 38°58'27" N, longitude 076°28'55" W, and from position latitude 38°58'40" N, longitude 076°28'49" W to position latitude 38°58'32" N, longitude 076°28'45" W. All coordinates reference Datum NAD 1983.

(b) *Definitions.* (1) *Coast Guard Patrol Commander* means a commissioned, warrant, or petty officer of the U.S. Coast Guard who has been designated by the Commander, Coast Guard Sector Baltimore.

(2) *Official Patrol* means any vessel assigned or approved by Commander, Coast Guard Sector Baltimore with a commissioned, warrant, or petty officer

on board and displaying a Coast Guard ensign.

(c) *Special local regulations.* (1) The Coast Guard Patrol Commander may forbid and control the movement of all vessels and persons in the regulated area. When hailed or signaled by an official patrol vessel, a vessel or person in the regulated area shall immediately comply with the directions given. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(2) All Coast Guard vessels enforcing this regulated area can be contacted at telephone number 410-576-2693 or on marine band radio VHF-FM channel 16 (156.8 MHz).

(3) The Coast Guard will publish a notice in the Fifth Coast Guard District Local Notice to Mariners and issue a marine information broadcast on VHF-FM marine band radio announcing specific event date and times.

(d) Enforcement period: This section will be enforced from 6 a.m. to 9:45 a.m. on May 12, 2012.

Dated: February 23, 2012.

**Mark P. O'Malley,**  
Captain, U.S. Coast Guard, Captain of the Port Baltimore.

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#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 100

[Docket No. USCG-2012-0134]

#### Annual Marine Events in the Eighth Coast Guard District

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Coast Guard will enforce Special Local Regulations for the Neches River Festival boat races in Port Neches, TX from 3 p.m. on May 4, 2012 through 6 p.m. on May 6, 2012. This action is necessary to provide for the safety of the race participants, crew, spectators, participating vessels, non-participating vessels and other users of the waterway. During the enforcement period no person or vessel may enter the zone established by the special local regulation without permission of the Captain of the Port.

**DATES:** The regulation in 33 CFR 100.801 (Table 1, paragraph 118) will be enforced from 3 p.m. to 6 p.m. on May 4, 2012; and from 9 a.m. to 6 p.m. on May 5 and May 6, 2012.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice of enforcement, call or email Mr. Scott Whalen, U.S. Coast Guard Marine Safety Unit Port Arthur, TX; telephone 409-719-5086, email [scott.k.whelen@uscg.mil](mailto:scott.k.whelen@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce Special Local Regulations for the annual Neches River Festival in 33 CFR 100.801 (Table 1, paragraph 118) on May 4, 2012, from 3 p.m. to 6 p.m. and on May 5 and May 6, 2012 from 9 a.m. to 10 p.m.

Under the provisions of 33 CFR 100.801 (Table 1, paragraph 118), a vessel may not enter the regulated area, unless it receives permission from the Captain of the Port. Spectator vessels may safely transit outside the regulated area but may not anchor, block, loiter, or impede participants or official patrol vessels. The Coast Guard may be assisted by other federal, state or local law enforcement agencies in enforcing this regulation.

This notice of enforcement is issued under the authority of 33 CFR 100.801 (Table 1, paragraph 118). In addition to this notification in the **Federal Register**, the Coast Guard will provide the maritime community with notification of this enforcement period via Local Notice to Mariners, Marine Information Broadcasts, and Marine Safety Information Bulletins.

If the Captain of the Port or his designated representative determines that the regulated area need not be enforced for the full duration stated in this notice of enforcement, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.

Dated: February 21, 2012.

**G.J. Paitl,**

*Captain, U.S. Coast Guard, Captain of the Port, Port Arthur.*

[FR Doc. 2012-6379 Filed 3-15-12; 8:45 am]

**BILLING CODE 9110-04-P**

## POSTAL SERVICE

### 39 CFR Part 111

#### Mobile Commerce and Personalization Promotion

**AGENCY:** Postal Service™.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service will revise the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) 709.3 to add a new temporary promotion in the summer of 2012 for Presorted and automation First-

Class Mail® cards, letters and flats, and Standard Mail® letters and flats bearing two-dimensional mobile barcodes or equivalent print technology.

**DATES:** *Effective Date:* July 1, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Krista Becker at 202-268-7345, Bill Chatfield at 202-268-7278, or [mobilebarcode@usps.gov](mailto:mobilebarcode@usps.gov).

**SUPPLEMENTARY INFORMATION:** On February 21, 2012, the Postal Service filed a notice (R2012-6) with the Postal Regulatory Commission to temporarily reduce the prices for certain types of First-Class Mail and Standard Mail letters items that contain, in or on the mailpiece, a transactional two-dimensional barcode or similar print technology such as watermarks or tags (collectively “Mobile Barcode” or “Mobile Barcodes”) readable by consumer mobile devices. In recognition of the success of the mobile barcode promotion in the summer of 2011, the Postal Service offers a revised promotion from July 1, 2012, through August 31, 2012.

In this final rule, the Postal Service provides a description of the conditions for eligibility for the price reduction for the mobile commerce and personalization promotion, and the revised mailing standards to implement the promotion.

To be eligible, each Presorted and automation mailpiece in the mailing that is listed on the postage statement for that mailing must have a Mobile Barcode on the outside of each piece or on the contents within each piece. When scanned, the Mobile Barcode must lead the recipient of the mailpiece to either: a Web page that allows the recipient to purchase a product or service, or a personalized URL that leads to a Web page whose Web address and content are unique to the mailpiece recipient. In both cases, the Web site must remain mobile-optimized. Mobile Barcodes that direct consumers to Web pages that allow payment for prior or future purchases, or encourage enrollment in online bill payment or paperless statement services are not eligible for the discount. Mailpieces with Mobile Barcodes that convey postage information, destination, sender, or a machinable serial number for security also are not eligible for the discount.

The promotion provides an upfront price reduction of 2 percent of the eligible postage for qualifying mailpieces containing Mobile Barcodes as described above. Qualifying mailings are Presorted and automation mailings of First-Class Mail cards, letters, and flats, and Standard Mail (including

Nonprofit) letters and flats. Commingled, co-mailed and combined mailings are allowed, but a separate postage statement is required for mailpieces with Mobile Barcodes.

Eligible mailings must be accompanied by electronic documentation. Mailings that are prepared by an entity other than the mail owner must indicate the identity of the owner in the electronic documentation. The electronic documentation must identify the mail owner and mail preparer in the “By/For” fields for all mailings, either by Customer Registration ID (CRID), Mailer ID (MID) or other account type that is assigned by USPS®. Mailings of automation letters or flats must have Intelligent Mail® barcodes. Mailpieces with POSTNET™ barcodes will not be eligible for the price reduction.

The price reduction will be taken off the postage amount due at the time of mailing, and there will be no refunds or postage credit provided under this promotion. The promotion discount does not apply to single-piece First-Class Mail pieces including residual single-piece First-Class Mail pieces on a postage statement for Presorted and automation mailings.

#### Postage Payment Methods

Postage payment methods will be restricted to permit imprint, metered postage, or precancelled stamps. Pieces with metered postage must bear an exact amount of postage as stipulated by the class and shape of mail. Affixed postage values for metered mailings will be as follows:

First-Class Mail postcards .....	\$0.20
First-Class Mail automation and (PRSTD) machinable letters .....	0.25
First-Class Mail nonmachinable letters .....	0.45
First-Class Mail automation and Presorted flats .....	0.35
STD Mail Regular letters .....	0.12
STD Mail Regular flats .....	0.13
STD Nonprofit letters .....	0.05
STD Nonprofit flats .....	0.06

Mailings with postage paid by metered or precancelled stamp postage will have the percentage discount deducted from the additional postage due, except for Value Added Refund mailings, which may include the amount of the discount with the amount to be refunded.

The mobile barcode promotion discount cannot be combined with other incentives, with the exception of the full-service Intelligent Mail barcode discount.

#### Promotion Dates and More Information

To participate in the promotion, customers must register on the Business