

\$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 Directive 023–01 and U.S. Coast Guard Environmental Planning Policy, 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 safety zone which prevents entry to a 500-foot radius area of the San Francisco Bay for a limited period of time during a vessel's inbound transit. It is categorically excluded from further review under paragraph L60(a) in Table 3–1 of Department of Homeland Security Directive 023–01. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

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.T11–035 to read as follows:

§ 165.T11–035 Safety Zone; Oakland Ship-to-Shore Crane Arrival, San Francisco Bay, Oakland, CA

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

San Francisco Bay, from surface to bottom, within a circle formed by connecting all points 500 feet out from the vessel, M/V ZHEN HUA 35, during the vessel's inbound transit from a line drawn between San Francisco Main Ship Channel Lighted Bell Buoy 7 and San Francisco Main Ship Channel Lighted Whistle Buoy 8 (LLNR 4190 & 4195) in positions 37°46.9' N, 122°35.4' W (NAD 83) and 37°46.5' N, 122°35.2' W (NAD 83), respectively, to Berth 57 at the Oakland International Container Terminal in Oakland, 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 B 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 between 12:01 a.m. on December 6, 2020 until 11:59 p.m. on December 20, 2020 during the inbound transit of the M/V ZHEN HUA 35, or as announced via Broadcast Notice to Mariners.

(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.

Howard H. Wright,

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

[FR Doc. 2020–26686 Filed 12–3–20; 8:45 am]

BILLING CODE 9110–04–P

POSTAL SERVICE

39 CFR Part 501

Authorization To Manufacture and Distribute Postage Evidencing Systems

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: In this final rule, the Postal Service withdraws all authorizations to distribute (decertifies) Postage Evidencing Systems (PES) that are not producing compliant Intelligent Mail Indicia (IMI) on June 30, 2024. IMI compliant PES are defined in the IMI Performance Criteria (IMI–PC) and produce only IMI-Minimum (IMI–MIN), IMI-Standard (IMI–STD), and IMI-Maximum (IMI–MAX) indicia constructs (as stated in the IMI–PC). All PES that are not IMI–PC compliant, also referenced as Phase VI–IBI and Phase VII–PC Postage (collectively Phase VI and Phase VII PES), will become decertified Postage Evidencing Systems on June 30, 2024. The decertified Postage Evidencing Systems must be withdrawn from service by December 31, 2024. As of December 31, 2024, the decertified PES must be marked inactive in the USPS PES management systems, including in the National Meter Accounting and Tracking System (NMATS). Postage indicia printed by Decertified PES will no longer be considered valid postage for use or refunds after June 30, 2025.

DATES: This final rule is effective December 4, 2020.

FOR FURTHER INFORMATION CONTACT:

Ezana Dessie, Principal Business Systems Analyst, *Ezana.Dessie@usps.gov*, (202) 268–5686.

SUPPLEMENTARY INFORMATION: In response to a notice of proposed rulemaking (85 FR 30671, May 20, 2020) to decertify and withdraw all non-Intelligent Mail Indicia (IMI) compliant Postage Evidencing Systems (PES) by June 30, 2024, the Postal Service received industry comments and feedback. The comments and feedback can be grouped into three areas: (I) Requests for an extension on the proposed dates for both the withdrawal of Decertified PES and the decertification of non IMI-postage indicia; (II) provision of more specificity on IMI–PC compliance and clarification on several items related to the decertification; and (III) additional clarification on the support the Postal Service will provide to the PES providers on the PES migration (from Information Based Indicia Program

(IBIP) to IMI-PC). We will address all three areas in turn below.

I. Requests for an extension on the proposed dates for both the withdrawal of Decertified PES and the decertification of non-IMI postage indicia.

The Postal Service has taken into consideration the concerns of the industry and is extending the dates for withdrawal of decertified PES and decertified indicia. The new withdrawal date will be December 31, 2024; the last date non-IMI indicia will be accepted for use as postage or for refunds will be June 30, 2025. Some commenters argued that changes to the IMI-PC before June 30, 2024 should extend the decertification date. The Postal Service will strive to minimize the number of changes it requires, but some changes will be inevitable and will not extend the timeline.

II. Provision of more specificity on IMI-PC compliance and clarification on several items related to the decertification.

Like any other institution, the Postal Service needs accurate, complete, and timely data to operate effectively; the IMI-PC supports these key business objectives for the Postal Service. The IMI-PC requires the PES providers to submit more detailed transaction data, with increased transparency and frequency; it also employs higher security specifications which address the rising security threats and challenges. IMI-PC enables the USPS to provide more detailed corporate reporting, more accurately price shipping/mailling products, attain operational efficiency by automating many functions (including postage refunds), improve the USPS Federal Regulatory compliance, and better secure Postal Service and customer data. Finally, the IMI-PC provides the USPS a better platform to bring improvements and updates to the USPS PES related products and services.

Phase VI and Phase VII PES no longer meet the USPS PES requirements adequately. Commercial Payment has shared with each provider a list of Phase VI and Phase VII PES that are not IMI-PC compliant. A PES is IMI-PC compliant when conforming to IMI-PC specifications and all other current PES related guidelines, regulations, and technical requirements; this includes the rules and regulations in the Domestic Mail Manual, International Mail Manual, Publication 199, Notice 123, Code of Federal Regulations, and having a Postal Security Device (PSD) that has a valid Federal Information Processing Standards (FIPS) certificate at the time of authorization. The

decertification and withdrawal of the Phase VI and Phase VII PES will allow for the full implementation of Phase VIII-IMI PES, in which both PC Postage and physical PES are validated under the current edition of the IMI-PC.

In keeping with the June 30, 2024 decertification date and the December 31, 2024 withdrawal date, the providers must stop leasing non-IMI-PC compliant PES for lengths extending beyond the withdrawal date. Postage indicia printed by Decertified PES will not be considered valid postage after June 30, 2025; also, refund requests for all unused postage indicia need to be completed before this date. As the withdrawal date for PES approaches, the providers must coordinate with Commercial Payment (or its successor) to invalidate and remove the non-IMI-PC compliant PES from USPS PES product-service-line, in accordance with IMI-PC PES withdrawal guidelines.

In rare and select cases, for unique service/business reasons that the Postal Service deems appropriate, PES providers may request a waiver to operate non-IMI-PC compliant PES beyond the December 31, 2024 withdrawal date. The waiver request form can be obtained from Commercial Payment. Any waiver granted will be in writing from Commercial Payment, or its successor.

III. Additional clarification on the support the Postal Service will provide to the PES providers on the PES migration (from Information Based Indicia Program (IBIP) to IMI-PC).

The updated withdrawal date (December 31, 2024) is based on the feedback and comments from the PES industry, the impact of the COVID-19 pandemic on the mailing and shipping industry, current market needs, and the USPS long-term PES product support/management strategies. The USPS believes the updated withdrawal date allows the PES providers to execute the decertification and withdrawal process and complete the IBIP to IMI-PC transition with minimal impact to our customers. The USPS is committed to supporting the providers in the decertification and withdrawal process to minimize the impact of the transition to our PES customers. To this end, the USPS will provide the providers with three support tools for communication with their end customers: (1) A publication on the importance/value of IMI-PC for USPS (this will be available on PostalPro for the providers to utilize for their customer communications); (2) a license agreement for use of an IMI logo and wordmark to support the providers' PES transition and IMI PES marketing work; and (3) USPS-led

customer outreach in collaboration with the providers, when the Postal Service deems it necessary.

List of Subjects in 39 CFR Part 501

Administrative practice and procedure, Postal Service.

For the reasons stated in the preamble, the Postal Service amends 39 CFR part 501 as follows:

PART 501—[AMENDED]

- 1. The authority citation for part 501 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 410, 2601, 2605; Inspector General Act of 1978, as amended (Pub. L. 95-452, as amended); 5 U.S.C. App. 3.

- 2. Amend § 501.7 by revising paragraph (c) introductory text to read as follows:

§ 501.7 Postage Evidencing System requirements.

* * * * *

(c) The provider must ensure that any matter printed by a Postage Evidencing System, whether within the boundaries of the indicia or outside the clear zone as defined in DMM 604.4.0 and the Intelligent Mail Indicia Performance Criteria (IMI-PC), is:

* * * * *

- 3. Amend § 501.17 by adding paragraph (f) to read as follows:

§ 501.17 Decertified Postage Evidencing Systems.

* * * * *

(f) Postage Evidencing Systems that do not comply with the then current Intelligent Mail Indicia Performance Criteria will be Decertified Postage Evidencing Systems on June 30, 2024. The withdrawal date for those systems will be December 31, 2024.

- 4. Amend § 501.20 by revising paragraph (b) to read as follows:

§ 501.20 Discontinued Postage Evidencing Indicia.

* * * * *

(b) Effective December 31, 2024 all Postage Evidencing Systems that do not to produce Intelligent Mail Indicia (IMI) for evidence of pre-paid postage must be withdrawn from service. Non-IMI indicia, which are not compliant with the then-current version of the IMI-PC, will be decertified and may not be used as a valid form of postage evidence. These decertified indicia may not be

recognized as valid postage for use or refunds, after June 20, 2025.

Ruth Stevenson,

Attorney, Federal Compliance.

[FR Doc. 2020-26129 Filed 12-3-20; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

45 CFR Part 170

RIN 0955-AA02

Information Blocking and the ONC Health IT Certification Program: Extension of Compliance Dates and Timeframes in Response to the COVID-19 Public Health Emergency; Correction

AGENCY: Office of the National Coordinator for Health Information Technology (ONC), Department of Health and Human Services (HHS).

ACTION: Final rule; correction.

SUMMARY: This document corrects typographical errors found in the interim final rule entitled “Information Blocking and the ONC Health IT Certification Program: Extension of Compliance Dates and Timeframes in Response to the COVID-19 Public Health Emergency” that was published in the **Federal Register** on November 4, 2020.

DATES: The corrections in this document are effective on December 4, 2020.

FOR FURTHER INFORMATION CONTACT: Michael Lipinski, Office of Policy, National Coordinator for Health Information Technology, 202-690-7151.

SUPPLEMENTARY INFORMATION:

I. Background

This document corrects typographical errors found in the interim final rule entitled “Information Blocking and the ONC Health IT Certification Program: Extension of Compliance Dates and Timeframes in Response to the COVID-19 Public Health Emergency,” (**Federal Register** document 2020-24376) (85 FR 70064), that was published in the **Federal Register** on November 4, 2020. We summarize and correct these errors in the “Summary of Errors” and “Corrections of Errors” sections below.

II. Summary of Errors

A. Standardized API for Patient and Population Services

As discussed in the preamble of the interim final rule, page 70077, second

column, top of page, we stated that we added a new paragraph at § 170.315(g)(10)(v)(A)(1)(iii). However, in the amendatory instruction for the regulation text, we inadvertently added the wrong citation. In amendatory instruction 11.b., on page 70083, the words “Adding paragraph (g)(10)(iv)(A)(1)(iii)” should have read “Adding paragraph (g)(10)(v)(A)(1)(iii).” We are correcting the error by including the correct citation in this document.

B. Real World Testing

In the interim final rule, on page 70076, second column, top half of the page, we corrected the real world testing regulation text in § 170.405(b)(3) by removing the words “for C-CDA” from the heading of the paragraph (85 FR 70076). In § 170.405, we also extended the compliance dates for updating certain criteria until December 31, 2022 (85 FR 70072). However, in amendatory instruction 16.a., on page 70084, we inadvertently only included the instruction for “(b)(3) introductory text.” Because the revisions are being made to both the heading of § 170.405(b)(3) and the compliance date in § 170.405(b)(3)(ii), we are correcting the error in the amendatory instruction by adding “(b)(3)(ii),” after the phrase “(b)(3) introductory text.”

III. Waiver of Proposed Rulemaking, Comment Period, and Delay in Effective Date

Under 5 U.S.C. 553(b) of the Administrative Procedure Act (APA), the agency is required to publish a notice of the proposed rulemaking in the **Federal Register** before the provisions of a rule take effect. In addition, section 553(d) of the APA mandates a 30-day delay in effective date after issuance or publication of a rule. Sections 553(b)(B) and 553(d)(3) of the APA provide for exceptions from the notice and comment and delay in effective date requirements. Section 553(b)(B) of the APA authorizes an agency to dispense with normal rulemaking requirements for good cause if the agency makes a finding that the notice and comment process are impracticable, unnecessary, or contrary to the public interest. In addition, section 553(d)(3) of the APA allows the agency to avoid the 30-day delay in effective date where such delay is contrary to the public interest and an agency includes a statement of support.

We believe this correcting document does not constitute a rule that would be subject to the APA notice and comment or delayed effective date requirements. This document corrects typographical errors in regulation text of the interim

final rule, but does not make substantive changes to the policies that were adopted in the interim final rule. As a result, this correcting document is intended to ensure that the information in the interim final rule accurately reflects the policies adopted in that final rule.

In addition, even if this were a rule to which the notice and comment procedures and delayed effective date requirements applied, we find that there is good cause to waive such procedures and requirements. Undertaking further notice and comment procedures to incorporate the corrections in this document into the interim final rule or delaying the effective date would be contrary to the public interest because they are obvious typographical errors that are being corrected. Furthermore, such procedures would be unnecessary, as we are not making substantive changes to our methodologies or policies, but rather, we are simply implementing correctly the policies that we previously proposed, requested comment on, and subsequently finalized. This correcting document is intended solely to ensure that the ONC Cures Act Final Rule and the interim final rule accurately reflect these policies. Therefore, we believe we have good cause to waive the notice and comment and effective date requirements.

IV. Corrections of Errors

In FR Doc 2020-24376 appearing on page 70064 in the **Federal Register** of Wednesday, November 4, 2020, for the reasons stated above, the Office of the Secretary corrects the following:

§ 170.315 [Corrected]

- 1. On page 70083, in the first column, the text of amendatory instruction 11 is corrected to read as follows:
- 11. Amend § 170.315 by:
 - a. Revising paragraphs (b)(1)(iii)(A)(2), (b)(2)(i), (b)(2)(iii)(D) introductory text, (b)(2)(iv), (b)(3)(ii)(B)(2), (b)(7)(ii), (b)(8)(i)(B), (b)(9)(ii), (c)(3), (d)(13)(ii), (e)(1)(i)(A)(2), (f)(5)(iii)(B)(1) and (2), (g)(6)(i)(B), (g)(9)(i)(A)(2), (g)(10)(v)(A)(1)(ii), and (g)(10)(v)(A)(2)(ii); and
 - b. Adding paragraph (g)(10)(v)(A)(1)(iii).

The revisions and addition read as follows:

§ 170.405 [Corrected]

- 2. On page 70084, in the second column, the text of amendatory instruction 16 is corrected to read as follows:
- 16. Amend § 170.405 by: