

Point in Duluth, MN extending 100 yards from the four (4) barges placed across the waterway.

(b) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port (COTP) Duluth or a designated on-scene representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the COTP Duluth or a designated on-scene representative.

(3) The “on-scene representative” of the COTP Duluth is any Coast Guard commissioned, warrant or petty officer who has been designated by the COTP Duluth to act on his behalf.

(4) To seek permission to enter, contact the COTP Duluth or the COTP Duluth’s representative by contacting Station Duluth at 218-529-3100. Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP’s designated representative.

(c) *Enforcement periods.* This section will be enforced from 9 a.m. through 4 p.m. daily from February 25, 2021 through March 5, 2021.

Dated: February 17, 2021.

Frances M. Smith,

Commander, U.S. Coast Guard, Captain of the Port Duluth.

[FR Doc. 2021-03536 Filed 2-23-21; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG-2021-0070]

RIN 1625-AA87

Security Zone; San Diego Bay, San Diego, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary security zone for navigable waters in the vicinity of U.S. Coast Guard Sector San Diego, CA. The security zone is necessary to protect the official party and the surrounding waterway and structures from terrorist acts, sabotage or other subversive acts, accidents or other causes of a similar nature. Entering, transiting through, anchoring in, or remaining within this security zone is prohibited unless authorized by the Captain of the Port Sector San Diego or a designated representative.

DATES: This rule is effective from 6 a.m. on March 10, 2021 through 6 p.m. on March 11, 2021. This rule will be enforced from 6 a.m. through 6 p.m. on each of these dates.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2021-0070 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 Lieutenant John Santorum, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone 619-278-7656, email D11MarineEventsSD@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

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 would be contrary to the public interest. Providing a public notice and comment period would be contrary to the security zone’s intended objective of protecting the official party and the public.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that 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 is contrary to the public interest because the Coast Guard must establish this security zone by March 10, 2021 to ensure the safety and security during the official’s visit.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port Sector San Diego

(COTP) has determined that the official’s visit presents a potential target for terrorist acts, sabotage, or other subversive acts, accidents, or other causes of a similar nature. Given the close proximity of the waterways to the official’s visit site, this security zone is necessary to protect the official party, the public, and the surrounding waterways in the vicinity of U.S. Coast Guard Sector San Diego.

IV. Discussion of the Rule

This rule establishes a security zone from 6 a.m. on March 10, 2021 through 6 p.m. on March 11, 2021. The security zone will be enforced from 6 a.m. through 6 p.m. on both of these dates. The security zone will cover all navigable waters of the San Diego Bay bound landward of a line by connecting the following points: Beginning at latitude 32°43’37.2” N, longitude 117°10’45.0” W (point A); thence southeasterly to latitude 32°43’36.2” N, longitude 117°10’41.5” W (point B); thence southwesterly to latitude 32°43’20.2” N, longitude 117°10’49.5” W (point C); thence northwesterly to latitude 32°43’25.7” N, longitude 117°11’04.6” W (point D); thence northeasterly to latitude 32°43’35.7” N, longitude 117°10’59.5” W (point E); thence generally easterly along the air station boundary to the point of beginning (point A). No vessel may enter, transit through, anchor in, or remain in the zone during its enforcement unless permission is obtained from the COTP or a designated representative. The duration of the zone is intended to protect the Commandant and the Commandant’s party in the vicinity of this waterway.

V. 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 13771 directs agencies to control regulatory costs through a budgeting process. This rule has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB), and

pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on size, location, duration, and time-of-day of the security zone. Vessel traffic will be able to safely transit around this security zone which would impact a small designated area of San Diego Bay where commercial traffic is typically low.

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.

While some owners or operators of vessels intending to transit the security zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

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 call or email 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.

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 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 that will prohibit entry within a portion of the navigable waters in the vicinity of U.S. Coast Guard Sector San Diego, CA. 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. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email 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.T11–047 to read as follows:

§ 165.T11–047 Security Zone; San Diego Bay, San Diego, CA.

(a) *Location.* The following area is a security zone: All navigable waters of the San Diego Bay bound landward of a line by connecting the following points: Beginning at latitude 32°43′37.2″ N, longitude 117°10′45.0″ W (point A); thence southeasterly to latitude 32°43′36.2″ N, longitude 117°10′41.5″ W (point B); thence southwesterly to latitude 32°43′20.2″ N, longitude 117°10′49.5″ W (point C); thence northwesterly to latitude 32°43′25.7″ N, longitude 117°11′04.6″ W (point D); thence northeasterly to latitude 32°43′35.7″ N, longitude 117°10′59.5″ W (point E); thence generally easterly along the air station boundary to the point of beginning (point A).

(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, and local officer designated by or assisting the Captain of the Port San Diego (COTP) 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 by VHF Channel 16. 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 period.* This section will be enforced from 6 a.m. through 6 p.m. on March 10, 2021 and March 11, 2021.

Dated: February 12, 2021.

T.J. Barelli,

Captain, U.S. Coast Guard, Captain of the Port Sector San Diego.

[FR Doc. 2021-03534 Filed 2-23-21; 8:45 am]

BILLING CODE 9110-04-P

POSTAL SERVICE

39 CFR Part 111

Extra Services Refund Time Limit

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is amending *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) to revise the time limit for extra service refunds.

DATES: *Effective Date:* April 5, 2021.

FOR FURTHER INFORMATION CONTACT: Sheila Marano at (202) 268-4257, Adaisja Johnson at (202) 268-6724, or Garry Rodriguez at (202) 268-7281.

SUPPLEMENTARY INFORMATION: On May 14, 2020, the Postal Service published a notice of proposed rulemaking (85 FR 28917-28918) to revise the time limit for extra service refunds on all classes of mail except Priority Mail Express®.

The Postal Service elected to issue a second revised proposed rule on January 7, 2021, (86 FR 1080-1081) that included revising the timelines for Priority Mail Express with an extra service. One formal response was received as follows:

Comment: The commenter requested the time limit for extra service refunds be revised on all classes of mail except Priority Mail Express.

USPS Response: The Postal Services believes this revision to extend the time limits for filing a refund for all classes of mail will provide consistency within the refund policy.

Currently, DMM Exhibit 604.9.2.1, *Postage and Fees Refunds*, provides that for Priority Mail Express with an extra service a customer must apply for an extra service refund no sooner than 10 days, or no later than 30 days, and for all other classes of mail with an extra service a customer must apply for an extra service refund no sooner than 10 days, or no later than 60 days, from the date the service was purchased.

Certain extra services (e.g., Certified Mail®) have workflow timelines that extend beyond the current 10-day limit to initially file for a refund. As a result, to meet the required workflow timelines for these extra services, and for consistency in application of the refund processes, the Postal Service is extending the current Priority Mail Express with an extra service timeline to no sooner than 30 days, or no later than 60 days. For all other classes of mail with an extra service, the 10-day time limit will be extended to a 30-day time limit before a customer can file for a refund.

We believe this revision will provide customers with a more efficient process and a more consistent customer experience.

The Postal Service adopts the following changes to *Mailing Standards of the United States Postal Service*,

Domestic Mail Manual (DMM), incorporated by reference in the *Code of Federal Regulations*. See 39 CFR 111.1.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR part 111 is amended as follows:

PART 111—[AMENDED]

■ 1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 13 U.S.C. 301-307; 18 U.S.C. 1692-1737; 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001-3011, 3201-3219, 3403-3406, 3621, 3622, 3626, 3632, 3633, and 5001.

■ 2. Revise the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM) as follows:

Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)

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600 Basic Standards for All Mailing Services

* * * * *

604 Postage Payment Methods and Refunds

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9.0 Exchanges and Refunds

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9.2 Postage and Fee Refunds

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9.2.1 General Standards

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Exhibit 9.2.1 Postage and Fees Refunds

Customers must apply for a refund within the time limits in the chart below.

Mail type or service	When to apply (from mailing date)	
	No sooner than	No later than
* * * * *	* * * * *	* * * * *
[Revise the text of the "Priority Mail Express with an Extra Service" line item to read as follows:]		
Priority Mail Express with an Extra Service(s) (9.2.4h)	30 days	60 days.
* * * * *	* * * * *	* * * * *
[Revise the text of the "Extra Services" line item to read as follows:]		
All other classes of mail with an Extra Service or Extra Services (9.2.4h).	30 days	60 days.
* * * * *	* * * * *	* * * * *