

Faye I. Lipsky, who is the primary Federal Register Liaison for the Social Security Administration, for purposes of publication in the **Federal Register**.

**Faye I. Lipsky,**

*Federal Register Liaison, Office of Legislation and Congressional Affairs, Social Security Administration.*

For the reasons stated in the preamble, we are amending subpart P of part 404 of chapter III of title 20 of the Code of Federal Regulations as set forth below:

**PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950— )**

**Subpart P—Determining Disability and Blindness**

■ 1. The authority citation for subpart P of part 404 continues to read as follows:

**Authority:** Secs. 202, 205(a)–(b) and (d)–(h), 216(i), 221(a) and (h)–(j), 222(c), 223, 225, and 702(a)(5) of the Social Security Act (42 U.S.C. 402, 405(a)–(b) and (d)–(h), 416(i), 421(a) and (h)–(j), 422(c), 423, 425, and 902(a)(5)); sec. 211(b), Pub. L. 104–193, 110 Stat. 2105, 2189; sec. 202, Pub. L. 108–203, 118 Stat. 509 (42 U.S.C. 902 note).

■ 2. In appendix 1 to subpart P of part 404:

■ a. In part A, amend section 1.00C7 by redesignating paragraphs a. and b. as b. and c., by adding a new paragraph a., and by revising newly redesignated paragraph c.; and

■ b. In part B, amend section 101.00C7 by redesignating paragraphs a. and b. as b. and c., by adding a new paragraph a., and by revising newly redesignated paragraph c.

The additions and revisions read as follows:

**Appendix 1 to Subpart P of Part 404—Listing of Impairments**

\* \* \* \* \*

Part A

\* \* \* \* \*

1.00 Musculoskeletal Disorders.

\* \* \* \* \*

C. \* \* \*

7. \* \* \*

a. The term *pandemic period* as used in 1.00C7c means the period beginning on April 2, 2021, and ending on the date that is 6 months after the effective date of a determination by the Secretary of Health and Human Services under section 319 of the Public Health Service Act, 42 U.S.C. 247d, that the national public health emergency resulting from the COVID–19 pandemic no longer exists.

\* \* \* \* \*

c. For 1.15, 1.16, 1.17, 1.18, 1.20C, 1.20D, 1.22, and 1.23, all of the required criteria must be present simultaneously, or within a

close proximity of time, to satisfy the level of severity needed to meet the listing. The phrase “within a close proximity of time” means that *all* of the relevant criteria must appear in the medical record within a consecutive 4-month period, except for claims determined or decided during the *pandemic period*. For claims determined or decided during the *pandemic period*, all of the relevant criteria must appear in the medical record within a consecutive 12-month period. When the criterion is imaging, we mean that we could reasonably expect the findings on imaging to have been present at the date of impairment or date of onset. For listings that use the word “and” to link the elements of the required criteria, the medical record must establish the simultaneous presence, or presence within a close proximity of time, of all the required medical criteria. Once this level of severity is established, the medical record must also show that this level of severity has continued, or is expected to continue, for a continuous period of at least 12 months.

\* \* \* \* \*

Part B

\* \* \* \* \*

101.00 Musculoskeletal Disorders.

\* \* \* \* \*

C. \* \* \*

7. \* \* \*

a. The term *pandemic period* as used in 101.00C7c means the period beginning on April 2, 2021, and ending on the date that is 6 months after the effective date of a determination by the Secretary of Health and Human Services under section 319 of the Public Health Service Act, 42 U.S.C. 247d, that the national public health emergency resulting from the COVID–19 pandemic no longer exists.

\* \* \* \* \*

c. For 101.15, 101.16, 101.17, 101.18, 101.20C, 101.20D, 101.22, and 101.23, all of the required criteria must be present simultaneously, or within a close proximity of time, to satisfy the level of severity needed to meet the listing. The phrase “within a close proximity of time” means that *all* of the relevant criteria must appear in the medical record within a consecutive 4-month period, except for claims determined or decided during the *pandemic period*. For claims determined or decided during the *pandemic period*, all of the relevant criteria must appear in the medical record within a consecutive 12-month period. When the criterion is imaging, we mean that we could reasonably expect the findings on imaging to have been present at the date of impairment or date of onset. For listings that use the word “and” to link the elements of the required criteria, the medical record must establish the simultaneous presence, or presence within a close proximity of time, of all the required medical criteria. Once this level of severity is established, the medical record must also show that this level of severity has continued, or is expected to

continue, for a continuous period of at least 12 months.

\* \* \* \* \*

[FR Doc. 2021–15423 Filed 7–22–21; 8:45 am]

**BILLING CODE 4191–02–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket Number: USCG–2021–0381]

**Safety Zone; Recurring Events in Captain of the Port Duluth Zone—Pointe to La Pointe Swim, Bayfield, WI**

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

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

**SUMMARY:** The Coast Guard will enforce the safety zone for the Pointe to La Pointe Swim event in Bayfield, WI, from 7 a.m. through 11 a.m. on August 7, 2021. This action is necessary to protect participants and spectators during the event. During the enforcement period, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port Duluth or a designated on-scene representative.

**DATES:** The regulations in 33 CFR 165.943(a) will be enforced for the location listed in Table 1 to § 165.943, entry (9), from 7 a.m. through 11 a.m. on August 7, 2021.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email MST2 Jeremy Davis, telephone (218)725–3818, email [DuluthWWM@uscg.mil](mailto:DuluthWWM@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce special local regulations in 33 CFR 165.943(a) for the location listed in Table 1 to § 165.943, entry (9), for the annual Pointe to La Pointe Swim event from 7 a.m. through 11 a.m. on August 7, 2021 on all waters between Bayfield, WI, and Madeline Island, WI, within an imaginary line created by the following coordinates: 46°48’27.55” N, 090°48’56.86” W, moving southeast to 46°48’21.2” N, 090°48’59.9” W, moving south to 46°47’19.91” N, 090°49’46.18” W, moving east 46°47’21.18” N, 090°49’02.39” W, then moving north to 46°48’21.20” N, 090°48’56.86” W and finally running back to the starting point. Pursuant to 33 CFR 165.33 and 165.943(a), entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the

Captain of the Port Duluth or a designated on-scene representative. Vessels and personnel granted permission to enter the safety zone shall obey the directions of the Captain of the Port Duluth, their designated representative, or any Official Patrol displaying a Coast Guard Ensign.

This notice of enforcement is issued under authority of 33 CFR 165.943 and 5 U.S.C. 552 (a). In addition to this publication in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of the enforcement of this enforcement period via Broadcast Notice to Mariners or other suitable means. The Captain of the Port Duluth may be contacted via Channel 16, VHF-FM or at (218) 428-9357.

Dated: July 19, 2021.

**F.M. Smith,**

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

[FR Doc. 2021-15650 Filed 7-22-21; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2021-0573]

#### Safety Zone; Spirit Lake Dredging

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

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

**SUMMARY:** The Coast Guard will enforce the USX Superfund Site Safety Zones: St. Louis River, and this notice of enforcement serves as a reminder to mariners this is still an enforced safety zone under Coast Guard regulations. Our regulation for safety zones within the Ninth Coast Guard District identifies this area is a regulated area within Spirit Lake Duluth, MN.

**DATES:** The regulations in 33 CFR 165.905(a)(1) and (2) will be enforced from August 2, 2021, through November 30, 2021.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notice of enforcement, call or email LTJG Joseph R. McGinnis, MSU Duluth Waterways Management, U.S. Coast Guard; telephone 218-725-3818, email [D09-SMB-MSUDuluthWWM@uscg.mil](mailto:D09-SMB-MSUDuluthWWM@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the USX Superfund Site Safety Zones: St. Louis River, and this notice of enforcement serves as a

reminder to mariners this is still an enforced safety zone under 33 CFR 165.905(a)(1) and (2) for the USX Superfund Site Safety Zone: St. Louis River at Safety Zone #1 (North Spirit Lake): North Boundary 46°41'33" W, South Boundary 46°41'18" W, East Boundary 92°11'53" W, West Boundary 92°12'11" W, and Safety Zone #2 (South Spirit Lake): North Boundary 46°40'45" N, South Boundary 46°40'33" N, East Boundary 92°11'40" W, West Boundary 92°12'05" W. Transit of vessels through the waters covered by these zones is prohibited. Swimming (including water skiing or other recreational use of the water which involves a substantial risk of immersion in the water) or taking of fish (including all forms of aquatic animals) from the waters covered by these safety zones is prohibited at all times. Our regulation for safety zones within the Ninth Coast Guard District identifies this area is a regulated area within Spirit Lake Duluth, MN. In addition to this notice of enforcement in the **Federal Register**, the Coast Guard plans to provide notification of this enforcement period via the Local Notice to Mariners and marine information broadcasts.

Dated: July 19, 2021.

**Frances M. Smith,**

*CDR, U.S. Coast Guard, Captain of the Port MSU Duluth.*

[FR Doc. 2021-15651 Filed 7-22-21; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2021-0248]

RIN 1625-AA00

#### Safety Zone; Cumberland River, Nashville, TN

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone from mile marker 190.5 to 191.5 of the Cumberland River. The safety zone is needed to protect life and the marine environment from potential hazards created by Music City Grand Prix fireworks display. This rule prohibits persons and vessels from being in the safety zone unless authorized by the Captain of the Port Sector Ohio Valley or a designated representative.

**DATES:** This rule is effective from 9 p.m. until 10:30 p.m. on August 7, 2021.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2021-0248 in the search box and click "Search." Next, in the Document Type column, select "Supporting & Related Material."

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, call or email Petty Officer Third Class Benjamin Gardner and Marine Safety Detachment Nashville, U.S. Coast Guard; telephone 615-736-5421, email [Benjamin.t.gardner@uscg.mil](mailto:Benjamin.t.gardner@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 is impracticable. The Coast Guard was notified of the event without ample time for the NPRM process. We must establish this safety zone by August 7, 2021, and lack sufficient time to provide a reasonable comment period and then consider those comments before issuing this rule.

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 would be contrary to public interest because immediate action is needed to ensure the safety of the participants and vessels during the Music City Grand Prix Fireworks Display on August 7, 2021.

##### 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