

**ADDRESSES** section of this preamble. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

#### 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.

#### V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

**Submitting comments.** We encourage you to submit comments through the Federal Decision Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG–2021–0808 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If you cannot submit your material by using <https://www.regulations.gov>, call or email the person in the **FOR FURTHER INFORMATION CONTACT** section of this proposed rule for alternate instructions.

**Viewing material in docket.** To view documents mentioned in this proposed rule as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. We review all comments received, but we will only post comments that address the topic of the proposed rule. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

**Personal information.** We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions to the docket in

response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

#### 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 is proposing to amend 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, Revision No. 01.2.

■ 2. Add § 165.T08–0808 to read as follows:

#### § 165.T08–0808 Safety Zone; Tchefuncte River, Madisonville, LA.

(a) *Location.* The following area is a safety zone: All navigable waters within a 200-yard radius of the deck barge at position 30 23–52.4 N, 90 09–14.48 W on the Tchefuncte River, Madisonville, LA.

(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 Sector New Orleans (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, persons and vessels 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) To seek permission to enter, contact the COTP or the COTP’s representative by VHF–FM radio, Channel 16 or 67. 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.

(d) *Enforcement period.* This section will be enforced from 9 p.m. through 10 p.m. on December 4, 2021.

(e) *Information broadcasts.* The COTP or a designated representative will inform the public of the enforcement times and date for this safety zone through Broadcast Notices to Mariners (BNMs), Local Notices to Mariners (LNMs), and/or Marine Safety Information Broadcasts (MSIBs) as appropriate.

Dated: October 29, 2021.

**W.E. Watson,**

*Captain, U.S. Coast Guard, Captain of the Port Sector New Orleans.*

[FR Doc. 2021–24588 Filed 11–9–21; 8:45 am]

**BILLING CODE 9110–04–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### 45 CFR Part 302

[Docket No. ACF–2020–0002]

RIN 0970–AC81

#### Optional Exceptions to the Prohibition Against Treating Incarceration as Voluntary Unemployment Under Child Support Guidelines

**AGENCY:** Office of Child Support Enforcement (OCSE), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

**ACTION:** Notice of proposed rulemaking; withdrawal.

**SUMMARY:** OCSE is withdrawing a previously published notice of proposed rulemaking (NPRM) that solicited public comment on two optional exceptions to the prohibition against treating incarceration as voluntary unemployment in child support cases.

**DATES:** The NPRM published at 85 FR 58029, September 17, 2020, is withdrawn, effective immediately.

**FOR FURTHER INFORMATION CONTACT:** Yvette Riddick, Division of Policy and Training, Office of Child Support Enforcement, (202) 401–4885. Email inquiries to [ocse.dpt@acf.hhs.gov](mailto:ocse.dpt@acf.hhs.gov). Deaf and hearing-impaired individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 between 8 a.m. and 7 p.m. Eastern Time.

**SUPPLEMENTARY INFORMATION:** On September 17, 2020, HHS published an NPRM (85 FR 58029) to the regulations at 45 CFR part 302 on two optional exceptions to the prohibition against treating incarceration as voluntary unemployment in child support cases. The NPRM included a comment period closing on November 16, 2020.

In response to the proposed rule, HHS received comments from 9 state child support agencies, 5 child support associations, 1 elected official, 1 nonprofit organization, and 33 private individuals. Most states are in compliance with the existing prohibition against treating

incarceration as voluntary unemployment as stated in the Flexibility, Efficiency, and Modernization in Child Support Programs (FEM) final rule published in the **Federal Register** on December 20, 2016 (81 FR 93492). Setting and modifying realistic child support obligations for incarcerated parents can improve their ability to provide consistent support for their children upon release from prison. Formerly incarcerated noncustodial parents will be more likely to meet their child support obligations, benefiting their children by improving child support compliance and reliability, and reducing uncollectable debt.

Other collateral consequences associated with orders set beyond a noncustodial parent's ability to pay may also decline, such as increased underground employment activity and reduced contact with their children.

HHS is therefore withdrawing the NPRM published on September 17, 2020 (85 FR 58029).

**JooYeun Chang,**

*Acting Assistant Secretary for Children and Families.*

**Xavier Becerra,**

*Secretary.*

[FR Doc. 2021-24606 Filed 11-9-21; 8:45 am]

**BILLING CODE 4184-42-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 15

[Docket No. FWS-HQ-IA-2021-0116; FXIA16710900000-FF09A10000-212]

#### **Wild Bird Conservation Act of 1992; 90-Day Rulings on Petitions To Add Cactus Conure and Lineolated Parakeet (Green Form) to the Approved List for Captive-Bred Species**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notification of 90-day petition rulings.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce 90-day rulings on two petitions to add species to the approved list for captive-bred exotic bird species under the Wild Bird Conservation Act (WBCA) of 1992. Based on our review, we find that the petitions to add cactus conure (*Aratinga cactorum*) and lineolated parakeet (green form) (*Bolborhynchus lineola* (green form)) do not present sufficient information indicating that the

petitioned actions might be warranted. Therefore, we will not seek public comments on these petitions and will take no further action in response to these petitions.

**DATES:** These rulings were made on November 10, 2021.

**ADDRESSES:** Copies of the petition and information submitted are available online in Docket No. FWS-HQ-IA-2021-0116 at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Eleanora Babij, Chief, Branch of Consultation and Monitoring, 703-358-2488 (phone); 703-358-2276 (fax); or [eleanora\\_babij@fws.gov](mailto:eleanora_babij@fws.gov) (email). If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service at 800-877-8339.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The Wild Bird Conservation Act (WBCA; 16 U.S.C. 4901-4916) was enacted on October 23, 1992, to promote the conservation of exotic birds listed in the appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) by: Ensuring that all imports of exotic bird species into the United States are biologically sustainable and not detrimental to the species; ensuring that wild bird populations are not harmed by removal of birds from the wild for importation into the United States; ensuring that imported birds are not subject to inhumane treatment during capture and transport; and assisting wild bird conservation and management programs in countries of origin.

*What is the approved list for captive-bred species?*

The approved list for captive-bred exotic bird species under the WBCA is authorized under the WBCA (16 U.S.C. 4905). It is a list of bird species that are regularly bred in captivity and no wild-caught birds of the species are in trade, and for which importation into the United States of captive-bred specimens is not prohibited by the WBCA. A WBCA import permit is not required if an exotic bird species is on the approved list for captive-bred exotic bird species. CITES requirements and any other applicable requirements for trade continue to apply.

The criteria for a species to be included in the approved list for captive-bred exotic bird species ("approved list") are set forth in our regulations in title 50 of the Code of Federal Regulations (CFR) at § 15.31 (50

CFR 15.31), and the approved list is provided at 50 CFR 15.33(a).

*How are bird species added to or removed from the approved list?*

We periodically review and update the approved list. Under 50 CFR 15.31, to be included in the approved list, an exotic bird species must meet all of the following criteria:

(a) All specimens of the species known to be in trade (legal or illegal) are captive-bred;

(b) No specimens of the species are known to be removed from the wild for commercial purposes;

(c) Any importation of specimens of the species would not be detrimental to the survival of the species in the wild; and

(d) Adequate enforcement controls are in place to ensure compliance with paragraphs (a) through (c), above.

Additional information relating to these criteria is available in our December 2, 1994, final rule that promulgated our regulations for the WBCA list of approved species (59 FR 62255).

Further, section 110 of the WBCA (16 U.S.C. 4909) and its implementing regulations at 50 CFR part 15 set forth the procedures for petitions to add a species of exotic bird to, or remove such a species from, the approved list at 50 CFR 15.33(a). Section 110(b) of the WBCA requires that for each petition submitted in accordance with section 110(a) of the WBCA, we make a preliminary ruling on whether a petition to add a species of exotic bird to, or remove such a species from, the approved list presents sufficient information indicating that the action requested in the petition might be warranted. We are to make this preliminary ruling within 90 days of our receipt of the petition and publish the ruling in the **Federal Register** pursuant to 16 U.S.C. 4909(b)(1).

The WBCA does not expressly define what constitutes "sufficient information indicating that the action requested in the petition might be warranted" with regard to a 90-day preliminary ruling. Given the purposes of the WBCA, including ensuring that all imports of exotic bird species into the United States are biologically sustainable and not detrimental to the species, we interpret this language to refer to the presentation of credible scientific or commercial information in support of the petitioner's claims such that a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition might be warranted.