

Environment

We have analyzed this temporary rule under Commandant Instruction M16475.1D which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, under figure 2–1, paragraph (34)(g) of the Commandant Instruction M16475.1D, this temporary rule is categorically excluded from further environmental documentation. An “Environmental Analysis Checklist” and “Categorical Exclusion Determination” supporting this conclusion are available in the docket where indicated under **ADDRESSES**.

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: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add a new temporary § 165.T14–163 to read as follows:

§ 165.T14–163 Security Zone; Nawiliwili Harbor, Kauai, HI.

(a) *Location.* The following land areas, and water areas from the surface of the water to the ocean floor, are a security zone that is activated as described in paragraph (c) of this section, and enforced subject to the provisions of paragraph (d) of this section: All waters of Nawiliwili Harbor, Kauai, shoreward of the Nawiliwili Harbor COLREGS DEMARCATION LINE (See 33 CFR 80.1450), excluding the waters west of a line running from the southeastern most point of the breakwater of Nawiliwili Small Boat Harbor due south to the south shore of the harbor, and excluding the waters from Kalapaki Beach south to a line extending from the western most point of Kukii Point due west to the Harbor Jetty. The land of the jetty south of Nawiliwili Park, including the jetty access road, commonly known as Jetty Road, is included within the security zone.

(b) *Effective period.* This section is effective from November 1, 2007, through November 30, 2007. It will be activated for enforcement pursuant to paragraph (c) of this section.

(c) *Enforcement periods.* The zone described in paragraph (a) of this section will be activated for enforcement 60 minutes before the Hawaii Superferry’s arrival into the zone and remain activated for 10 minutes after the Hawaii Superferry’s departure from the zone. The activation of the zone for enforcement will be announced by marine information broadcast, and by a red flag, illuminated between sunset and sunrise, displayed from Pier One and the Harbor Facility Entrance on Jetty Road.

(d) *Regulations.* (1) Under 33 CFR 165.33, entry by persons or vessels into the security zone created by this section and activated as described in paragraph (c) of this section is prohibited unless authorized by the Coast Guard Captain of the Port, Honolulu or his or her designated representatives. Operation of any type of vessel, including every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, within the security zone is prohibited. If a vessel is found to be operating within the security zone without permission of the Captain of the Port, Honolulu, and refuses to leave, the vessel is subject to seizure and forfeiture.

(2) All persons and vessels permitted in the security zone must comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene patrol personnel. These personnel include commissioned, warrant, and petty officers of the Coast Guard and other persons permitted by law to enforce this regulation. Upon being hailed by an authorized vessel or law enforcement officer using siren, radio, flashing light, loudhailer, voice command, or other means, the operator of a vessel must proceed as directed.

(3) If authorized passage through the security zone, a vessel must operate at the minimum speed necessary to maintain a safe course and must proceed as directed by the Captain of the Port or his or her designated representatives. While underway with permission of the Captain of the Port or his or her designated representatives, no person or vessel is allowed within 100 yards of the Hawaii Superferry when it is underway, moored, position-keeping, or at anchor, unless authorized by the Captain of the Port or his or her designated representatives.

(4) When conditions permit, the Captain of the Port, or his or her

designated representatives, may permit vessels that are at anchor, restricted in their ability to maneuver, or constrained by draft to remain within the security zone in order to ensure navigational safety.

(e) *Enforcement officials.* Any Coast Guard commissioned, warrant, or petty officer, and any other person permitted by law, may enforce the regulations in this section.

Dated: October 24, 2007.

Sally Brice-O’Hara,

Rear Admiral, U.S. Coast Guard, Commander, Fourteenth Coast Guard District.

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POSTAL SERVICE

39 CFR Part 20

International Mail Service to the Republic of the Marshall Islands and Federated States of Micronesia Reverted to Domestic Mail Service

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is amending the *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM®) to remove references to the Republic of the Marshall Islands and the Federated States of Micronesia. Mail to the Republic of the Marshall Islands and the Federated States of Micronesia is no longer treated as international mail.

DATES: *Effective Date:* November 19, 2007.

FOR FURTHER INFORMATION CONTACT: Randall F. Sobol, 808–423–3883.

SUPPLEMENTARY INFORMATION: The Postal Service, after high-level discussions with the Republic of the Marshall Islands and the Federated States of Micronesia and consultation with the U.S. Department of State, is returning these countries to domestic published prices and mailing standards.

On September 15, 2005, the Postal Service published in the **Federal Register** (70 FR 54510) a notice proposing use of the international price schedules for the Republic of the Marshall Islands and the Federated States of Micronesia. The application of international rate schedules to these former Trust Territories of the United States was permissible, in conformity with, and in furtherance of the terms of the Compact of Free Association between the United States Government and the governments of the Republic of the Marshall Islands and the Federated

States of Micronesia. After considering comments on its proposal to move these nations to international postal prices, fees, and mail classifications, the Postal Service published, on November 23, 2005, in the **Federal Register** (70 FR 70976), a notice implementing the new published prices and mailing standards. That notice amended the *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM®) to include the Republic of the Marshall Islands and the Federated States of Micronesia in most international products and services, and added them to the individual country listings. A subsequent article removed all references to these countries from the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®).

This final rule rescinds the final rule published on November 23, 2005. Effective November 19, 2007, the Republic of the Marshall Islands and the Federated States of Micronesia will revert to the domestic mail classification schedule that was in effect prior to January 8, 2006, the effective date of the original article. The application of international rates to these Freely Associated States had observable effects on the economy and business correspondence of the Republic of the Marshall Islands and the Federated States of Micronesia. The Postal Service had considered a number of business solutions to lessen that impact. Technological and other obstacles currently make other solutions impracticable. Therefore, to allow the governments of the Republic of the Marshall Islands and the Federated States of Micronesia to continue to pursue appropriate long term solutions to this problem without adversely impacting the economies of the parties and the lives of their people, the Postal Service takes this step to return the parties and their people to the position they held prior to the application of the international mail schedule to them. An additional article will be published to add references to these countries to the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®).

List of Subjects in 39 CFR Part 20

Foreign relations, International postal services.

■ For the reasons discussed above, the Postal Service hereby adopts the following amendments to the International Mail Manual which is incorporated by reference in the Code of Federal Regulations (see 39 CFR part 20).

PART 20—[AMENDED]

■ 1. The authority citation for 39 CFR part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

■ 2. Amend the *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM) as follows.

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2 Conditions for Mailing

210 Global Express Guaranteed

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213 Service Areas

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213.2 Destinating Countries and Rate Groups

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[Revise the *Destinating Countries and Rate Groups* table by deleting “Marshall Islands, Republic of” and “Micronesia, Federated States of.”]

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230 Priority Mail International

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233 Priority Mail International Parcels

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233.2 Exclusions

Ordinary indemnity coverage is not paid for:

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[Delete item c in its entirety.]

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235 Weight and Size Limits

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235.23 Exceptional Size Limits

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[Revise item b by deleting “Marshall Islands, Republic of the”, and “Micronesia, Federated States of”]

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240 First-Class Mail International

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242 Postage

242.1 Rates

The country-specific rate group designations that apply to First-Class Mail International and M-Bags (see 260) are as follows:

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[Revise third bullet, “Rate Group 3”, by removing the reference to Marshall Islands and Micronesia.]

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[Delete sixth bullet, “Rate Group 6”, in its entirety.]

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250 Postcards and Postal Cards

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252 Postage Rates and Fees

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[Delete item b in its entirety.]

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290 Commercial Services

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292 International Priority Airmail Service

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292.4 Mail Preparation for Individual Items

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292.44 Sortation Requirements for IPA

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292.442 Presorted Mail

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Exhibit 292.442 Foreign Exchange Office and Country Rate Groups

[Revise the *Foreign Exchange Office and Country Rate Groups* table by deleting “Marshall Islands, Republic of the” and “Micronesia, Federated States of.”]

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World Map

[Delete the Republic of the Marshall Islands and the Federated States of Micronesia from map reference M5.]

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World Map Index

[Delete references for “Marshall Islands, Republic of the” and “Micronesia, Federated States of” from the world map index.]

Index of Countries and Localities

[Revise the references for “Marshall Islands, Republic of the” and “Micronesia, Federated States of” by adding the note “See DMM 608” and removing the IMM page number.]

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Individual Country Listings

[Delete the individual country listings for the Republic of the Marshall Islands and the Federated States of Micronesia.]

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Neva R. Watson,
Attorney, Legislative.

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