### REGULATORY REVIEW MODIFIED TEN-YEAR SCHEDULE—Continued

<table>
<thead>
<tr>
<th>16 CFR part</th>
<th>Topic</th>
<th>Year to initiate review</th>
</tr>
</thead>
<tbody>
<tr>
<td>429</td>
<td>Rule Concerning Cooling-Off Period for Sales Made at Homes or at Certain Other Locations</td>
<td>2023</td>
</tr>
<tr>
<td>20</td>
<td>Guides for the Rebuilt, Reconditioned, and Other Used Automobile Parts Industry</td>
<td>2024</td>
</tr>
<tr>
<td>240</td>
<td>Guides for Advertising Allowances and Other Merchandising Payments and Services [Fred Meyer Guides]</td>
<td>2024</td>
</tr>
<tr>
<td>300</td>
<td>Rules and Regulations under the Wool Products Labeling Act of 1939</td>
<td>2024</td>
</tr>
<tr>
<td>301</td>
<td>Rules and Regulations under Fur Products Labeling Act</td>
<td>2024</td>
</tr>
<tr>
<td>303</td>
<td>Rules and Regulations under the Textile Fiber Products Identification Act</td>
<td>2024</td>
</tr>
<tr>
<td>425</td>
<td>Use of Prenotification Negative Option Plans</td>
<td>2024</td>
</tr>
<tr>
<td>435</td>
<td>Mail, Internet, or Telephone Order Merchandise</td>
<td>2024</td>
</tr>
<tr>
<td>424</td>
<td>Retail Food Store Advertising and Marketing Practices [Unavailability Rule]</td>
<td>2024</td>
</tr>
<tr>
<td>239</td>
<td>Guides for the Advertising of Warranties and Guarantees</td>
<td>2025</td>
</tr>
<tr>
<td>306</td>
<td>Automotive Fuel Ratings, Certification and Posting</td>
<td>2025</td>
</tr>
<tr>
<td>305</td>
<td>Energy Labeling Rule</td>
<td>2025</td>
</tr>
<tr>
<td>444</td>
<td>Credit Practices</td>
<td>2025</td>
</tr>
<tr>
<td>500</td>
<td>Regulations under Section 4 of the Fair Packaging and Labeling Act</td>
<td>2025</td>
</tr>
<tr>
<td>501</td>
<td>Exemptions from Requirements and Prohibitions under Part 500</td>
<td>2025</td>
</tr>
<tr>
<td>502</td>
<td>Regulations under Section 5(c) of the Fair Packaging and Labeling Act</td>
<td>2025</td>
</tr>
<tr>
<td>503</td>
<td>Statements of General Policy or Interpretation [under the Fair Packaging and Labeling Act]</td>
<td>2025</td>
</tr>
<tr>
<td>700</td>
<td>Interpretations of Magnuson-Moss Warranty Act</td>
<td>2025</td>
</tr>
<tr>
<td>701</td>
<td>Disclosure of Written Consumer Product Warranty Terms and Conditions</td>
<td>2025</td>
</tr>
<tr>
<td>702</td>
<td>Pre-Sale Availability of Written Warranty Terms</td>
<td>2025</td>
</tr>
<tr>
<td>703</td>
<td>Informal Dispute Settlement Procedures</td>
<td>2025</td>
</tr>
<tr>
<td>304</td>
<td>Rules and Regulations under the Hobby Protection Act</td>
<td>2026</td>
</tr>
<tr>
<td>455</td>
<td>Used Motor Vehicle Trade Regulation Rule</td>
<td>2026</td>
</tr>
<tr>
<td>259</td>
<td>Guide Concerning Fuel Economy Advertising for New Automobiles</td>
<td>2027</td>
</tr>
<tr>
<td>682</td>
<td>Disposal of Consumer Report Information and Records</td>
<td>2027</td>
</tr>
<tr>
<td>23</td>
<td>Guides for the Jewelry, Precious Metals, and Pewter Industries</td>
<td>2028</td>
</tr>
<tr>
<td>311</td>
<td>Test Procedures and Labeling Standards for Recycled Oil</td>
<td>2028</td>
</tr>
<tr>
<td>460</td>
<td>Labeling and Advertising of Home Insulation</td>
<td>2028</td>
</tr>
<tr>
<td>316</td>
<td>CAN-SPAM Rule</td>
<td>2028</td>
</tr>
<tr>
<td>433</td>
<td>Preservation of Consumers’ Claims and Defenses [Holder in Due Course Rule]</td>
<td>2029</td>
</tr>
<tr>
<td>315</td>
<td>Contact Lens Rule</td>
<td>2030</td>
</tr>
<tr>
<td>317</td>
<td>Prohibition of Energy Market Manipulation Rule</td>
<td>2031</td>
</tr>
</tbody>
</table>

---

**DEPARTMENT OF HOMELAND SECURITY**  
**Coast Guard**  
**33 CFR Part 100**  
[Docket Number USCG–2021–0426]  
RIN 1625–AA00  
Special Local Regulation; Swim for Special Operations Forces; San Diego Bay, San Diego, CA  
**AGENCY:** Coast Guard, DHS.  
**ACTION:** Notice of proposed rulemaking.  
**SUMMARY:** The Coast Guard is proposing to amend its special local regulations for recurring marine parades, regattas, and other events in Southern California Annual Marine Events for the San Diego Captain of the Port Zone. This proposed rule would add one new recurring special local regulation. This action is necessary to provide for the safety of life on the navigable waters during the event. This proposed rulemaking would restrict vessel traffic in the designated areas during the events unless authorized by the Captain of the Port San Diego or a designated representative. We invite your comments on this proposed rulemaking.  
**DATES:** Comments and related material must be received by the Coast Guard on or before August 2, 2021.  
**ADDRESSES:** You may submit comments identified by docket number USCG–2021–0426 using the Federal eRulemaking Portal at https://www.regulations.gov. See the “Public Participation and Request for Comments” portion of the SUPPLEMENTARY INFORMATION section for further instructions on submitting comments.  
**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email Lieutenant Commander John Santorum, Waterways Management, U.S. Coast Guard; telephone 619–278–7656, email MarineEventsSD@uscg.mil.  
**SUPPLEMENTARY INFORMATION:**  

### I. Table of Abbreviations  
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>DHS</td>
<td>Department of Homeland Security</td>
<td>§ Section</td>
</tr>
<tr>
<td>NPRM</td>
<td>Notice of proposed rulemaking</td>
<td>§ Section</td>
</tr>
</tbody>
</table>

II. Background, Purpose, and Legal Basis  
The Coast Guard proposes to amend 33 CFR 100.1101 by adding a new reoccurring marine event to the Table 1 of Section § 100.1101 for a swim race in San Diego Bay, CA.  
The Honor Foundation notified the Coast Guard that it will be hosting the Honor Foundation Swim for Special Operations Forces (SOF) annually on a Saturday during the month of September. The regulated area would cover all navigable waters of the San Diego Bay, beginning at Glorietta Bay, continuing to Tidelands Park before proceeding north along the Coronado shoreline, crossing the federal navigable channel at Bayview Park, and finishing at the USS MIDWAY Museum.  
The proposed annually reoccurring special local regulation is necessary to provide for the safety of life on navigable waters during the event. Based on the nature of this marine event, the large number of participants, and event location, the COTP has determined that the event listed in this proposed rule could pose a risk to participants or waterways users if the
normal vessel traffic were to interfere
with the event. Possible hazards include
risks of injury or death from near or
actual contact among participants and
mariners traversing through the
regulated area. In order to protect the
safety of all waterway users, including
event participants and spectators, this
proposed rule would establish a special
local regulation for the time and
location of the marine event. Vessels
would not be permitted to enter the
regulated areas unless authorized by the
COTP or a designated representative.

The Coast Guard proposes this
rulemaking under authority in 46 U.S.C.
70041.

III. Discussion of Proposed Rule

The Coast Guard proposes to add one
new recurring special local regulation in
Table 1 to § 100.1101 for the Honor
Foundation Swim for Special
Operations Forces. The duration of the
regulated area is intended to ensure the
safety of the public during the swim.
Non-participant vessels are not
permitted to enter, transit through, anchor in, or remain within the
regulated area without obtaining
permission from the Captain of the Port
San Diego or a designated
representative. The Coast Guard will
provide notice of the regulated area by
Broadcast Notice to Mariners and on-
scene designated representatives. The
regulatory text we are proposing appears
at the end of this document.

IV. Regulatory Analyses

We developed this proposed 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.
This NPRM has not been designated a
“significant regulatory action,” under
Executive Order 12866. Accordingly,
the NPRM has not been reviewed by the
Office of Management and Budget
(OMB).

This regulatory action determination
is based on the size, location, and
duration of the special local regulation.
Vessel traffic would be able to safely
transit around this special local
regulation, which would impact a small-
designated area of the San Diego Bay.
Moreover, the Coast Guard would issue
a Broadcast Notice to Mariners via
VHF–FM marine channel 16 about the
areas, and the rule would allow vessels
to seek permission to enter the areas.

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 proposed rule would not
have a significant economic impact on
a substantial number of small entities.

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

If you think that your business,
organization, or governmental
jurisdiction qualifies as a small entity and
that this rule would have a
significant economic impact on it, please
submit a comment (see ADDRESSES)
explaining why you think it qualifies and how and to what degree
this rule would economically affect it.

Under section 213(a) of the Small
Business Regulatory Enforcement
Fairness Act of 1996 (Pub. L. 104–101),
we want to assist small entities in
understanding this proposed 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. The
Coast Guard will not retaliate against small
entities that question or complain about
this proposed rule or any policy or
action of the Coast Guard.

C. Collection of Information

This proposed rule would not call for
a new collection of information under
the Paperwork Reduction Act of 1995

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 proposed rule under that Order and
determine that it is consistent
with the fundamental federalism
principles and preemption requirements
described in Executive Order 13132.

Also, this proposed rule does not have
tribal implications under Executive
Order 13175 (Consultation and
Cooperation with Indian Tribal
Governments) because it would 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.
If you believe this proposed rule has
implications for federalism or Indian
tribes, please call or email the person
listed in the FOR FURTHER INFORMATION
CONTACT section.

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
$100,000,000 (adjusted for inflation) or
more in any one year. Though this
proposed rule would not result in such
an expenditure, we do discuss the
effects of this rule elsewhere in this
preamble.

F. Environment

We have analyzed this proposed 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 made a preliminary determination
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 proposed
rule involves a regulated area that
would prohibit persons and vessels
from transiting the regulated area during
the swim event. Normally such actions
are categorically excluded from further
review under paragraph L[61] of
Appendix A, Table 1 of DHS Instruction
Manual 023–01–001–01, Rev. 1. A
preliminary 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. We seek any comments on
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.

We encourage you to submit
comments through the Federal
eRulemaking Portal at https://
www.regulations.gov. If your material
cannot be submitted using https://
www.regulations.gov, call or email the
person in the FOR FURTHER
INFORMATION CONTACT section of this document for
alternate instructions.

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

Comments we post to https://
www.regulations.gov will include any
personal information you have
provided. For more about privacy and
submissions in response to this
document, see DHS’s eRulemaking
System of Records notice (85 FR 14226,
March 11, 2020).

Documents mentioned in this NPRM
as being available in the docket, and
public comments, will be in our online
docket at https://www.regulations.gov
and can be viewed by following that
website’s instructions. 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.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water),
Reporting and recordkeeping
requirements, Waterways.

For the reasons discussed in the
 preamble, the Coast Guard is proposing
to amend 33 CFR part 100 as follows:

PART 100—SAFETY OF LIFE ON
NAVIGABLE WATERS

1. The authority citation for part 100
continues to read as follows:

Authority: 46 U.S.C. 70041; 33 CFR 1.05–
1.

2. In § 100.1101, in table 1 to
§ 100.1101, add item number 16 to read
as follows:

§ 100.1101 Southern California Annual
Marine Events for the San Diego Captain of
the Port Zone.

<table>
<thead>
<tr>
<th>TABLE 1 TO § 100.1101</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>16. Swim for Special Operations Forces; San Diego Bay, San Diego, CA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sponsor</td>
</tr>
<tr>
<td>Event Description</td>
</tr>
<tr>
<td>Date</td>
</tr>
<tr>
<td>Location</td>
</tr>
<tr>
<td>Regulated Area</td>
</tr>
</tbody>
</table>

Dated: June 25, 2021.

T.J. Barelli,
Captain, U.S. Coast Guard, Captain of the
Port San Diego.

[FR Doc. 2021–14230 Filed 7–1–21; 8:45 am]
BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND
SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2021–0451]

RIN 1625–AA00

Safety Zone; Ohio River, Newburgh, IN

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing
to establish a temporary safety zone for
all navigable waters of the Ohio River
extending the entire width of the river,
from mile marker (MM) 777.3 to MM
778.3. This action is necessary to
provide for the safety of life on these
navigable waters near Newburgh,
Indiana, during the City of Newburgh
fireworks display on September 4, 2021.
This proposed rulemaking would
prohibit persons and vessels from being
in the safety zone unless authorized by
the Captain of the Port Sector Ohio
Valley or a designated representative.
We invite your comments on this
proposed rulemaking.

DATES: Comments and related material
must be received by the Coast Guard on
or before August 2, 2021.

ADDRESSES: You may submit comments
identified by docket number USCG–
2021–0451 using the Federal Decision
Making Portal at https://
www.regulations.gov. See the “Public
Participation and Request for
Comments” portion of the

SUPPLEMENTARY INFORMATION section for
further instructions on submitting
comments.

FOR FURTHER INFORMATION CONTACT: If
you have questions about this proposed
rulemaking, call or email MST3
Matthews U.S. Coast Guard, telephone
502–779–5334, email secohv-wwm@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port Sector Ohio
Valley
DHS Department of Homeland Security
FR Federal Register
NPRM Notice of proposed rulemaking
§ Section

II. Background, Purpose, and Legal
Basis

On June 17, 2021, the Historic
Newburgh, Inc notified the Coast Guard