

from further review under paragraph 34(g) of Figure 2–1 of Commandant Instruction M16475.ID. A preliminary environmental analysis checklist and Categorical Exclusion Determination, prepared and signed before October 31, 2022 are available in the docket where indicated under **ADDRESSES**.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact 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 147

Continental shelf, Marine safety, Navigation (water).

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 147 as follows:

PART 147—SAFETY ZONES

- 1. The authority citation for part 147 continues to read as follows:

Authority: 14 U.S.C. 554; 43 U.S.C. 1333; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 147.875 to read as follows:

§ 147.875 Safety Zone, Horn Mountain Spar, Outer Continental Shelf Facility, Mississippi Canyon 127.

(a) *Description.* The Horn Mountain Spar is in the deepwater area of the Gulf of Mexico at Mississippi Canyon 127. The facility is located at: 28°51'57.5994" N, 88°3'22.32" W, (NAD 83) and the area within 500 meters (1640.4 feet) from each point on the facility structure's outer edge is a safety zone.

(b) *Regulation.* No vessel may enter or remain in this safety zone except for the following:

(1) An attending vessel, as defined in 147.20;

(2) A vessel under 100 feet in length overall not engaged in towing; or

(2) A vessel authorized by the Commander, Eighth Coast Guard District or a designated representative.

(c) *Requests for permission.* Persons or vessels requiring authorization to enter the safety zone must request permission from the Commander, Eighth Coast Guard District or a designated representative. If permission is granted, all persons and vessels shall comply with the instructions of the Commander or designated representative.

Dated: April 4, 2023.

Richard Timme,

RADM, U.S. Coast Guard, Commander, Coast Guard District Eight.

[FR Doc. 2023–07594 Filed 4–10–23; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2023–0125]

RIN 1625-AA00

Safety Zone; Naval Air Station Key West, Boca Chica, FL

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for navigable waters of the Boca Chica Channel in Boca Chica, Florida. This action is necessary to provide for the safety of life on these navigable waters near Boca Chica Key, FL, during the 2023 Naval Air Station Key West Air Show. This rule prohibit persons and vessels from being in the safety zone unless authorized by the Captain of the Port Key West or a designated representative.

DATES: This rule is effective daily from 10 a.m. through 4 p.m. on April 14, 2023 through April 16, 2023.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2023–0125 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 on this rule, call or email LTJG Hailye Wilson, Sector Key West Waterways Management Division, U.S. Coast Guard; telephone 305–292–8768, email Hailye.M.Wilson@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 lacks sufficient time to provide for a comment period and then consider those comments before issuing the rule since this rule is needed by April 14, 2023. It would be contrary to the public interest since immediate action is necessary to protect the safety of the public, and vessels transiting the waters of the Boca Chica Key.

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 impracticable because immediate action is needed to respond to the potential safety hazards associated with the Air Show.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034. The Captain of the Port Key West (COTP) has determined that potential hazards associated with the Air Show starting April 14, 2023, will be a safety concern. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone until the Air Show is complete.

IV. Discussion of the Rule

This rule establishes a safety zone from 10 a.m. until 4 p.m. on April 14, 2023 through April 16, 2023. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the bridge is being repaired. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative.

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. 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).

This regulatory action determination is based on the size, location, duration, and time-of-day of the safety zone. Vessel traffic will be able to safely transit around this safety zone which would impact a small designated area of the Boca Chica Channel during the afternoon when vessel traffic is normally low. Moreover, the Coast Guard will issue a Broadcast Notice to Mariners via VHF-FM marine channel 16 about the zone, and the rule would allow vessels to seek permission to enter the zone.

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 safety 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 safety zone lasting only 6 hours for three days that will prohibit entry within the Boca Chica Channel. 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

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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, 70124; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.3.

- 2. Add § 165.T07–0125 to read as follows:

§ 165.T07–0125 Safety Zone; Naval Air Station Key West, Boca Chica, FL.

(a) **Location.** The following area is a safety zone: All waters of Boca Chica Channel, from surface to bottom, encompassed by a line connecting the following points beginning at 24°33'48" N, 081°43'02" W, thence to 24°34'18" N, 081°43'08" W, thence to 24°34'28" N, 081°42'22" W, and along the shoreline back to the beginning point. These coordinates are based on North American Datum.

(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 Key West (COTP) in the enforcement of the safety zone.

(c) *Regulations.* (1) Under the general safety zone regulations in subpart C of this part, you 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 telephone at 305-292-8727. 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 periods.* This section will be enforced daily from 10 a.m. to 4 p.m. April 14, 2023, through April 16, 2023.

Dated: March 31, 2023.

Jason D. Ingram,
Captain, U.S. Coast Guard, Captain of the
Port Key West.

[FR Doc. 2023-07500 Filed 4-10-23; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 17

RIN 2900-AR48

Copayment Exemption for Indian Veterans

AGENCY: Department of Veterans Affairs.

ACTION: Final rule correction and correcting amendments.

SUMMARY: On April 4, 2023, the Department of Veterans Affairs (VA) published in the **Federal Register** a final rule to amend its medical regulations to implement a statute exempting Indian and urban Indian veterans from copayment requirements for the receipt of hospital care or medical services. This correction addresses a technical error in the published final rule and correcting amendments to four sections involved.

DATES: Effective April 11, 2023.

FOR FURTHER INFORMATION CONTACT: Mark Upton, Deputy to the Deputy Under Secretary for Health, Office of the Deputy Under Secretary for Health (10A), 810 Vermont Avenue NW, Washington, DC 20420, 202-461-7459. (This is not a toll-free telephone number.)

SUPPLEMENTARY INFORMATION: VA is correcting technical errors that appeared

in a final rule on copayment exemptions for Indian and urban Indian veterans published on April 4, 2023, in the **Federal Register** (FR) at 88 FR 19862. In the preamble of the final rule, VA is replacing "Medicare" with "Medicaid."

VA is making correcting amendments to the part 17 authority and provisions constituting collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). See §§ 17.108, 17.110, 17.111, and 17.4600 of title 38, Code of Federal Regulations (CFR). On April 4, 2023, OMB approved these information collections and assigned OMB control number 2900-0920. This document corrects the references to the OMB control numbers to add such control numbers at the end of §§ 17.108, 17.110, 17.111, and 17.4600.

Correction to the Preamble

In FR Rule Doc. No. 2023-06954, beginning on 19868 in the April 4, 2023 issue of the **Federal Register**, make the following corrections:

1. On page 19868, column 2, line 18, remove "Medicare" and add "Medicaid" in its place.

List of Subjects in 38 CFR Part 17

Administrative practice and procedure, Claims, Day care, Government programs—veterans, Health care, Health facilities, Health records, Medical devices, Mental health programs, Veterans.

Correcting Amendments

Accordingly, VA corrects 38 CFR part 17 by making the following correcting amendments:

PART 17—MEDICAL

■ 1. The authority citation for part 17 is amended by revising the entries for §§ 17.111 and 17.4600 to read in part as follows:

Authority: 38 U.S.C. 501, and as noted in specific sections.

* * * * *

Section 17.111 is also issued under 38 U.S.C. 101(28), 501, 1701(7), 1703, 1710, 1710B, 1720B, 1720D, 1722A, and 1730A.

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Section 17.4600 is also issued under 38 U.S.C. 1725A and 1730A.

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§ 17.108 [Amended]

■ 2. Amend § 17.108 in the parenthetical at the end of the section by removing "TBD" and adding "0920" in its place.

§ 17.110 [Amended]

■ 3. Amend § 17.110 in the parenthetical at the end of the section

by removing "TBD" and adding "0920" in its place.

§ 17.111 [Amended]

■ 4. Amend § 17.111 in the parenthetical at the end of the section by removing "TBD" and adding "0920" in its place.

§ 17.4600 [Amended]

■ 5. Amend § 17.4600 in the parenthetical at the end of the section by removing "TBD" and adding "0920" in its place.

Consuela Benjamin,

Regulations Development Coordinator, Office of Regulation Policy & Management, Office of General Counsel, Department of Veterans Affairs.

[FR Doc. 2023-07528 Filed 4-10-23; 8:45 am]

BILLING CODE 8320-01-P

POSTAL SERVICE

39 CFR Part 111

Counterfeit Postage

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is amending *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) in various sections to clarify the handling of items found in the mail bearing counterfeit postage.

DATES: Effective: May 7, 2023.

FOR FURTHER INFORMATION CONTACT: Jane Quenck at (202) 268-7098 or Garry Rodriguez at (202) 268-7281.

SUPPLEMENTARY INFORMATION: On February 16, 2023, the Postal Service published a notice of proposed rulemaking (88 FR 10068) to revise the DMM in various sections to clarify the handling of items found in the mail bearing counterfeit postage. The Postal Service received numerous comments on that notice, and it appreciates the valuable public input. Multiple commenters expressed support for the Postal Service efforts to address counterfeit postage, an issue that many commenters viewed as wide-spread, problematic, and a risk to Postal Service revenue. The Postal Service now responds to the comments received as follows:

Comments Relating to Information About Counterfeit Postage

Comment: The Postal Service received several comments requesting to know how to avoid purchasing counterfeit postage.