

### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. If the rule will affect your small business, organization, or government jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding this rule.

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 and annually 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).

### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

### 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 State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Although this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

### Taking of Private Property

This rule will not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and

Interference with Constitutionally Protected Property Rights.

### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or safety that may disproportionately affect children.

### Environment

We have analyzed this rule under Commandant Instruction M16475.ID, 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, this rule is categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction, from further environmental documentation. Under figure 2–1, paragraph (34)(g), of the Instruction, an “Environmental Analysis Check List” and a “Categorical Exclusion Determination” are not required for this rule.

### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have 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.

### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a

significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

### 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 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(g), 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. A new temporary § 165.T07–134 is added to read as follows:

#### 165.T07–134 Safety Zone Cocoa Village Mardi Gras, Cocoa, FL

(a) *Regulated area.* The Coast Guard is establishing a temporary safety zone on the Indian River, Cocoa, FL. The safety zone includes all waters within in a 700-foot radius of the fireworks platform located at position 28°21.03' N, 080°43.13' W located at Lee Wenner Park.

(b) *Regulations.* In accordance with the general regulations in § 165.23 of this part, anchoring, mooring or transiting in this zone is prohibited unless authorized by the Coast Guard Captain of the Port Jacksonville, Florida.

(c) *Dates.* This rule is effective from 11:30 p.m., February 26, 2005, until 12:30 a.m. on February 27, 2005.

Dated: November 16 2004.

**David. L. Lersch,**

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

[FR Doc. 05–293 Filed 1–6–05; 8:45 am]

**BILLING CODE 4910–15–P**

### POSTAL SERVICE

#### 39 CFR Part 111

#### Signature Confirmation Service: Elimination of Signature Waiver Option

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This rule changes the Domestic Mail Manual (DMM) to eliminate the signature waiver option for Signature Confirmation service under DMM S919.1.10. The Postal Service is making this change because

the signature waiver option is no longer necessary.

**EFFECTIVE DATE:** February 1, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Donald Lagasse, 202-268-7269,  
Donald.T.Lagasse@usps.gov.

**SUPPLEMENTARY INFORMATION:** In a proposed rule published in the **Federal Register** on September 2, 2004 (69 FR 53665), the Postal Service proposed an amendment to *Domestic Mail Manual* (DMM) standards eliminating the signature waiver option for Signature Confirmation service. The Postal Service adopts the proposal as described below.

Signature Confirmation service provides Postal Service customers with information about the date and time a mailpiece was delivered and, if delivery was attempted but not successful, the date and time of the delivery attempt. A delivery record, including the recipient's signature, is maintained by the Postal Service and is available to the customer via fax, e-mail, or mail, upon request. No acceptance record is kept at the office of mailing.

Signature Confirmation service currently includes a signature waiver option that allows the sender to waive the signature requirement and accept the Postal Service delivery employee's signature, date, and time of delivery as

proof of delivery. If a mailer selects the signature waiver option, the mailer is provided only with the date and time of delivery in the delivery record. The signature waiver option is not available when Signature Confirmation service is combined with other special services.

Signature waiver was requested initially by Delivery Confirmation service mailers who agreed to participate in testing the Signature Confirmation service but did not want to inconvenience their customers by requiring them to sign for their items. Now that Signature Confirmation service is fully implemented and widely recognized, the signature waiver feature is no longer necessary.

**Summary of Comments**

The Postal Service did not receive any comments in response to this proposal. Therefore, the Postal Service will eliminate the signature waiver option for Signature Confirmation service as of February 1, 2005. Customers who do not need to obtain a signature but wish to know the date and time that their mailpiece was delivered can do so using Delivery Confirmation service.

**List of Subjects in 39 CFR Part 111**

Administrative practice and procedure, Postal Service.

**PART 111—[AMENDED]**

■ 1. The authority citation for 39 CFR part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

■ 2. Amend the following sections of the Domestic Mail Manual (DMM) as set forth below:

**S SPECIAL SERVICES**

\* \* \* \* \*

**S900 Special Postal Services**

\* \* \* \* \*

*S910 Security and Accountability*

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*S919 Signature Confirmation*

**1.0 BASIC INFORMATION**

\* \* \* \* \*

[Delete 1.10, Signature Waiver, in its entirety.]

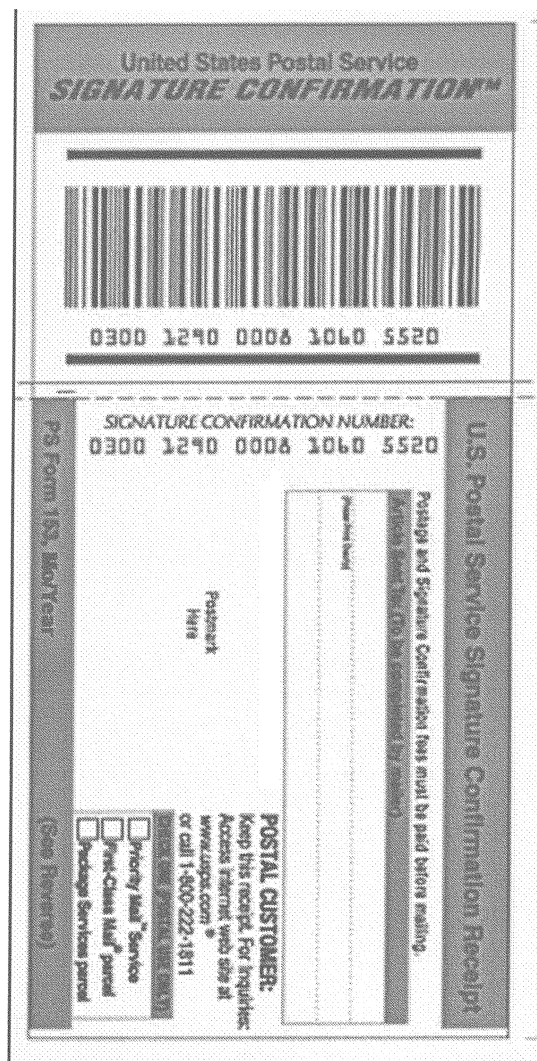
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**2.0 LABELS**

\* \* \* \* \*

Exhibit 2.1a Form 153

**BILLING CODE 7710-12-P**

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An appropriate amendment to 39 CFR part 111 will be published to reflect these changes.

**Neva Watson,**

*Attorney, Legislative.*

[FR Doc. 05-135 Filed 1-6-05; 8:45 am]

**BILLING CODE 7710-12-C****POSTAL SERVICE****39 CFR Part 501****Authorization to Manufacture and Distribute Postage Meters**

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** Under 39 CFR 501.1, only manufacturers and distributors authorized by the Postal Service, (tm) may manufacture and/or distribute postage meters in the United States. This final rule provides that the Postal Service may revoke or suspend, wholly

or in part, authorization to distribute postage meters if the authorized entity or its agent makes or distributes false or misleading statements about actions or proposed actions of the Postal Service regarding the postage meter program. In addition, minor editorial changes were made to correct references to sections of part 501 that were in error.

**DATES:** This rule is effective January 7, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Wayne Wilkerson, Manager of Postage Technology Management, at 703-292-3691 or by fax at 703-292-4073.

**SUPPLEMENTARY INFORMATION:** The Postal Service published a proposed rule in the **Federal Register** on November 20, 2003, to amend 39 CFR part 501, Authorization to Manufacture and Distribute Postage Meters. Comments on the proposed rule were due on or before December 20, 2003. We received no comments objecting to the proposed rule or requesting any changes. Therefore, the rule is adopted as final

without any changes. The editorial changes to correct references to sections of part 501 necessitated by the redesignation of certain sections are as follows: In section 501.2(c), the reference to section 501.21 is corrected to 501.22. In section 501.4, the reference to section 501.23 is corrected to 501.24. In section 501.6(d), the reference to section 501.20(c) is corrected to section 501.6(c). In section 501.23(i), reference to section 501.26 is corrected to section 501.27. In section 501.24(b), the reference to section 501.26 is corrected to section 501.27 and the reference to section 501.25 is corrected to section 501.26. In section 501.27(e), the reference to section 501.23 is corrected to section 501.24. In section 501.30(a), the reference to section 501.22(b) is corrected to section 501.23(b).

**List of Subjects in 39 CFR Part 501**

Administrative practice and procedure, Postal Service.