

require a Statement of Energy Effects under Executive Order 13211.

### 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 because this rule establishes a safety zone. A final “Categorical Exclusion Determination” will be 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(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. Add § 165.T05–122 to read as follows:

#### § 165.T05–122 Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD.

(a) *Definitions.* As used in this section—

*Captain of the Port* means the Commander, Coast Guard Activities Baltimore or any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port to act on his behalf.

*USS CONSTELLATION “turn-around” participants* means the USS CONSTELLATION and its accompanying towing vessels.

(b) *Location.* The following area is a moving safety zone: all waters within 200 yards ahead of or 100 yards outboard or aft of the historic sloop-of-war USS CONSTELLATION, while operating on the Inner Harbor, Northwest Harbor and Patapsco River, Baltimore, Maryland.

(c) *Regulations.* (1) All persons are required to comply with the general

regulations governing safety zones found in § 165.23 of this part.

(2) Persons or vessels requiring entry into or passage through a safety zone must first request authorization from the Captain of the Port or his designated representative. The Coast Guard vessels enforcing this section can be contacted on VHF Marine Band Radio, channels 13 and 16. The Captain of the Port can be contacted at (410) 576–2693.

(3) No vessel movement is allowed within the safety zone unless expressly authorized by the Captain of the Port or his designated representative.

(d) *Enforcement period.* This section will be enforced from 3:30 p.m. to 7:30 p.m. local time on September 5, 2003.

Dated: August 15, 2003.

**Curtis A. Springer,**

*Captain, U.S. Coast Guard, Captain of the Port, Baltimore, Maryland.*

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### POSTAL SERVICE

#### 39 CFR Part 111

#### Indemnity Claims for Domestic Mail

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the regulations for indemnity claims as set forth in the *Domestic Mail Manual* (DMM) S010, Indemnity Claims and related provisions of DMM S913, Insured Mail and DMM S921, Collect on Delivery (COD) Mail. Other than the changes concerning time periods for filing claims and retention periods for undelivered accountable mail, the changes clarify existing DMM provisions or codify, in the DMM, policies not currently set forth in that manual.

**DATES:** This rule becomes effective on October 1, 2003.

**FOR FURTHER INFORMATION CONTACT:** Gilbert LeMarier, 202–268–4632.

**SUPPLEMENTARY INFORMATION:** In a proposed rule published in the **Federal Register** on December 6, 2002 [Vol. 67, No. 235, pages 72626–72629], the Postal Service proposed to revise the procedures in the DMM for filing indemnity claims, to clarify the standards for payment of claims, and to incorporate policies not currently set forth in the DMM. One comment was received. After thorough consideration to the issues raised in this comment, the Postal Service adopts the proposed revisions with the modifications discussed below.

The revisions to the procedures for filing claims are made in conjunction with the redesign of the Postal Service’s claim system and are intended to facilitate the provision of more timely decisions to Postal Service customers’ claims. For example, customers are permitted to file claims sooner in some circumstances, thereby allowing decisions to be made closer to the mailing date. In addition, either the sender or the addressee, whoever is in possession of the original mailing receipt, will be permitted to file a claim for the complete loss of a numbered Insured Mail, Registered Mail™, COD, or Express Mail® article. Under past rules, only the sender was permitted to submit such claims. The revisions do not change the procedures for unnumbered Insured Mail articles (insured for \$50 or less). As before, only the sender will be allowed to file a claim for the complete loss of an unnumbered Insured Mail article.

The revisions also provide further clarification of what is acceptable evidence of value, codifying current policies into the DMM. Claims for damage require that the article, packaging, and mailing container must be presented by the addressee to the Postal Service for inspection regardless of whether the sender or addressee files the claim.

The new revisions will also:

(1) Clarify situations under which indemnity will not be paid, ensuring that current policies are codified in the DMM.

(2) Clarify the time limit in which a customer may forward an appeal to the Consumer Advocate at Headquarters.

(3) Provide that the original sales receipt from a Postal Service retail terminal listing the mailing receipt number and insurance amount is acceptable evidence of insurance when the original mailing receipt is not available.

(4) Clarify that a mailer of a collect on delivery (COD) article may not stipulate “Cash Only.”

(5) Provide that all appeals must be sent directly to Claims Appeals at the St. Louis Accounting Service Center.

(6) Provide that local adjudication of unnumbered Insured Mail articles will end with the implementation of the Customer Claims Response System (CCRS).

### Discussion of Comments

A summary of the comments and our analysis of each follows:

1. S010.2.2. The commenter raised two issues regarding the changes in the time for filing a claim for a lost or damaged COD article. First, the