

II. Statutory and Regulatory Requirements

A. Inapplicability of Public Notice and Delayed Effective Date Requirements

Under the Administrative Procedure Act (5 U.S.C. 553(b)), an agency may waive the normal notice and comment requirements if it finds, for good cause, that they are impracticable, unnecessary, or contrary to the public interest. The final rule lists an airport already designated by the Commissioner of CBP in accordance with 19 U.S.C. 58b as a user fee airport. This amendment is a conforming change to update the list of user fee airports. Notice and comment for this rule is unnecessary and contrary to the public interest, because the rule merely conforms the regulatory text to reflect the Commissioners' designation of this airport as a user fee airport; it is technical in nature; and it relates only to management, organization, procedure, and practice. For the same reasons, pursuant to 5 U.S.C. 553(d)(3), a delayed effective date is not required.

B. The Regulatory Flexibility Act and Executive Order 12866

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. This amendment does not meet the criteria for a "significant regulatory action" as specified in Executive Order 12866, as supplemented by Executive Order 13563.

C. Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

D. Executive Order 13132

The rule will not have substantial direct effects 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. Therefore, in accordance with section 6 of Executive Order 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

E. Signing Authority

This document is limited to technical corrections of CBP regulations. Accordingly, it is being signed under the authority of 19 CFR 0.1(b).

List of Subjects in 19 CFR Part 122

Air carriers, Aircraft, Airports, Customs duties and inspection, Freight.

Amendments to Regulations

For the reasons set forth above, part 122, Code of Federal Regulations (19 CFR part 122) is amended as set forth below:

PART 122—AIR COMMERCE REGULATIONS

■ 1. The authority citation for Part 122 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 58b, 66, 1431, 1433, 1436, 1448, 1459, 1590, 1594, 1623, 1624, 1644, 1644a, 2071 note.

§ 122.15 [Amended]

■ 2. The listing of user fee airports in § 122.15(b) is amended by adding, in alphabetical order, in the "Location" column "Belgrade, Montana" and on the same line, in the "Name" column "Bozeman Yellowstone International Airport."

Dated: December 5, 2012.

David V. Aguilar,

Deputy Commissioner, U.S. Customs and Border Protection.

[FR Doc. 2012-29752 Filed 12-7-12; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG-2011-0551]

RIN 1625-AA00; 1625-AA08

Special Local Regulation and Safety Zone; America's Cup Sailing Events, San Francisco, CA; Correction

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule; correction.

SUMMARY: On July 17, 2012, the Coast Guard published in the **Federal Register** a temporary final rule establishing a special local regulation for sailing events scheduled to occur on the waters of San Francisco Bay adjacent to the City of San Francisco waterfront in the vicinity of the Golden Gate Bridge and Alcatraz Island. Inadvertently, this rule included errors in four navigational

coordinates of the transit zone established for the 2013 America's Cup events. This document corrects those erroneous coordinates.

DATES: Effective on December 10, 2012.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG-2011-0551. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant DeCarol Davis, U.S. Coast Guard Sector San Francisco; telephone (415) 399-7443 or email at D11-PF-MarineEvents@uscg.mil. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366-9826.

SUPPLEMENTARY INFORMATION: On July 17, 2012, the Coast Guard published a temporary final rule regulating the on-water activities associated with the "Louis Vuitton Cup," "Red Bull Youth America's Cup," and "America's Cup Finals Match" scheduled to occur in July, August, and September, 2013 (77 FR 41902). Among the regulations established by this temporary final rule was a transit zone created to facilitate the safe transit of vessels needing access to pier space and facilities along the City of San Francisco waterfront and to minimize other traffic that may obstruct the waterfront (33 CFR 100.T11-0551B(d)(6), to become effective July 4, 2013–September 23, 2013). An image illustrating the location of the transit zone is available in the docket.

On August 20, 2012, the Coast Guard became aware of errors in the transit zone coordinates after a member of the Coast Guard plotted the transit zone on vessel traffic management software and found four coordinates positioned on land and out of line with the concept of operations developed by the Coast Guard. All four errors can be attributed to data-entry errors, where a 4 was accidentally typed as a 2 in the seconds of one coordinate, and a 2 was accidentally typed as a 1 in the degrees of three other coordinates. When plotted, the erroneous coordinates do not reflect the transit zone as described in the

temporary final rule and shared with the public in diagrams and presentations. The narrative description of the transit zone in the temporary final rule, and the images distributed during outreach, accurately portray the operational intentions of the Coast Guard and the America's Cup regulated areas. To ensure that members of the public have the correct geographical positioning data to locate the regulated areas and navigate around the dangers associated with the sailing events, the Coast Guard is correcting these coordinates to align with the stated intent of the temporary final rule and the images distributed during public outreach. The location and restrictions of 33 CFR 100.T11-0551B remain as they were described on July 17, 2012, and are not changed by this correction.

In Federal Register document 2012-17305 published on July 17, 2012, (77 FR 41902), make the following correction:

§ 100.T11-0551B [Corrected]

■ 1. On page 41908, in the second column, revise the third sentence in paragraph (d)(6) of § 100.T11-0551B to read as follows:

* * * * *

(d) * * *

(6) * * * This transit zone is bounded by the following coordinates: 37°48'40" N, 122°28'21" W; 37°48'32" N, 122°28'00" W; 37°48'32" N, 122°26'24" W; 37°48'39" N, 122°25'27" W; 37°48'43" N, 122°25'13" W; 37°48'41" N, 122°24'30" W; 37°48'28" N, 122°24'04" W; 37°48'17" N, 122°23'54" W; 37°48'21" N, 122°23'49" W; 37°48'33" N, 122°24'00" W; 37°48'36" N, 122°24'07" W; 37°49'15" N, 122°24'00" W; 37°49'21" N, 122°24'05" W; 37°48'48" N, 122°24'40" W; 37°48'49" N, 122°25'16" W; 37°48'37" N, 122°26'22" W; 37°48'37" N, 122°28'00" W; 37°48'47" N, 122°28'21" W (NAD 83). * * *

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Dated: November 16, 2012.

Cynthia L. Stowe,

Captain, U.S. Coast Guard, Captain of the Port San Francisco.

[FR Doc. 2012-29751 Filed 12-7-12; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 53

RIN 2900-AO54

Technical Revisions—State Veterans Homes

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Department of Veterans Affairs (VA) amends its regulations governing VA assistance in hiring and retaining nurses in State Veterans Homes. These regulations must be updated because of recent changes to the Veterans Health Administration (VHA) organizational structure, which reassigned certain administrative duties of the Chief Consultant of the Office of Geriatrics and Extended Care to the Director of the Office of Geriatrics and Extended Care Operations.

DATES: *Effective Date:* This final rule is effective December 10, 2012.

FOR FURTHER INFORMATION CONTACT: Lisa Minor, Chief, Institutional Care Programs, Geriatrics and Extended Care Operations (10NC4), Veterans Health Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 461-6782. (This is not a toll free number.)

SUPPLEMENTARY INFORMATION: VHA recently revised its organizational structure. Under VHA's new organizational structure, the Secretary of Veterans Affairs has delegated management and operations duties for State Veterans Homes to the Director of the Office of Geriatrics and Extended Care Operations through the Under Secretary for Health. The Secretary had formerly delegated this authority to the Chief Consultant of the Office of Geriatrics and Extended Care through the Under Secretary for Health. Consequently, VHA is revising its regulations to reflect the new delegation.

Sections 53.10, 53.11, 53.30, 53.40, and 53.41 of title 38 of the Code of Federal Regulations will be revised to name the Director of the Office of Geriatrics and Extended Care Operations as the person with the management and operations authority for State Veterans Homes. VA's internal mailbox code will also be removed from §§ 53.20 and 53.40.

Administrative Procedure Act

This final rule pertains strictly to agency organization. Accordingly, this rule is exempt from the prior notice-and-comment and delayed-effective-date requirements of 5 U.S.C. 553.

Effect of Rulemaking

Title 38 of the Code of Federal Regulations, as revised by this final rule, represents the exclusive legal authority on this subject. No contrary rules or procedures are authorized. All existing or subsequent VA guidance must be read to conform with this rulemaking if possible, or, if not possible, such

guidance is superseded by this rulemaking.

Paperwork Reduction Act

This final rule contains no provisions constituting a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3521).

Regulatory Flexibility Act

The Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (5 U.S.C. 601-612). This final rule merely updates references to certain VA personnel referred to under 38 CFR part 53 and will not directly affect small entities. Therefore, pursuant to 5 U.S.C. 605(b), this rulemaking is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

Executive Order 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, and other advantages; distributive impacts; and equity). Executive Order 13563 (Improving Regulation and Regulatory Review) emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. Executive Order 12866 (Regulatory Planning and Review) defines a "significant regulatory action" requiring review by the Office of Management and Budget (OMB) as "any regulatory action that is likely to result in a rule that may: (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order."

The economic, interagency, budgetary, legal, and policy implications of this regulatory action