

Nonetheless, the Department has reviewed the rule to ensure its consistency with the regulatory philosophy and principles set forth in the Executive Order.

#### F. Executive Order 13563

The Department of State has considered this rule in light of Executive Order 13563 and affirms that this regulation is consistent with the guidance therein.

#### G. Executive Orders 12372 and 13132: Federalism

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government. Nor will the rule have federalism implications warranting the application of Executive Orders 12372 and 13132.

#### H. Executive Order 12988: Civil Justice Reform

The Department has reviewed the regulations in light of sections 3(a) and 3(b)(2) of Executive Order No. 12988 to eliminate ambiguity, minimize litigation, establish clear legal standards, and reduce burden.

#### I. Executive Order 13175

The Department of State has determined that this rulemaking will not have tribal implications, will not impose substantial direct compliance costs on Indian tribal governments, and will not pre-empt tribal law. Accordingly, the requirements of Executive Order 13175 does not apply to this rulemaking.

#### J. Paperwork Reduction Act

This rule does not impose information collection requirements under the provisions of the Paperwork Reduction Act, 44 U.S.C., Chapter 35.

#### List of Subjects in 22 CFR Part 42

Aliens, Foreign officials, Immigration, Passports and visas.

Accordingly, for the reasons set forth in the preamble, the interim rule published November 1, 2011, at 76 FR 67363, is adopted as final with the following change:

#### PART 42—VISAS: DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

■ 1. The authority citation for section 42 is amended to read as follows:

**Authority:** 8 U.S.C. 1104 and 1182; Pub. L. 105–277; Pub. L. 108–449; 112 Stat. 2681–

795 through 2681–801; The Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (done at the Hague, May 29, 1993), S. Treaty Doc. 105–51 (1998), 1870 U.N.T.S. 167 (Reg. No. 31922 (1993)); The Intercountry Adoption Act of 2000, 42 U.S.C. 14901–14954, Pub. L. 106–279; The International Adoption Simplification Act, Pub. L. 111–287; 8 U.S.C. 1101, 124 Stat. 3058.

■ 2. Section 42.24 is amended by revising paragraph (n)(2) to read as follows:

#### § 42.24 Adoption under the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption and the Intercountry Adoption Act of 2000.

\* \* \* \* \*

(n) \* \* \*

(2) For any alien described in paragraph (n)(1) of this section, the “competent authority” referred to in INA section 101(b)(1)(G)(i)(V)(aa) is a court or governmental agency of a foreign country of origin having jurisdiction and authority to make decisions in matters of child welfare, including adoption. If the competent authority over matters of child welfare no longer has jurisdiction or authority over the alien due to his or her age, then the passport issuing authority of the country of origin may be considered the competent authority for the purposes of INA section 101(b)(1)(G)(i)(V)(aa).

Dated: May 2, 2013.

**Janice L. Jacobs,**

*Assistant Secretary for Consular Affairs,  
Department of State.*

[FR Doc. 2013–13065 Filed 5–31–13; 8:45 am]

**BILLING CODE 4710–06–P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Parts 100 and 165

[Docket No. USCG–2011–0551]

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

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule; notice of calendar availability.

**SUMMARY:** The Coast Guard announces the availability of the 2013 program calendar for the on-water activities associated with the “Louis Vuitton Cup, Red Bull Youth America’s Cup and the 34th America’s Cup” regatta scheduled from July 4th to September 23rd, 2013 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.

**DATES:** Effective June 3, 2013.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG–2011–0551 and are available online by going to <http://www.regulations.gov>, inserting USCG–2011–0551 in the “Keyword” box, and then clicking “Search.” They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 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 notice, call or email Commander Aaron Lubrano, Coast Guard Sector San Francisco, U.S. Coast Guard; telephone (415) 399–3446, email [Aaron.C.Lubrano@uscg.mil](mailto:Aaron.C.Lubrano@uscg.mil). If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone (202) 366–9826.

#### SUPPLEMENTARY INFORMATION:

#### Background and Purpose

The Coast Guard, on July 17, 2012, published a special local regulation and a safety zone for the sailing regattas being conducted on the waters of San Francisco Bay associated with the 34th America’s Cup sailing events taking place adjacent to the City of San Francisco waterfront in the vicinity of the Golden Gate Bridge and Alcatraz Island. (77 FR 41902) The special local regulation and safety zone regulate the on-water activities associated with the “Louis Vuitton Cup, Red Bull Youth America’s Cup and the 34th America’s Cup” regatta scheduled for July 4th to September 23rd, 2013, which will temporarily restrict vessel traffic in a portion of the San Francisco Bay, prohibit vessels not participating in the America’s Cup sailing events from entering the designated race area, and create a temporary safety zone around racing vessels.

This document announces the availability of the 2013 program calendar referenced in the rulemaking published in association with the “Louis Vuitton Cup, Red Bull Youth America’s Cup and the 34th America’s Cup” regattas. This program lists the scheduled race dates that the rule will be enforced for the event programming.

This document is issued under the authority of 5 U.S.C. 552(a), 33 U.S.C. 1233, and 33 CFR 1.05–1.

Dated: May 7, 2013.

**Gregory G. Stump,**

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

[FR Doc. 2013-12998 Filed 5-31-13; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### 42 CFR Part 433

[CMS-2327-CN]

RIN 0938-AR38

#### Medicaid Program; Increased Federal Medical Assistance Percentage Changes Under the Affordable Care Act of 2010; Correction

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects a typographical error that appeared in the final rule published in the April 2, 2013 *Federal Register* entitled “Medicaid Program; Increased Federal Medical Assistance Percentage Changes Under the Affordable Care Act of 2010.”

**DATES:** Effective June 3, 2013.

**FOR FURTHER INFORMATION CONTACT:** Annette Brewer, (410) 786-6580.

**SUPPLEMENTARY INFORMATION:**

#### I. Background

In FR Doc. 2013-07599 of April 2, 2013 (78 FR 19918), there was a typographical error that is identified and corrected in the Correction of Error section below. The provision in this correction notice is effective as if it had been included in the document published April 2, 2013. Accordingly, the correction is effective on June 3, 2013.

#### II. Summary of Error

In the April 2, 2013, we inadvertently made a typographical error in the reference cited in the regulations text at § 433.206(h). The text currently states, “§ 433.210(c)(6) of (c)(8),” and it should be corrected to read, “§ 433.210(c)(6) or (c)(8).”

#### III. Waiver of Proposed Rulemaking

We ordinarily publish a notice of proposed rulemaking in the *Federal Register* to provide a period for public comment before the provisions of a rule take effect in accordance with section 553(b) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). However,

we can waive this notice and comment procedure if the Secretary finds, for good cause, that the notice and comment process is impracticable, unnecessary, or contrary to the public interest, and incorporates a statement of the finding and the reasons therefore in the notice.

Section 553(d) of the APA ordinarily requires a 30-day delay in effective date of final rules after the date of their publication in the *Federal Register*. This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

The correction notice corrects a typographical error, and does not warrant an additional notice and comment period or a delay in the effective date. The typographical error was clear and the meaning of the provision remained evident; so such procedures are unnecessary. Further, correction of the typographical error will serve the public interest by reducing any potential for confusion. Therefore, we find good cause to waive requirements for proposed rulemaking and the delayed effective date. Consequently, this correction will be effective on June 3, 2013.

#### IV. Correction of Error

In FR Doc. 2013-07599 of April 2, 2013 (78 FR 19918), make the following correction:

On page 19947, in the 1st column; in the 1st paragraph, on line 1, the reference “§ 433.210(c)(6) of (c)(8),” should be corrected to read, “§ 433.210(c)(6) or (c)(8)”.

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: May 29, 2013.

**Jennifer Cannistra,**

*Executive Secretary to the Department, Department of Health and Human Services.*

[FR Doc. 2013-13151 Filed 5-31-13; 8:45 am]

**BILLING CODE 4120-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 54

[WC Docket Nos. 10-90; DA 13-1113]

#### Connect America Fund

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) adopts a framework for the challenge process that will be used to finalize the list of areas that will be eligible for Connect America Phase II model-based support and adopts the procedures for a price cap carrier to elect to make a state-level commitment to serve the eligible areas.

**DATES:** Effective July 3, 2013, except for those rules and requirements involving Paperwork Reduction Act burdens, which shall become effective immediately upon announcement in the *Federal Register* of OMB approval.

**FOR FURTHER INFORMATION CONTACT:** Ryan Yates, Wireline Competition Bureau, (202) 418-0886 or TTY: (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s Report and Order in WC Docket No. 10-90; DA 13-1113, adopted on May 16, 2013, and released on May 16, 2013. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 12th Street SW., Washington, DC 20554, or at the following Internet address: [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-13-1113A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-13-1113A1.pdf).

#### I. Introduction

1. In the *USF/ICC Transformation Order*, 76 FR 73830, November 29, 2011, the Commission comprehensively reformed and modernized the universal service and intercarrier compensation systems to maintain voice service and extend broadband-capable infrastructure to millions of Americans. As part of the reform, the Commission adopted a framework for providing support to areas served by price cap carriers known as the Connect America Fund through “a combination of competitive bidding and a new forward-looking model of the cost of constructing modern multi-purpose networks.” In particular, the Commission will offer each price cap carrier monthly model-based support for a period of five years in exchange for a state-level commitment to serve specified areas that are not served by an unsubsidized competitor, and if that offer is not accepted, will determine support through a competitive process.

2. In this Report and Order (Order), the Wireline Competition Bureau (Bureau) adopts a framework for the challenge process that will be used to finalize the list of areas that will be eligible for Connect America Phase II model-based support and adopts the procedures for a price cap carrier to elect to make a state-level commitment