

Flexibility Act. Nonetheless, as this rule eliminates a currently unused authority, the Department certifies that this rule will not have a significant economic impact on a substantial number of small entities.

#### C. Congressional Review Act

This rule is not a major rule as defined by the Congressional Review Act (5 U.S.C. 801 *et seq.*). This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and import markets.

#### D. Executive Orders 12866, 13563, and 14094

Notwithstanding that the policies of the Secretary of State in exercising their authority to conduct international affairs through the granting or refusal of visas to foreign nationals is a foreign affairs function, the Department has submitted this rule to OIRA for review and OIRA has deemed this rule to be not significant. The Department has also considered this final rule in light of E.O. 13563 and E.O. 14094 and affirms that this rule is consistent with the guidance therein.

As noted in the NPRM, the Visa Office consulted with management in the immigrant visa units of five of the largest-volume immigrant visa processing posts: Ciudad Juarez, Manila, Santo Domingo, Mumbai, and Dhaka. Each of the five posts reported they do not provide this service. Given that these five posts process 32 percent of the immigrant visas worldwide, and they have no information regarding the provision of this service, we are confident that eliminating this regulation will not result in significant impacts.

#### E. Executive Order 13175

The Department 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 do not apply to this rulemaking.

#### F. Paperwork Reduction Act

This rule does not impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

#### G. Other

The Department has also considered this rule under the Unfunded Mandates Reform Act of 1995 and Executive Orders 12372, 13132, and 13272 and affirms this rule is consistent with the applicable mandates or guidance therein.

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

Immigration, Passports, Visas.

Accordingly, for the reasons set forth in the preamble, 22 CFR 42 is amended as follows:

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

- 1. The authority citation for part 42 continues to read as follows:

**Authority:** 8 U.S.C. 1104 and 1182; Pub. L. 105–277, 112 Stat. 2681; Pub. L. 108–449, 118 Stat. 3469; 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)); 42 U.S.C. 14901–14954 (Pub. L. 106–279, 114 Stat. 825); 8 U.S.C. 1101 (Pub. L. 111–287, 124 Stat. 3058); 8 U.S.C. 1154 (Pub. L. 109–162, 119 Stat. 2960); 8 U.S.C. 1201 (Pub. L. 114–70, 129 Stat. 561).

#### § 42.68 [Removed and reserved]

- 2. Remove and reserve § 42.68.

**Julie M. Stuftt,**

*Deputy Assistant Secretary for Visa Services, Consular Affairs, Department of State.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 100

[USCG–2023–0899]

#### Special Local Regulations; Marine Events Within the Captain of the Port Charleston

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Notification of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the special local regulation for the Charleston Parade of Boats on December 9, 2023, to provide for the safety of life on navigable waterways during this event. Our regulation for marine events within the Captain of the Port Charleston identifies the regulated area

for this event in Charleston, SC. During the enforcement period, no person or vessel may enter, transit through, anchor in, or remain within the regulated area unless authorized by the Coast Guard Patrol Commander or a designated representative.

**DATES:** The regulations in 33 CFR 100.704 will be enforced from 4 p.m. through 8 p.m. on December 9, 2023, for the location identified in paragraph (d), Item 10 in table 1 to § 100.704.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email Lieutenant James Sullivan, Sector Charleston Waterways Management Division, U.S. Coast Guard; telephone 843–740–3184, email [James.P.Sullivan2@uscg.mil](mailto:James.P.Sullivan2@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the special local regulation in 33 CFR 100.704 for the Charleston Parade of Boats regulated area identified in table 1 to § 100.704, paragraph (d), Item 10, from 4 p.m. until 8 p.m. on December 9, 2023. This action is being taken to provide for the safety of life on navigable waterways during this event. Our regulation for recurring marine events, Captain of the Port Charleston, § 100.704, paragraph (d), Item 10, specifies the location of the regulated area for the Charleston Parade of Boats, which encompasses portions of the Charleston Harbor located in Charleston, SC, including Anchorage A, Shutes Folly, Bennis Reach, Horse Reach, Hog Island Reach, Town Creek Lower Reach, and Ashley River. Under the provisions of 33 CFR 100.704, all persons and vessels are prohibited from entering the regulated area, except those persons and vessels participating in the event, unless they receive permission to do so from the Coast Guard Patrol Commander, or designated representative.

Spectator vessels may safely transit outside the regulated area, but may not anchor, block, loiter in, impede the transit of festival participants or official patrol vessels or enter the regulated area without approval from the Coast Guard Patrol Commander or a designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation. In addition to this notice of enforcement in the **Federal Register**, the Coast Guard will provide notice of the regulated area via Local Notice to Mariners, Marine Safety Information Bulletins, Broadcast Notice to Mariners, and on-scene designated representatives.

Dated: November 27, 2023.

**F.J. Delrosso,**

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

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2022-0222]

#### Drawbridge Operation Regulation; Okeechobee Waterway, Stuart, FL

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Notice of temporary deviation from regulations; modification.

**SUMMARY:** The Coast Guard is modifying a temporary deviation from the operating schedule that governs the Florida East Coast (FEC) Railroad Bridge, across the Okeechobee Waterway (OWW), mile 7.41, at Stuart, Florida. This modification extends the period the drawbridge may operate under the temporary deviation to the drawbridge operating schedule. This modification will allow the Coast Guard to review public comments and will provide continuity in the operation of the drawbridge until a determination is made if this temporary deviation will meet the reasonable needs of competing modes of transportation.

**DATES:** This deviation is effective from 12:01 a.m. on December 18, 2023, through 11:59 p.m. on February 11, 2024.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type the docket number (USCG-2022-0222) in the "SEARCH" box and click "SEARCH". In the Document Type column, select "Supporting & Related Material".

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Ms. Jennifer Zercher, Bridge Management Specialist, Seventh Coast Guard District; telephone 305-415-6740, email [Jennifer.N.Zercher@uscg.mil](mailto:Jennifer.N.Zercher@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Florida East Coast (FEC) Railroad Bridge across the Okeechobee Waterway (OWW), mile 7.41, at Stuart, Florida, is a single-leaf bascule bridge with a six-foot vertical clearance at mean high water in the closed position. The normal

operating schedule for the bridge is found in 33 CFR 117.317(c).

On August 11, 2023, the Coast Guard published a temporary deviation entitled "Drawbridge Operation Regulation; Okeechobee Waterway, Stuart, FL" in the **Federal Register** (88 FR 54487). That temporary deviation, effective from 12:01 a.m. on August 15, 2023, through 11:59 p.m. on December 17, 2023, allows the drawbridge to operate on a more predictable schedule due to the significant increase in railway activity.

On November 7, 2023, the Coast Guard published a notice reopening the comment period until November 30, 2023, because service was delayed on the passenger train (88 FR 76666).

The Coast Guard has determined an extension of the temporary deviation is necessary to allow for the review of public comments, while providing continuity in the operation of the drawbridge until a determination is made if this temporary deviation will meet the reasonable needs of competing modes of transportation.

Under this temporary deviation modification from 12:01 a.m. on December 18, 2023, through 11:59 p.m. on February 11, 2024, the FEC Railroad Bridge will be maintained in the fully open-to-navigation position, except during periods when it is closed for the passage of train traffic, to conduct inspections, and to perform maintenance and repairs authorized by the Coast Guard. However, the bridge will not be closed for more than 50 consecutive minutes in any given hour during daytime operations (6 a.m. to 10 p.m.) and for more than 8 total hours during daytime operations (6 a.m. to 10 p.m.).

Notwithstanding the above paragraph, the drawbridge will open and remain open to navigation for a fixed 10-minute period at the top of each hour from 6 a.m. to 10 p.m. In addition, the drawbridge will open and remain open to navigation for a fixed 15-minute period as outlined in the table below:

TABLE 1

Monday through Friday:	8:55 a.m. through 9:10 a.m.
Saturday and Sunday:	8:55 a.m. through 9:10 a.m.
	9:55 a.m. through 10:10 a.m.
	10:55 a.m. through 11:10 a.m.
	12:55 p.m. through 1:10 p.m.
	4:55 p.m. through 5:10 p.m.

From 10:01 p.m. until 5:59 a.m. daily, the drawbridge will remain in the fully open-to-navigation position, except during periods when it is closed for the

passage of train traffic, to conduct inspections, and to perform maintenance and repairs authorized by the Coast Guard. The drawbridge will not be closed more than 60 consecutive minutes.

If a train is in the track circuit at the start of a fixed opening period, the opening may be delayed up to, but not more than, five minutes. Once the train has cleared the circuit, the bridge must open immediately for navigation to begin the fixed opening period.

In the event of a drawbridge operational failure, or other emergency circumstances impacting normal drawbridge operations, the drawbridge owner will immediately notify the Coast Guard Captain of the Port Miami and provide an estimated time of repair and return to normal operations.

The drawbridge will be tended from 6 a.m. to 10 p.m., daily. The bridge tender will monitor VHF-FM channels 9 and 16 and will provide estimated times of drawbridge openings and closures, or any operational information requested. Operational information will be provided 24 hours a day by telephone at (772) 403-1005.

The drawbridge owner will maintain a mobile application. The drawbridge owner will publish drawbridge opening times, and the drawbridge owner will provide timely updates to schedules, including but not limited to, impacts due to emergency circumstances, inspections, maintenance, and repairs authorized by the Coast Guard.

Signs will be posted and visible to marine traffic, displaying VHF radio contact information, application information, and the telephone number for the bridge tender.

A drawbridge logbook will be maintained including the date and time of each closing and opening of the draw. The drawbridge logbook will also include all maintenance opening, closings, malfunctions, or other comments. During the temporary deviation, a copy of the drawbridge logbook for the previous week will be provided to the Seventh Coast Guard District Bridge Manager by 4:00 p.m. each Monday.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedules immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulation is authorized pursuant to 33 CFR 117.35(a).