

centralizing the electronic transmission function, shall be considered Section 8 Administrative expenses, or eligible public and Indian housing operating expenses that can be included in the public and Indian housing operating budget. At the HA's option, the cost of the computer software may include service contracts to provide maintenance or training, or both.

(b) *Sources of funding.* For public and Indian housing, costs may be covered from operating subsidy for which the HA is already eligible, or the initial cost may be covered by funds received by the HA under HUD's Comprehensive Improvement Assistance Program (CIAP) or Comprehensive Grant Program (CGP). For Section 8 programs, the costs may be covered from ongoing administrative fees or the Section 8 operating reserve.

§ 908.112 Extension of time.

The HUD Field Office may grant an HA an extension of time, of a reasonable period, for implementation of the requirements of § 908.104, if it determines that such electronic submission is infeasible because of one of the following:

- (a) Lack of staff resources;
- (b) Insufficient financial resources to purchase the required hardware, software or contractual services; or
- (c) Lack of adequate infrastructure, including, but not limited to, the inability to obtain telephone service to transmit the required data.

PART 913—DEFINITION OF INCOME, INCOME LIMITS, RENT AND REEXAMINATION OF FAMILY INCOME FOR THE PUBLIC HOUSING PROGRAM

6. The authority citation for part 913 continues to read as follows:

Authority: 42 U.S.C. 1437a, 1437d, 1437n, and 3535(d).

7. In § 913.109, a new paragraph (c) is added, to read as follows:

§ 913.109 Initial determination, verification, and reexamination of family income and composition.

* * * * *

(c) See 24 CFR part 908 for requirements for transmission of data to HUD.

* * * * *

Dated: February 21, 1995.

Joseph Shuldiner,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 95-5047 Filed 3-1-95; 8:45 am]

BILLING CODE 4210-33-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD11-94-010]

RIN 2115-AE46

Special Local Regulations; Citizen Cup Defender Semi-Final and Final Series, Louis Vuitton Cup Challenger Semi-Final and Final Series, and America's Cup Match Races; San Diego Bay and Mission Bay, CA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations for that portion of the International America's Cup Class (IACC) Citizen Cup Defender Semi-Final and Final Series, Louis Vuitton Cup Challenger Semi-Final and Final series, and America's Cup Match Races that are being conducted in the waters of the Pacific Ocean adjacent to San Diego Bay and Mission Bay on the following dates: March 18, 1995 through April 2, 1995; April 9, 1995 through April 23, 1995; and May 6, 1995 through May 27, 1995, inclusive. These regulations are necessary to provide for the safety of life, property, and navigation on the navigable waters of the United States during the scheduled events.

EFFECTIVE DATE: This rule becomes effective at 10 a.m. PST on March 18, 1995 and terminates at 7 p.m. PDT on May 27, 1995 unless cancelled earlier by the District Commander.

FOR FURTHER INFORMATION CONTACT: Lieutenant Cam Lewis, America's Cup Patrol; telephone number (619) 557-2920.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are Lieutenant Cam Lewis, Project Officer for the Patrol Commander, and Lieutenant Commander Craig Juckniess, Project Attorney, Eleventh Coast Guard District Legal Office.

Regulatory History

On December 16, 1994, the Coast Guard published a notice of proposed rulemaking for these regulations in the **Federal Register** (59 FR 64996). The comment period ended on January 30, 1995. The Coast Guard received no comments on the proposal. A public hearing was not requested and no hearing was held.

Background and Purpose

The event prompting a need for these Special Local Regulations is the IACC Citizen Cup and Louis Vuitton Cup Semi-Finals and Finals, and the America's Cup Match Races which will be conducted in the San Diego area on several series of dates during the period mid-March through May 1995. In addition, races in the Citizen Cup Defender Selection Series and Louis Vuitton Cup Challenger Selection Series are being held on several series of dates during the period January through mid-March 1995; Special Local Regulations establishing measures promoting the safety of these races are the subject of separate rulemaking (59 FR 64850, December 16, 1994).

These regulations are intended to promote safe navigation on the waters of San Diego Bay, Mission Bay, and the IACC race venue during the IACC Citizen Cup, Louis Vuitton Cup, and America's Cup Match Races by controlling the traffic entering, exiting, and traveling within these waters. The anticipated concentration of spectator and participant vessels associated with these races poses a safety concern, which is addressed in these special local regulations.

Within the geographic area of applicability of these proposed special local regulations, speed limits and operating requirements have been established for orderly passage to and from the IACC shore facilities and race venue.

Speed limits and operating requirements are also established for other vessel traffic operating within the regulated areas during times when most IACC and spectator vessels are expected to transit the harbors. During these same times, vessels shall not operate exclusively under sail within the regulated areas.

On each specified race date, these regulations will be in effect in San Diego Bay and Mission Bay during two periods: between the hours of 10 a.m. and 12 noon, and again in the afternoon for a two-hour period which will fall between 2:30 p.m. and 7 p.m. Selection of the afternoon regulatory period will depend on the time of termination of race activities for that date. Notice of commencement and termination of the afternoon regulatory period will be made by Broadcast Notice to Mariners; a 15-minute advance notice of commencement of the afternoon regulatory period will also be broadcast.

The nature of the winner selection process and other circumstances may dictate that races will not actually be conducted on dates specified as race

dates. In the event of cancellation or postponement of races scheduled for a particular date, the Patrol Commander's election not to implement these regulations on that date will be announced via Broadcast Notice to Mariners.

The regulations also provide for a one-way traffic pattern and a five-knot speed limit. These requirements will be activated by the Patrol Commander when necessary to ensure the safety of navigation. Activation of these additional regulations will be announced by patrol vessels on scene and by Broadcast Notice to Mariners.

Additionally, several non-anchorage areas are established for the period of these regulations to promote smooth traffic flow and ensure access to docks and piers.

These Special Local Regulations will be enforced for that portion of the race venue which is located within the navigable waters of the United States, to minimize navigational dangers and ensure the safety of vessels participating in and viewing the races. Nonobligatory guidelines are included for that portion of the race venue which falls outside the navigable waters of the United States.

All vessels which fail to comply with these regulations while operating within the regulated areas during the regulatory periods are subject to citation for failure to comply with these regulations, and subject to the penalties presented in 33 U.S.C. 1236 and 33 CFR 100.50.

Regulatory Evaluation

This regulation is not a significant regulatory action under Section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under Section 6(a)(3) of that Order. It has been exempted from review by the Office of Management and Budget under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the Department of Transportation regulatory policies and procedures is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rulemaking will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify

as "small business concerns" under Section 3 of the Small Business Act (15 U.S.C. 632). Because the Coast Guard expects the impact of this rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This rulemaking contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this regulation does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The environmental impact of this rulemaking has been analyzed in the Environmental Assessment (EA) prepared by America's Cup 1995, the organizing committee of the races, in connection with its application for a Coast Guard regatta permit. A copy of the EA has been made a part of the public docket and is available for review at the Eleventh Coast Guard District Office at the address listed under ADDRESSES.

The Coast Guard has reviewed the EA submitted by the sponsors of the event, considered the environmental impact of this regulation and concluded that, under section 2.B.2 of Commandant Instruction M16475.1B, it will have no significant environmental impact and it is categorically excluded from further environmental documentation. A Finding of No Significant Impact (FONSI) has been prepared in connection with the regatta permit, has been made part of the public docket, and is available for review at the address listed under ADDRESSES.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Regulations

In consideration of the foregoing, the Coast Guard is amending Part 100 of title 33, Code of Federal Regulations as follows:

PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary section 100.35T11-004 is added to read as follows:

§ 100.35T11-004 Special Local Regulations; San Diego Bay, Mission Bay and IACC Race Venue, CA.

(a) *Regulated areas.* This regulation pertains to specified portions of San Diego Bay, Mission Bay and the waters of the Pacific Ocean immediately offshore of San Diego. Within these waters, there are several areas with specific regulations. The regulated areas are defined by the following:

(1) *West San Diego Bay.* (i) The following area is subject to the regulations delineated below—The water area seaward of a line connecting the following points, beginning at:

32°43'27.0" N 117°12'48.0" W (Harbor Island Light, LLNR 1700); thence to

32°42'51.0" N 117°12'32.5" W (North Island light "N", LLNR 1705); thence along the shoreline to

32°40'00.0" N 117°13'24.0" W (Zuniga Jetty Light "Z", LLNR 1520); thence to

32°39'12.0" N 117°13'18.0" W; thence to

32°37'18.0" N 117°14'42.0" W (San Diego Approach "SD", LLNR 1485); thence to

32°40'00.0" N 117°15'40.0" W; thence to

32°40'00.0" N 117°14'48.0" W; thence to

32°39'54.0" N 117°13'24.0" W (point Loma Light, LLNR 5); thence returning along the shoreline to the point of beginning.

Datum: NAD 83

(ii) The following area (the West Basin) is excluded from this regulated area—The waters shoreward of a line connecting the following points, beginning at:

32°43'30.0" N 117°12'48.0" W; thence to

32°43'20.0" N 117°13'00.0" W.

Datum: NAD 83

(2) *Non-anchorage areas.* The following areas are non-anchorage areas:

(i) NA-1: The waters bounded by a line connecting the following points, beginning at:

32°41'17.8" N 117°13'56.7" W; thence to

32°41'17.4" N 117°14'01.0" W; thence to

32°41'32.0" N 117°14'03.8" W; thence to

32°41'34.5" N 117°13'58.5" W; thence returning to the point of beginning.

Datum: NAD 83

(ii) NA-2: The waters bounded by a line connecting the following points, beginning at:

32°41'51.3" N 117°13'57.5" W; thence to
32°41'56.4" N 117°14'12.9" W; thence to
32°42'10.5" N 117°14'04.0" W; thence to

32°42'18.0" N 117°14'00.0" W (Entrance Range Front Light, LLNR 1500); thence to
32°42'12.9" N 117°13'50.0" W; thence returning to the point of beginning.

Datum: NAD 83

(iii) NA-3: The waters bounded by a line connecting the following points, beginning at:

32°42'41.0" N 117°13'22.0" W; thence to
32°42'52.8" N 117°13'24.6" W; thence to
32°42'55.0" N 117°13'23.0" W; (Shelter Island Light "S", LLNR 1640); thence to

32°42'49.0" N 117°13'13.0" W; thence returning to the point of beginning.

Datum: NAD 83

(iv) NA-4: The waters bounded by a line connecting the following points, beginning at:

32°42'55.2" N 117°13'04.0" W; thence to
32°43'05.7" N 117°13'04.0" W; thence to
32°43'19.7" N 117°13'00.0" W; thence to
32°43'24.5" N 117°12'51.8" W; thence to
32°43'08.1" N 117°12'58.0" W; thence to

32°42'58.1" N 117°12'54.1" W; thence returning to the point of beginning.

Datum: NAD 83

(v) NA-5: The waters bounded by a line connecting the following points, beginning at:

32°43'00.8" N 117°11'23.0" W; thence to
32°43'01.0" N 117°10'36.0" W (south west corner of "B Street" Pier); thence to

32°42'46.0" N 117°10'33.0" W (the shoreline to the north west corner of "G Street" Pier); thence to
32°42'46.2" N 117°10'58.19" W; thence returning to the point of beginning.

Datum: NAD 83

(3) *Mission Bay*. The following area is subject to the regulations delineated below—The water area between the COLREGS Demarcation Line described in section 80.1106 of this chapter and

seaward of the West Mission Bay Bridge, described more particularly as the water area bounded by the COLREGS Demarcation Line, thence along the shoreline to:

32°46'07.3" N 117°14'36.7" W; thence to
32°40'00.0" N 117°14'27.8" W; thence along the shoreline to the COLREGS Demarcation Line.

Datum: NAD 83

(4) *IACC Offshore Race Venue*. The following area is subject to the regulations delineated below—The waters of the Pacific Ocean bounded by a line connecting the following points, beginning at:

32°37'18.0" N 117°14'42.0" W (San Diego approach "SD"); thence to
32°34'06.0" N 117°17'00.0" W; thence to
32°35'12.0" N 117°22'48.0" W; thence to
32°41'00.0" N 117°26'00.0" W; thence to
32°43'18.0" N 117°20'00.0" W; thence to
32°43'18.0" N 117°17'00.0" W; thence returning to the point of beginning.

Datum: NAD 83

(b) *Definitions*—(1) *Unaffiliated vessels*. All vessels that are not registered with the America's Cup '95 governing body (AC'95) or the Challenger of Record Committee (CORC) as a participant, and not designated as an AC'95 Race Vessel, A CORC Race Vessel, or an Official Vessel by the Coast Guard Patrol Commander are unaffiliated vessels.

(2) *Participant*. Any IACC race boat, IACC chase boat or IACC tender that is registered with AC'95 or CORC while in performance of its official function relative to a given race.

(3) *AC'95 or CORC Race Vessels*. Any vessel designated by AC'95 or CORC and approved by the U.S. Coast Guard Patrol Commander that has been given official duties in support of the Citizen Cup, Louis Vuitton Cup, or America's Cup Match Races. These vessels include, but are not limited to, mark boats, stake boats, and umpire boats.

(4) *Official Vessels*. Official Vessels are all U.S. Coast Guard, U.S. Coast Guard Auxiliary, state and local law enforcement vessels, and civilian vessels designated by the Coast Guard Patrol Commander and flying the official patrol vessel flag. The official patrol vessel flag is a white rectangular flag emblazoned with the words "America's Cup '95" and depicting two sailing vessels racing beneath the America's Cup trophy. The civilian vessels may include, but are not limited

to, AC'95 and CORC Crowd Control Vessels and media vessels. AC'95 and CORC Crowd Control Vessels are 20-foot and 23-foot Bayliner power boats, identified by the word "PATROL" followed by a number, printed in large letters on both sides of the vessel. AC'95 and CORC Crowd Control Vessels will fly the America's Cup patrol flag and, if required in performance of their duties, operate a yellow and red flashing light.

(5) *Patrol Commander*. A Patrol Commander has been designated by the Commander, Eleventh Coast Guard District. The Patrol Commander has the authority to control the movement of all vessels operating in the regulated areas and may suspend the regatta at any time it is deemed necessary for the protection of life and property.

Note: The Patrol Commander may be contacted during the regulatory periods on VHF/FM Channel 16 (156.8 MHz) or Channel 22 (157.1 MHz) by calling "Coast Guard Patrol Commander" or "Coast Guard San Diego."

(6) *Race dates*. The following dates are race dates: March 18, 1995 through April 2, 1995; April 9, 1995 through April 23, 1995; and May 6, 1995 through May 27, 1995, inclusive.

(c) *Special Local Regulations*—(1) *West San Diego Bay*. The following regulations are in effect between the hours of 10 a.m. and 12 noon each race date. Additionally, the following regulations are in effect for a period of approximately two hours the afternoon of each race date, and will be implemented for a designated period between 2:30 p.m. and 7 p.m. The time of commencement of this afternoon regulatory period will be determined on each race date, and notice of implementation will be provided by Broadcast Notice to Mariners. A 15-minute advance notice of commencement of the afternoon regulatory period will also be made by Broadcast Notice to Mariners. Notice of the termination of the afternoon regulatory period each race date will be made by Broadcast Notice to Mariners, as well. The Patrol Commander may elect not to implement the regulations on those race dates when the races are postponed or canceled; announcement to that effect will be made by Broadcast Notice to Mariners.

(i) Participant vessels shall be operated under auxiliary power or tow when transiting San Diego Bay. Participants shall not operate their vessels exclusively under sail within San Diego Bay without the express permission of the Patrol Commander to do so. IACC boats may operate with mainsail set while being towed.

(ii) Participant and unaffiliated vessels shall not exceed a speed of ten knots.

(iii) Unaffiliated sail vessels shall operate under auxiliary power or tow. Motor-sailing with mainsail only will be allowed.

(iv) When transiting through the regulated areas is necessary, unaffiliated vessels shall make expeditious transit and shall not impede or obstruct the orderly flow of vessel traffic.

(v) All vessels shall follow the instructions of Coast Guard and Coast Guard Auxiliary vessels.

(vi) No vessel shall anchor in a non-anchorage area specified in paragraph (a)(2) of this section, except in the case of an emergency. If equipped with a VHF/FM radio, the vessel shall immediately notify the Coast Guard on Channel 16 (156.8 MHz) of the existence of any emergency.

(2) *Mission Bay*. The following regulations are in effect between the hours of 10 a.m. and 12 noon each race date. Additionally, the following regulations are in effect for a period of approximately two hours the afternoon of each race date, and will be implemented for a designated period between 2:30 p.m. and 7 p.m. The time of commencement of this afternoon regulatory period will be determined on each race date, and notice of implementation will be provided by Broadcast Notice to Mariners. A 15-minute advance notice of commencement of the afternoon regulatory period will also be made by Broadcast Notice to Mariners. Notice of the termination of the afternoon regulatory period each race date will be made by Broadcast Notice to Mariners, as well. The Patrol Commander may elect not to implement the regulations on those race dates when the races are postponed or canceled; announcement to that effect will be made by Broadcast Notice to Mariners.

(i) Participant and unaffiliated vessels shall not exceed five knots.

(ii) Participant and unaffiliated sail vessels shall operate under auxiliary power or tow. Motor-sailing with mainsail only will be allowed.

(iii) When transiting through the regulated area is necessary, unaffiliated vessels shall make expeditious transit and shall not impede or obstruct the orderly flow of vessel traffic.

(iv) All vessels shall follow the instructions of Coast Guard and Coast Guard Auxiliary vessels.

(3) *IACC Offshore Race Venue*. The following regulations are in effect between the hours of 10 a.m. and 5:30 p.m. each race date on those waters within the IACC Offshore Race Venue

which fall within the navigable waters of the United States, *i.e.*, those waters within three nautical miles (3nm) of the baseline from which the territorial sea is measured. The Patrol Commander may elect not to implement the regulations on those race dates when the races are postponed or canceled; announcement to that effect will be made by Broadcast Notice to Mariners.

(i) Unaffiliated vessels shall remain outside the course perimeter, as marked by the AC'95 or CORC Race Vessels and Official Vessels.

(ii) All vessels shall follow the instructions of Coast Guard and Coast Guard Auxiliary vessels.

Note: The regulations specified in this paragraph apply only within the navigable waters of the United States. In all waters within the IACC Race Venue which fall outside the navigable waters of the United States, during the specified dates and times, the following nonobligatory guidelines apply:

(A) All unaffiliated vessels should remain clear of the race venue and avoid interfering with any participant, AC'95 or CORC Race Vessel, or Official Vessel. Interference with race activities may constitute a safety hazard warranting cancellation or termination of all or part of the race activities by the Patrol Commander.

(B) Any unauthorized entry within the race course perimeter, as marked by the AC'95 or CORC Race Vessels and Official Vessels, by unaffiliated vessels constitutes a risk to the safety of marine traffic. Such entry will constitute a factor to be considered in determining whether a person has operated a vessel in a negligent manner in violation of 46 U.S.C. 2302.

(4) *One-way traffic and five-knot speed limit*. The Patrol Commander may implement one-way traffic patterns and a five-knot speed limit in the regulated areas or portions thereof if the Patrol Commander deems it necessary to ensure safe navigation. Notion of one-way traffic and a five-knot speed limit shall be made by Broadcast Notice to Mariners. If one-way traffic patterns are implemented, participant and unaffiliated vessels are required to transit the applicable regulated area(s) in either an inbound direction (proceeding into port) or an outbound direction (proceeding to sea). No traffic in any direction other than inbound or outbound (*i.e.*, cross traffic) will be permitted in the area of implementation. If a five-knot speed limit is implemented, all traffic entering or exiting the harbors will be required to make a speed of no more than five knots through the water. If one-way traffic or a five-knot speed limit is implemented, all participant and unaffiliated vessels shall also abide by all other nonconflicting provisions contained

within these special local regulations associated with the regulated area.

(d) *Effective dates*. These regulations become effective 10 a.m. PST on March 18, 1995 and terminate at 7 p.m. PDT on May 27, 1995 unless cancelled earlier by the District Commander.

Dated: February 16, 1995.

R.A. Appelbaum,

Rear Admiral, U.S. Coast Guard,

Commander, Eleventh Coast Guard District.

[FR Doc. 95-5170 Filed 3-1-95; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 485 and 486

[BPD-798-CN]

Medicare Program; Providers and Suppliers of Specialized Services—Technical Amendments; Corrections

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Correction.

SUMMARY: Federal Register document No. 95-485, beginning on page 2325 of the issue of Monday, January 9, 1995, redesignated several subparts of 42 CFR part 405 of the HCFA regulations under part 485 and a new part 486. The redesignation required correction of several references to the previous designation of certain sections. This notice corrects an error in one of those reference corrections, and an error in a paragraph heading.

EFFECTIVE DATE: February 8, 1995.

FOR FURTHER INFORMATION CONTACT: Luisa V. Iglesias, (202) 690-6383.

Corrections

1. On page 2328, column 2, in § 485.717, the heading for paragraph (b), "Standard: Arrangements for social or rehabilitation services." is corrected to read "Standard: Arrangements for social or vocational adjustment services."

§ 484.38 [Corrected]

2. On page 2329, column 3, the amendatory language for § 484.38 under item b. is corrected to read as follows:

b. In § 484.38, "§§ 405.1717 through 405.1719, 405.1721, 405.1723, and 405.1725 of this chapter" is revised to read "§§ 485.711, 485.713, 485.715, 485.719, 485.723, and 485.727 of this chapter".

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774,