

in the DOT's Semiannual Regulatory Agenda on November 28, 1995.) While the commenter is correct in noting that Executive Order 12866 and the Regulatory Flexibility Act (RFA) (5 U.S.C. 601-612) require the DOT to prepare a semiannual regulations agenda for publication in the Federal Register, neither the Executive Order nor the RFA prevent the FHWA from publishing a rulemaking document which has not previously been listed in the Agenda. Section 602(d) explicitly provides that the requirement to publish such an agenda does not preclude the agency from considering or acting on any matter not listed in such agenda.

Rulemaking Analyses and Notices

Executive Order 12866 (Regulatory Policies and Procedures) and DOT Regulatory Policies and Procedures

The FHWA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866 or significant within the meaning of Department of Transportation regulatory policies and procedures. The revisions would merely accommodate expanded use of warranty clauses on Federal-aid construction contracts. Therefore, it is anticipated that the economic impact of this rulemaking will be minimal and a full regulatory evaluation is not required.

This final rule makes no changes to the interim final rule and merely informs the public that the interim final rule remains unchanged. Therefore, the FHWA finds that good cause exists to dispense with the 30-day delayed effective date requirement under 5 U.S.C. 553(d).

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96-345, 5 U.S.C. 601-612), the FHWA has evaluated the effects of this rule on small entities. Based on the evaluation, the FHWA hereby certifies that this action will not have a significant economic impact on a substantial number of small entities. As stated above, the FHWA made this determination based on the fact that: (1) experience to date with non-NHS Federal-aid projects that allow the use of warranties has shown no negative effect on the bonding capacity of small businesses for non-NHS Federal-aid projects; (2) some small businesses may benefit from the ability to enter the market with specialty or experimental items, either included as one element of the contract or as the main element of the contract; and (3) given the type of contracts involved (relatively short term and for a specific product or item), the

FHWA expects that the bonding capacity of smaller contractors will not experience any significant adverse effect.

Executive Order 12612 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 and it has been determined that this interim final rule does not have sufficient federalism implications to warrant the preparation of a separate Federalism assessment. Nothing in this document preempts any State law or regulation, and no new requirements or obligations are imposed on States or local governments by this action. Instead, this interim final rule provides States with additional discretion to determine for themselves whether to include warranty clauses in Federal-aid highway construction contracts for projects on the National Highway System.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

This action does not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501-3520.

National Environmental Policy Act

This rulemaking does not have any effect on the environment. It does not constitute a major action having a significant effect on the environment, and therefore does not require the preparation of an environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 635

Government contracts, Grant programs—transportation, Highways and roads.

In consideration of the foregoing and under the authority of 23 U.S.C. 315, the interim final rule amending the authority for 23 CFR part 635 and revising § 635.413 which was published at 60 FR 44271, August 25, 1995 is adopted as final without change.

Issued on: April 3, 1996.
Rodney E. Slater,
Federal Highway Administrator.
[FR Doc. 96-9558 Filed 4-18-96; 8:45 am]
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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Part 583

[Docket No. FR-3379-C-02]

RIN A506-AB45

Office of the Assistant Secretary for Community Planning and Development; Supportive Housing Program; Technical Correction

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Technical correction.

SUMMARY: This document corrects the Department's regulations for the Supportive Housing Program. The definitions for the terms "Supportive housing" and "Supportive services" were incorrectly codified in the 1995 edition of the Code of Federal Regulations. This document will correct those definitions.

EFFECTIVE DATE: August 18, 1994.

FOR FURTHER INFORMATION CONTACT: Jean Whaley, Program Development Division, Office of Community Planning and Development, Department of Housing and Urban Development, Room 7260, 451 7th Street, SW., Washington, DC 20410; telephone (202) 708-2140. (This is not a toll-free number.) Hearing- or speech-impaired persons may access this number via TTY by calling the Federal Information Relay Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: The regulations in 24 CFR part 583 implement the Department's Supportive Housing Program, which provides assistance for housing and supportive services for homeless persons, as authorized by section 1403 of the Housing and Community Development Act of 1992 (Pub. L. 102-550, approved

October 28, 1992). The Department established these regulations through an interim rule published on March 15, 1993 (58 FR 13870). This interim rule, in § 583.5, provided definitions for the terms "Supportive housing" and "Supportive services".

In a final rule published on July 19, 1994 (59 FR 36886), the Department revised the introductory text for the definition of "Supportive services". However, this revision was incorrectly codified in the 1995 edition of the Department's regulations in the Code of Federal Regulations (CFR). The revision was reflected in the definition for "Supportive housing", rather than in the definition for "Supportive services" as intended. Therefore, this document corrects § 583.5 so that it accurately reflects the definitions of "Supportive housing" and "Supportive services" as established in the May 15, 1993 interim rule, and as revised in the July 19, 1994 final rule.

The effective date of this technical correction, August 18, 1994, reflects the effective date of the July 19, 1994 final rule. The July 19, 1994 rule was the last revision of § 583.5 prior to the 1995 codification.

List of Subjects in 24 CFR Part 583

Homeless, Rent subsidies, Reporting and recordkeeping requirements, Supportive housing programs—housing and community development, Supportive services.

PART 583—SUPPORTIVE HOUSING PROGRAM

Accordingly, 24 CFR part 583 is corrected as follows:

1. The authority citation for 24 CFR part 583 continues to read as follows:

Authority: 42 U.S.C. 3535(d) and 11389.

2. In subpart A, § 583.5 is corrected by removing the two definitions for "Supportive services", and by adding, in alphabetical order, definitions for "Supportive housing" and "Supportive services", to read as follows:

§ 583.5 Definitions.

* * * * *

Supportive housing means housing in conjunction with which supportive services are provided for homeless persons if:

- (1) The housing is safe and sanitary and meets any applicable State and local housing codes and licensing requirements in the jurisdiction in which the housing is located and the requirements of this part; and
- (2) The housing is:
 - (i) Transitional housing;

(ii) Permanent housing for homeless persons with disabilities; or

(iii) Is, or is a part of, a particularly innovative project for, or alternative method of, meeting the immediate and long-term needs of homeless persons.

Supportive services means services, which may be designed by the recipient or program participants, designed to address the special needs of the homeless persons to be served by the project. Supportive services include, but are not limited to:

- (1) Establishing and operating a child care services program for homeless families;
- (2) Establishing and operating an employment assistance program;
- (3) Providing outpatient health services, food, and case management;
- (4) Providing assistance in obtaining permanent housing, employment counseling, and nutritional counseling;
- (5) Providing security arrangements necessary for the protection of residents of supportive housing and for homeless persons using the housing or services;
- (6) Providing assistance in obtaining other Federal, State, and local assistance available for such residents including mental health benefits, employment counseling, Veterans' benefits, medical assistance, but not including major medical equipment, and income support assistance, such as Supplemental Security Income benefits, Aid to Families with Dependent Children, General Assistance, and Food Stamps; and
- (7) Other services as appropriate.

* * * * *

Dated: April 12, 1996.

Camille E. Acevedo,

Assistant General Counsel for Regulations.

[FR Doc. 96-9716 Filed 4-18-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-96-023]

RIN 2115-AE46

Special Local Regulations; City of Lake Worth, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Temporary special local regulations are being adopted for the Lake Worth Sunfest 96. The event will be held on May 1st and 2nd, 1996 from 6 p.m. to 10 p.m. EDT (Eastern Daylight Time), on May 3rd, 1996 from 12 p.m.

to 10 p.m. EDT, on May 4th and 5th, 1996 from 9 a.m. to 10 p.m. EDT on the Intracoastal Waterway, Lake Worth, Florida. These regulations are necessary to provide for the safety of life on navigable waters during the event.

EFFECTIVE DATES: This section is effective between 5:30 p.m. and 10:30 p.m. EDT on May 1st, and 2nd, 1996 between 11:30 a.m. and 10:30 p.m. EDT on May 3rd 1996; and between 8:30 a.m. and 10:30 p.m. EDT, on May 4th and 5th 1996.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for copying and inspection at U.S. Coast Guard Group Miami, 100 MacArthur Causeway, Miami Beach, FL 33139, between 8 a.m. and 3 p.m. EDT, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

QMC T. Kjerulff, Operations Center Supervisor, U.S. Coast Guard Group Miami at (305) 535-4448.

SUPPLEMENTARY INFORMATION:

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for these regulations. Following normal rulemaking procedures would have been impracticable. The information necessary to hold the event was not received until January 29, 1996 and there was not sufficient time remaining to published proposed rules in advance of the event or to provide for a delayed effective date.

Discussion of Regulations

These temporary special local regulations are being adopted for the Lake Worth Sunfest 96. The event will be held on May 1st and 2nd, 1996 from 6 p.m. to 10 p.m., on May 3rd, 1996 from 12 p.m. to 10 p.m., on May 4th and 5th, 1996 from 9 a.m. to 10 p.m. on the intracoastal waterway, Lake Worth, Florida. There will be approximately 20 racers in ski boats, jet skis, and canoes, ranging in size from 12 to 17 feet, participating in the Lake Worth Sunfest 96. Due to concentration of participant and spectator vessels, these regulations are necessary to provide for the safety of life on navigable waters during the event. The event will take place in the Lake Worth Intracoastal Waterway between the Royal Palm Bridge and the Flagler Memorial Bridge. There will be a no wake zone between these two bridges.

Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs