

(d) *Criminal law enforcement information.* Pursuant to 5 U.S.C. 552a(j)(2), the Board has determined that portions of the OIG Investigatory Records (BGFRS/OIG-1) shall be exempt from any part of the Privacy Act (5 U.S.C. 552a), except the provisions regarding disclosure, the requirement to keep an accounting, certain publication requirements, certain requirements regarding the proper maintenance of systems of records, and the criminal penalties for violation of the Privacy Act, respectively, 5 U.S.C. 552a (b), (c)(1), and (2), (e)(4) (A) through (F), (e)(6), (e)(7), (e)(9), (e)(10), (e)(11) and (i). This designated system of records is maintained by the OIG, a Board component that performs as its principal function an activity pertaining to the enforcement of criminal laws. The exempt portions of the records consist of:

(1) Information compiled for the purpose of identifying individual criminal offenders and alleged offenders;

(2) Information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or

(3) Reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

By order of the Board of Governors of the Federal Reserve System, January 11, 1995.

**William W. Wiles,**

*Secretary of the Board.*

[FR Doc. 95-1059 Filed 1-13-95; 8:45 am]

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### Office of the Secretary

#### 24 CFR Part 791

[Docket Number R-95-1637; FR-3446-N-02]

RIN 2501-AB62

### Allocation of Budget Authority for Housing Assistance; Notice of Extension of Effective Period of Interim Rule

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Notice of extension of effective period of interim rule.

**SUMMARY:** This notice extends the effective period of HUD's interim rule which added two subcategories of budget authority for uses that the

Secretary determines are incapable of geographic allocation by formula.

**EFFECTIVE DATE:** This notice, which extends the effective period of the interim rule, is effective on February 1, 1995. The effective period for the interim rule is extended from February 1, 1995 until the final rule is published.

**FOR FURTHER INFORMATION CONTACT:** For the Public and Indian Housing program, and section 8 voucher, certificate, and moderate rehabilitation programs, William R. Minning, Director, Policy Division, Room 4234, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410-0500, telephone (202) 708-0713. Hearing- or speech-impaired individuals may call HUD's TDD number (202) 708-0850. For other assisted housing programs, Joel Balsham, Program Advisor, Office of the Deputy Assistant Secretary for Multifamily Housing, Room 6124, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C. 20410-8000, telephone (202) 708-4135. Hearing- or speech-impaired individuals may call HUD's TDD number (202) 755-4594. (These are not toll-free numbers.)

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On August 4, 1993 (58 FR 41426), the Department published an interim rule which added two subcategories of budget assistance to § 791.403 for uses that the Secretary determines are incapable of geographic allocation by formula. The first subcategory added by the interim rule was budget authority as identified in the Operating Plan submitted to the Appropriations Committees.

The "Operating Plan" is presented annually to the Appropriations Committees to reflect changes from the budget originally submitted to the Congress by the Administration. Its history dates back to 1987 when the Conference Report accompanying H.J. Res. 395, "Making Further Continuing Appropriations for the Fiscal Year Ending September 30, 1988," stated that "because of the substantial changes in many accounts from the budget estimates (including a number of general reductions), the conferees direct that [HUD and the Independent Agencies covered in the same appropriation] submit a fiscal year 1988 operating plan by February 1, 1988." H.R. Rep. 100-498 (Dec. 22, 1987), at 837. The statement added that "the conferees expect such operating plans to include recommended changes from the budget estimates except that no reductions may be proposed in

programs, projects, or activities for which funding has been added by the Congress." Ever since that time, the Department has furnished the Committees an Operating Plan annually which identifies changes from published estimates, including reprogramming within amounts set out in the Conference Report table.

The August 1993 interim rule also added a second subcategory of budget authority incapable of geographic allocation by formula consisting of recently enacted legislation which prescribes that a portion of program assistance be set aside or otherwise mandated for other than general use. Recent HUD authorization statutory amendments contain provisions which have the effect of specifically targeting appropriated funds. For example, section 101(b) of the Housing and Community Development Act of 1992, Pub.L. 102-550 (Oct. 28, 1992), amended the United States Housing Act of 1937 to require funding of \$20 million in both FY 1993 and FY 1994 for section 8 15 year contracts for project-based assistance to be used for a multicultural tenant empowerment and homeownership project located in the District of Columbia. This assistance obviously is incapable of geographic allocation by formula because it is expressly authorized for one city only.

In the first year following enactment of set-asides like the one described immediately above, the Operating Plan could be expected to address these newly established purposes. In subsequent years, however, they would have been incorporated in the Department's budget. For that reason, the interim rule also added to § 791.403(b)(ii) the subcategory of assistance included in an authorization statute, such as set-asides, where the Secretary determines that such assistance is incapable of geographic allocation by formula.

The interim rule published in August 1993 expires on February 1, 1995 if there are no set asides in the operating plan submitted to Congress in January 1995. The rule finalizing the August 1993 interim rule is in its last stages of review. However, in order to prevent a period during which the Department cannot meet Congressional intent in allocating budget authority, HUD is extending the effective period of the interim rule until the final rule is published.

##### II. Other Matters

###### A. Environmental Impact

In accordance with 40 CFR 1508.4 of the regulations of the Council on

Environmental Quality and 24 CFR 50.20(k) of the HUD regulations, the policies and procedures contained in the interim rule published on August 4, 1993 (58 FR 41426), and today's notice relate only to internal administrative procedures whose content does not constitute a development decision nor affect the physical condition of project areas or building sites, and therefore, are categorically excluded from the requirements of the National Environmental Policy Act.

*B. Executive Order 12612, Federalism*

The General Counsel, as the Designated Official under section 6(a) of Executive order 12612, Federalism, has determined that the policies contained in this notice will not have substantial direct effects on states or their political subdivisions, or the relationship between the Federal government and the states, or on the distribution of power and responsibilities among the various levels of government. Specifically, this notice will not substantially alter the established roles of HUD and the States and local governments, in administering the affected programs. As a result, this notice is not subject to review under the order.

*C. Executive Order 12606, The Family*

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this notice does not have potential for significant impact on family formation, maintenance, and general well-being, and, thus, is not subject to review under the Order. No significant change in existing HUD policies or programs will result from extending the effective date of the interim rule adding two subcategories of budget authority incapable of geographic allocation by formula, as those policies and programs relate to family concerns.

Dated: January 6, 1995.

**Henry G. Cisneros,**

*Secretary.*

[FR Doc. 95-1057 Filed 1-13-95; 8:45 am]

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**DEPARTMENT OF TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 8563]

RIN 1545-AQ41

**State Housing Credit Ceiling and Other Rules Relating to the Low-Income Housing Credit; Correction**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to the final regulations (TD 8563) which were published in the **Federal Register** for Monday, October 3, 1994 (59 FR 50161). The final regulations relate to the low-income housing credit.

**EFFECTIVE DATE:** October 3, 1994.

**FOR FURTHER INFORMATION CONTACT:** Christopher J. Wilson, (202) 622-3040 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of these corrections are under section 42 of the Internal Revenue Code.

**Need for Correction**

As published, TD 8563 contains typographical errors which are in need of correction.

**Correction of Publication**

Accordingly, the publication of the final regulations which is the subject of FR Doc. 94-24283, is corrected as follows:

**§ 1.42-14 [Corrected]**

1. On page 50163, § 1.42-14, paragraph (c), column 2, line 4, the language "ceiling for any calendar year is the" is corrected to read "ceiling of a State for any calendar year is the".

**§ 1.42-14 [Corrected]**

2. On page 50163, § 1.42-14, paragraph (d)(1), column 3, line 4, the language "ceiling for any calendar year equals the" is corrected to read "ceiling of a State for any calendar year equals the".

**§ 1.42-14 [Corrected]**

3. On page 50166, § 1.42-14, paragraph (k)(2), paragraph (iii) of *Example 4*, line 13, the language "A allocated during 1994 is first treated as" is corrected to read "A allocated during 1994 is first treated as allocated".

**§ 1.42-14 [Corrected]**

4. On page 50166, § 1.42-14, paragraph (k)(2), paragraph (iii) of *Example 4*, line 16, the language "of credit allocated is treated as from the" is corrected to read "of credit allocated is treated as allocated from the".

**Cynthia E. Grigsby,**

*Chief, Regulations Unit Assistant Chief Counsel (Corporate).*

[FR Doc. 95-1040 Filed 1-13-95; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**32 CFR Part 706**

**Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment**

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Judge Advocate General of the Navy has determined that USS FITZGERALD (DDG 62) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval guided missile destroyer. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**EFFECTIVE DATE:** December 7, 1994.

**FOR FURTHER INFORMATION CONTACT:** Commander K.P. McMahan, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (703) 325-9744.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Judge Advocate General of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS FITZGERALD (DDG 62) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS: Annex I, paragraph 3(a) pertaining to the location of the forward masthead light in the forward quarter of the vessel, and the horizontal distance between the forward and after masthead lights;