SUMMARY: This document contains corrections to the final rule requiring banks to file reports of suspicious transactions under the Bank Secrecy Act, which was published Monday, February 5, 1996 (61 FR 4326).

EFFECTIVE DATE: April 1, 1996.

FOR FURTHER INFORMATION CONTACT: Charles Klingman, Office of Financial Institutions Policy, FinCEN (703) 905–3920; or Joseph M. Myers, Attorney-Advisor, Office of Legal Counsel, FinCEN, at (703) 905–3590.

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections require banks and other depository institutions to report to the Department of the Treasury under the Bank Secrecy Act any suspicious transactions relevant to possible violations of federal law or regulation. The rule is a key to the creation of a new, consolidated method for the reporting by depository institutions, on a uniform ''Suspicious Activity Report,'' of suspicious transactions; related rules have been adopted by the five federal financial supervisory agencies that examine and regulate the safety and soundness of depository institutions.

Need for Correction

As published, the final rule contains one typographical error which may prove to be misleading and is in need of clarification.

In addition, in amending the definition of ''transaction'' in 31 CFR § 103.11, the rule was written with the understanding that a prior redesignation of paragraphs in that section would be effective on April 1, 1996. *See* 60 FR 220, 228 (January 3, 1993) (redesignating various paragraphs in section 103.11, effective January 1, 1996); 60 FR 44144 (August 24, 1995) (delaying effective date until April 1, 1996). Accordingly, the amendment to the definition of ''transaction'' at section 103.11 was styled as an amendment to paragraph (ii).

However, a further delay in the effective date of the rule that contains the redesignation is published elsewhere in this issue of the Federal Register. Thus, the final rule's amendment to paragraph (ii) of § 103.11 will not make sense on April 1, because no such paragraph will exist on that date.

Correction of Publication

Accordingly, the publication on February 5, 1996 of the final regulations, which were the subject of FR Doc. 96–2272, is corrected as follows:

§ 103.11 [Corrected]

1. On page 4331, in the second column, amendatory instruction 2 is corrected to read as follows: ''2. Section 103.11 is amended by revising paragraph (r), by reserving paragraphs (v) through (pp), and by adding paragraph (qq) to read as follows:''.

2. Also on page 4331, in the second column, in § 103.11, paragraph (ii) is correctly designated as paragraph (r).

§ 103.21 [Corrected]

3. On page 4332, in the second column, in § 103.21, paragraph (e), third line from the bottom of the paragraph, the word ''disclosure'' is corrected to read ''disclose''.

Dated: March 25, 1996.

Joseph M. Myers,

Federal Register Liaison Officer, Attorney-Advisor.

[FR Doc. 96–7681 Filed 3–29–96; 8:45 am]

BILLING CODE 4820–03–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD11–96–004]

RIN 2115–AE46

Special Local Regulations; Opening Day Marine Parade, San Francisco Bay: San Francisco Bay, CA

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The U.S. Coast Guard and the City of San Francisco coordinate an annual ''Opening Day Marine Parade, San Francisco Bay'' event. The event is usually held on the last Sunday in April. However, this year a request was approved to change the date of the event ahead one week to Sunday, May 5, 1996. This change will be for this year only. The regulated areas remain unchanged.

EFFECTIVE DATE: This rule is effective from 8 a.m. to 4 p.m. on May 5, 1996 unless cancelled earlier by the Captain of the Port San Francisco.

FOR FURTHER INFORMATION CONTACT: Lieutenant Anthony Morris, Coast Guard Marine Safety Office San Francisco Bay, CA. (510) 437–3102.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553(b), good cause exists for not publishing a notice of proposed rulemaking for this regulation. Following normal rulemaking procedures would have been impracticable. The date change was not decided upon until early March, and there was not sufficient time remaining to publish proposed rules in advance of the event.

Discussion of Regulation

This temporary rule changes the date of the marine event known as ''Opening Day Marine Parade, San Francisco Bay'' described in 33 CFR 100.1103. As stated in paragraph (a) of that section, this event is normally scheduled to occur on the last Sunday in April. This year, the event has been rescheduled from Sunday, April 28, 1996, to Sunday, May 5, 1996. No other substantive changes are being made by this rule and all participating vessels are to adhere to the regulated areas described in 33 CFR 100.1103.

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 regulatory policies and procedures of the Department of Transportation is unnecessary. Vessel operations in this area will be controlled for only 8 hours on the day of the event. The parade will be interrupted, as necessary, to permit the passage of commercial vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this regulation 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 it expects the impact of this regulation to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this regulation will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This regulation 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 regulation under 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 Coast Guard has 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.

List of Subjects in 33 CFR Part 100

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

Temporary Regulation

In consideration of the foregoing, the Coast Guard is amending 33 CFR Part 100 as follows:

1. The authority citation for 33 CFR Part 100 continues to read as follows:

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

2. In § 100.1103, paragraph (a) is suspended and a new paragraph (d) is added to read as follows:

§ 100.1103 Opening Day Marine Parade, San Francisco Bay.

* * * * *

(d) This section is effective from 8 a.m. until 4 p.m. PDT, May 5, 1996.

Dated: March 19, 1996.

D.D. Polk,

Captain, U.S. Coast Guard, Commander, Eleventh Coast Guard District Acting.

[FR Doc. 96–7716 Filed 3–29–96; 8:45 am]

BILLING CODE 4910–14–M

LEGAL SERVICES CORPORATION

45 CFR Part 1633

Restriction on Representation in Certain Eviction Proceedings

AGENCY: Legal Services Corporation.

ACTION: Final rule.

SUMMARY: This rule is intended to proscribe the use of Legal Services Corporation (''LSC'' or ''Corporation'') funds to provide representation in eviction proceedings of persons engaged in certain illegal drug activity. Should it become a statutory requirement, the rule will be amended to also proscribe the use of non-LSC funds for this purpose.

EFFECTIVE DATE: May 1, 1996.

FOR FURTHER INFORMATION CONTACT: Victor M. Fortuno, General Counsel, Legal Services Corporation, 750 First Street NE., 11th Floor, Washington, DC 20002–4250. (202) 336–8800.

SUPPLEMENTARY INFORMATION: On June 25, 1995, the Corporation Board of Directors (''Board'') adopted a resolution requiring Corporation staff to prepare a regulation prohibiting the use of Corporation funds to represent persons alleged to be engaging in illegal drug activity in certain eviction proceedings. On September 9, 1995, the Board's Operations and Regulations Committee (''Committee'') held public hearings on a proposed rule, to be designated 45 CFR part 1633. After adopting several changes to the staff draft of the regulation, the Committee voted to publish the proposed rule in the Federal Register for notice and comment.

The proposed rule was published in the Federal Register on September 21, 1995 (60 FR 48950). Thirteen comments were submitted during the allotted time and seven arrived after the deadline, but all twenty were fully considered. The Committee met on December 17, 1995, and February 23, 1996, to consider the written and oral comments to the proposed rule. Based on the comments, the Committee revised the proposed rule. On February 24, 1996, the Board voted to adopt the rule as recommended by the Committee as a final rule.

Corporation's Authority To Promulgate the Rule

One comment questioned LSC's authority to promulgate the rule. Under the LSC Act, the Corporation has been granted both general and specific rulemaking authority. The Corporation's rulemaking authority includes the authority to promulgate this rule in the absence of legislation intended to restrict the Corporation's discretion to regulate the matter which is the subject of the rule. See *Texas Rural Legal Aid* v. *LSC,* 940 F.2d 685, 690–91 (D.C. Cir. 1991), citing to provisions of the LSC Act, including 42 U.S.C. 2996e(a) and 2996f(a). As noted below, promulgation of this rule is consistent with provisions in H.R. 2076, the appropriations bill which included funds for LSC for Fiscal Year (''FY'') 1996. (H.R. 2076 was passed by Congress but vetoed by the President; however, the Corporation anticipates passage of legislation containing substantially similar language in the near future.)

The drug problem has had a devastating effect on the poor in our country, especially those living in public housing. This situation is of grave concern to the Board, and has been an ongoing concern of the Congress, as evidenced by H.R. 2076, section 504(18) of the House bill, section 14(a)(18) of the Senate version, and section 504(a)(17) of the House-Senate Conference version, and of the U.S. Department of Housing and Urban Development (''HUD''). Since tenants of public housing projects who engage in illegal drug activity may be viewed as a destructive force within public housing communities, acting to the detriment of low income persons, it is the Corporation's considered view that representation in eviction proceedings of those formally charged with or convicted of such activities is not consistent with the purposes of the LSC Act. This rule will implement the Corporation's goal of providing economical and effective legal assistance in a manner that improves opportunities for low income persons and will provide specific guidance to recipients for revising their priorities and procedures in the area of representation in drug-related eviction proceedings.

The remainder of this commentary provides a section-by-section analysis of the rule, discusses the major issues raised by comments, and notes the changes made in the final regulation.

Section 1633.1 Purpose

This rule is intended to preclude recipients' use of Corporation funds to defend, in certain evictions proceedings, persons who have been charged with or convicted of illegal drug activities.

Section 1633.2 Definitions

This section defines key terms used in the regulation. Several comments advocated changing the definition of ''being prosecuted'' which was included in the proposed rule. This is unnecessary, as the final rule no longer contains a definition of ''being prosecuted.'' The Corporation has revised the Prohibition section of the rule to be consistent with the apparent intent of Congress, as expressed in H.R. 2076. Section 504(a)(17) of that bill prohibited a recipient from using funds to defend a person in a proceeding to evict that person from a public housing project, if ''that person has been charged with the illegal sale or distribution of a controlled substance.'' Therefore, in the final rule, recipients are prohibited from providing representation in eviction