

shall not charge for processing such a request.

(d) *Exceptions.* Ex-Im Bank shall not be required to provide an accounting to an individual when the accounting relates to a disclosure made:

- (1) To an employee within the agency;
- (2) Under the FOIA; or
- (3) To a law enforcement agency for an authorized law enforcement activity in response to a written request from such agency which specified the law enforcement activity for which the disclosure was sought.

**§ 404.20 Notice of court-ordered and emergency disclosures.**

(a) *Court-ordered disclosures.* When a record pertaining to an individual is required to be disclosed by a court order, the Assistant General Counsel for Administration shall make reasonable efforts to provide notice to the subject individual. Notice shall be given within a reasonable time after Ex-Im Bank's receipt of the order, except that in a case in which the order is not a matter of public record, notice shall be given only after the order becomes public. Such notice shall be mailed to the individual's last known address and shall contain a copy of the order and a description of the information disclosed.

(b) *Emergency disclosures.* If a record has been disclosed by Ex-Im Bank under compelling circumstances affecting the health or safety of any person, then, within ten working days, the Assistant General Counsel for Administration shall notify the subject individual of the disclosure at his or her last known address. The notice of such disclosure shall be in writing and shall state the:

- (1) Nature of the information disclosed;
- (2) Person, organization or agency to which it was disclosed;
- (3) Date of disclosure; and
- (4) Compelling circumstances justifying the disclosure.

**§ 404.21 Submission of social security and passport numbers.**

(a) *Policy.* Ex-Im Bank recognizes the importance of assessing, to the extent reasonably possible, the risks associated with transactions supported by Ex-Im Bank. It is often difficult to assess risks related to individuals and non-publicly traded entities. Therefore, when an individual or a non-publicly traded entity applies for participation in an Ex-Im Bank program or is proposed as a guarantor for an Ex-Im Bank transaction, Ex-Im Bank may request social security and/or U.S. passport numbers from such individual or from the principals of such entity. Ex-Im Bank shall not require submission of this information,

and unwillingness or inability to provide a social security or passport number shall not affect Ex-Im Bank's decision on an application for Ex-Im Bank assistance.

(b) *Use.* Ex-Im Bank shall use social security and passport numbers to assess the creditworthiness of Ex-Im Bank program participants and as a mechanism for enforcing agreements with Ex-Im Bank. Such information shall not be disclosed, except as warranted by law and regulation.

(c) *Notice.* Whenever Ex-Im Bank requests a social security or passport number, Ex-Im Bank shall place an appropriate Privacy Act notification on the form used to collect the information.

**§ 404.22 Government contracts.**

(a) *Approval by Assistant General Counsel for Administration.* Ex-Im Bank shall not contract for the operation of a system of records or for an activity that requires access to a system of records without the express, written approval of the Assistant General Counsel for Administration.

(b) *Contract clauses.* Any contract authorized under paragraph (a) of this section shall contain the standard contract clauses required by the Federal Acquisition Regulation (48 CFR 24.104) to ensure compliance with the requirements imposed by the Privacy Act. The division within Ex-Im Bank that is responsible for technical supervision of the contract shall be responsible for ensuring that the contractor complies with the Privacy Act contract requirements.

(c) *Contractor status.* Any contractor that operates an Ex-Im Bank system of records or engages in an activity that requires access to an Ex-Im Bank system of records shall be considered an Ex-Im Bank employee for purposes of this subpart. Ex-Im Bank shall supply any such contractor with a copy of the regulations in this subpart upon entering into a contract with Ex-Im Bank.

**§ 404.23 Other rights and services.**

Nothing in this subpart shall be construed to entitle any person to any service or to the disclosure of any record to which such person is not entitled under the Privacy Act.

**Subpart C—[Reserved]**

**Subpart D—[Reserved]**

**Subpart E—[Reserved]**

**PART 405—[REMOVED AND RESERVED]**

2. 12 CFR part 405 is removed and reserved.

Dated: March 16, 1999.

**Kenneth W. Hansen,**

*General Counsel.*

[FR Doc. 99-7283 Filed 3-24-99; 8:45 am]

BILLING CODE 6690-01-P

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**24 CFR Part 35**

[Docket No. FR-4444-F-02]

**Lead-Based Paint Poisoning Prevention in Certain Residential Structures—Information Collection Approval Numbers; Technical Amendment**

**AGENCY:** Office of the Secretary-Office of Lead Hazard Control, HUD.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The rule amends various sections of HUD's regulations relating to lead-based hazards to include the Office of Management and Budget (OMB) approval numbers for the information collections contained in those provisions.

**EFFECTIVE DATE:** March 25, 1999.

**FOR FURTHER INFORMATION CONTACT:** Gail Ward, Reports Liaison Officer, Office of Lead Hazard Control, Department of Housing and Urban Development, Room B-133, 451 Seventh Street, SW., Washington, DC 20410, telephone (202) 755-1785, ext. 111. (This is not a toll-free number.) For persons with hearing or speech impairments, this number may be accessed by TTY through the Federal Information Relay Service, (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** HUD's regulations on Lead-Based Paint Poisoning Prevention in Certain Residential Structures are set forth in 24 CFR part 35. Information collection requirements are in §§ 35.88, 35.90, 35.92, and 35.94, which pertain to disclosure requirements for sellers and lessors, evaluation, certifications and acknowledgments of disclosure, and agent responsibilities. This final rule amends those sections to remove inaccurate notations about the effectiveness of the information

collections and to insert the OMB approval number assigned in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

#### Justification for Final Rule

In general, the Department publishes a rule for public comment before issuing a rule for effect, in accordance with its own regulations on rulemaking at 24 CFR part 10. Part 10 does provide, however, for exceptions from that general rule where the agency finds good cause to omit advance notice and public participation. The good cause requirement is satisfied when prior public procedure is "impracticable, unnecessary, or contrary to the public interest." (24 CFR 10.1)

In this case, the changes being made to the rule are technical in nature, conforming the rule to the OMB approval actions that have already taken place. Therefore, prior public procedure is unnecessary.

#### Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance number for the program affected by this rule is 14.900.

#### List of Subjects in 24 CFR Part 35

Grant programs—housing and community development, Lead poisoning, Mortgage insurance, Rent subsidies, Reporting and recordkeeping requirements.

Accordingly, part 35 of title 24 of the Code of Federal Regulations is amended as follows:

#### PART 35—LEAD-BASED PAINT POISONING PREVENTION IN CERTAIN RESIDENTIAL STRUCTURES

1. The authority citation for part 35 continues to read as follows:

**Authority:** 42 U.S.C. 3535(d), 4821-4846 and 4852d.

#### §§ 35.88, 35.90, 35.92 and 35.94 [Amended]

2. Sections 35.88, 35.90, 35.92, and 35.94 are amended to add at the end of each section the following statement: "(Approved by the Office of Management and Budget under control number 2070-0151)."

Dated: March 18, 1999.

**David E. Jacobs,**

*Director of the Office of Lead Hazard Control.*

[FR Doc. 99-7344 Filed 3-24-99; 8:45 am]

BILLING CODE 4210-01-P

#### DEPARTMENT OF THE TREASURY

##### Internal Revenue Service

#### 26 CFR Part 54

[TD 8812]

RIN 1545-A193

#### Continuation Coverage Requirements Applicable to Group Health Plans; Correction

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

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to Treasury Decision 8812, which was published in the **Federal Register** on Wednesday, February 3, 1999, (64 FR 5160) relating to continuation coverage requirements applicable to group health plans.

**DATES:** This correction is effective February 3, 1999.

**FOR FURTHER INFORMATION CONTACT:** Yurlinda Mathis at (202) 622-4695 (not a toll-free call).

#### SUPPLEMENTARY INFORMATION:

##### Background

The final regulations that are subject to these corrections are under section 4980B of the Internal Revenue Code.

##### Need for Correction

As published, TD 8812 contains errors which may prove to be misleading and are in need of clarification.

##### Correction of Publication

Accordingly, the publication of the final regulations (TD 8812), which were the subject of FR Doc. 99-1520, is corrected as follows:

1. On page 5166, column 2, in the preamble under the heading, "*COBRA Continuation Coverage*", first full paragraph, line 4 from the bottom of paragraph, the language "offer for core coverage separately." is corrected to read "offer core coverage separately."

2. On page 5170, column 1, in the preamble under the heading, "*Paying for COBRA Continuation Coverage*", last paragraph in the column, line 14, the language "beginning. Therefore, the final" is corrected to read "beginning of the period. Therefore, the final".

#### § 54.4980B-1 [Corrected]

3. On page 5174, column 1, § 54.4980B-1, paragraph (b), line 7 from bottom of paragraph, the language "rules in §§ 54.4980B-1 though" is

corrected to read "rules in §§ 54.4980B-1 through".

**Michael Slaughter,**

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

[FR Doc. 99-7340 Filed 3-24-99; 8:45 am]

BILLING CODE 4830-01-U

#### DEPARTMENT OF TRANSPORTATION

##### Coast Guard

#### 33 CFR Part 100

[CGD 05-99-013]

RIN 2115-AE46

#### Special Local Regulations for Marine Events; 1D48 Chesapeake Grant Prix Distance Race

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is adopting temporary special local regulations for the start of the 1D48 Chesapeake Grand Prix Distance Race, a marine event to be held on the waters of the Chesapeake Bay between Annapolis, Maryland, and Chesapeake Light. These regulations are necessary to provide for the safety of life and property on U.S. navigable waters during the start of the event. The effect will be to restrict general navigation in the regulated area for the safety of spectators and participants.

**EFFECTIVE DATE:** This temporary final rule is effective from 12:30 p.m. EDT (Eastern Daylight Time) to 1:30 p.m. EDT on May 2, 1999.

**FOR FURTHER INFORMATION CONTACT:** Chief Warrant Officer R. Houck, Marine Events Coordinator, Commander, Coast Guard Activities Baltimore, 2401 Hawkins Point Road, Baltimore, Maryland, 21226-1791, telephone number (410) 576-2674.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory History

In accordance with 5 U.S.C. 553, no notice of proposed rulemaking was published for this regulation. Following normal rulemaking procedures would have been impracticable since there is not sufficient time remaining to publish a proposed rule in advance of the event or to provide for a delayed effective date. Immediate action is needed to protect vessel traffic from the potential hazards associated with this event.

##### Background and Purpose

One Design, LLC, of Annapolis, Maryland, will sponsor the 1D48 Chesapeake Grant Prix Distance Race on May 2, 1999. The event will consist of