

independent accountant shall place that information in a prominent attachment to the report (or documentation) and shall submit that attachment to the Office of the Chief Accountant at the same time and in the same manner as the report (or documentation) is submitted to that Office.

(3) Submission of the report (or documentation) by the independent accountant as described in paragraphs (b)(1) and (b)(2) of this section shall not replace, or otherwise satisfy the need for, the newly engaged and former accountants' letters under items 304(a)(2)(D) and 304(a)(3) of Regulation S-K, §§ 229.304(a)(2)(D) and 229.304(a)(3) of this chapter, respectively, and under items 304(a)(2)(D) and 304(a)(3) of Regulation S-B, §§ 228.304(a)(2)(D) and 228.304(a)(3) of this chapter, respectively, and shall not limit, reduce, or affect in any way the independent accountant's obligations to comply fully with all other legal and professional responsibilities, including, without limitation, those under generally accepted auditing standards and the rules or interpretations of the Commission that modify or supplement those auditing standards.

(c) A notice or report submitted to the Office of the Chief Accountant in accordance with paragraphs (a) and (b) of this section shall be deemed to be an investigative record and shall be non-public and exempt from disclosure pursuant to the Freedom of Information Act to the same extent and for the same periods of time that the Commission's investigative records are non-public and exempt from disclosure under, among other applicable provisions, 5 U.S.C. 552(b)(7) and § 200.80(b)(7) of this chapter. Nothing in this paragraph, however, shall relieve, limit, delay, or affect in any way, the obligation of any issuer or any independent accountant to make all public disclosures required by law, by any Commission disclosure item, rule, report, or form, or by any applicable accounting, auditing, or professional standard.

#### *Instruction to Paragraph (c)*

Issuers and independent accountants may apply for additional bases for confidential treatment for a notice, report, or part thereof, in accordance with § 200.83 of this chapter. That section indicates, in part, that any person who, pursuant to any requirement of law, submits any information or causes or permits any information to be submitted to the Commission, may request that the Commission afford it confidential treatment by reason of personal privacy

or business confidentiality, or for any other reason permitted by Federal law.

By the Commission.

Dated: March 12, 1997.

Margaret H. McFarland,

*Deputy Secretary.*

[FR Doc. 97-6712 Filed 3-17-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 100

[CGD07 97-008]

RIN 2115-AE46

#### Special Local Regulations; Miami Beach, FL

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** Special local regulations are being adopted for the Miami Super Boat Race. The event will be held on April 20, 1997, 1000 feet off the Miami Beach shore from 12:30 p.m. EDT (Eastern Daylight Time) until 3:30 p.m. The regulations are needed to provide for the safety of life on navigable waters during the event.

**EFFECTIVE DATE:** These regulations become effective at 11:30 a.m. and terminate at 4:30 p.m. EDT on April 20, 1997.

**FOR FURTHER INFORMATION CONTACT:** QMC T.E. Kjerulff, Coast Guard Group Miami, Florida at (305) 535-4448.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 553, good cause exists for making these regulations effective without publication of a notice of proposed rulemaking. Final environmental replies concerning these regulations were only received in this office in early February. Publishing a NPRM and delaying its effective date would be contrary to national safety interests, since immediate action is needed to minimize potential danger to the public due to an expected large concentration of participant and spectator craft.

#### Discussion of Regulations

Super Boat International Productions Inc., is sponsoring a high speed power boat race with approximately thirty-five (35) race boats, ranging in length from 24 to 50 feet, participating in the event. There will be approximately two hundred (200) spectator craft. The race will take place in the Atlantic Ocean 1,000 feet off the Miami Beach shore from Miami Beach Clock Tower to

Atlantic Heights. The race boats will be competing at high speeds with numerous spectator craft in the area, creating an extra or unusual hazard in the navigable waterways.

#### 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Entry into the regulated area is prohibited for only 5.0 hours on the day of the event.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated 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).

The Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), that this rule will not have a significant economic impact on a substantial number of small entities because the regulations will only be in effect for a total of 5 hours in a limited area.

#### Collection of Information

These regulations contain no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking 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 action consistent with Section 2.B. of Commandant Instruction M16475.1B. In

accordance with that section, specifically sections 2.B.4 and 2.B.5, this action has been environmentally assessed (EA completed), and the Coast Guard has determined that it will not significantly affect the quality of the human environment. An environmental assessment and finding of no significant impact have been prepared and are available for inspection and copying from QMC T.E. Kjerulff, Coast Guard Group Miami, Florida, (305) 535-4448.

#### List of Subjects in 33 CFR Part 100

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

#### Temporary Regulations

In consideration of the foregoing, part 100 of title 33, Code of Federal Regulations, is amended 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 100.35T-07-007 is added to read as follows:

#### **§ 100.35T-07-007 Miami Beach, FL.**

##### *(a) Regulated Area.*

(1) A regulated area is established by a line joining the following points:

25°46'.3 N, 080°07'.85 W; thence to, 25°46'.3 N, 080°06'.82 W; thence to, 25°51'.3 N, 080°06'.2 W; thence to, 25°51'.3 N, 080°07'.18 W; thence along the shoreline to the starting point. All coordinates reference Datum: NAD 1983.

(2) A spectator area is established in the vicinity of the regulated area for spectator traffic and is defined by a line joining the following points, beginning from:

25°51'.3 N, 080°06'.15 W; thence to, 25°51'.3 N, 080°05'.85 W; thence to, 25°46'.3 N, 080°06'.55 W; thence to, 25°46'.3 N, 080°06'.77 W; and back to the starting point. All coordinates reference Datum: NAD 1983.

(3) A buffer zone of 300 feet separates the race course and the spectator areas.

##### *(b) Special local regulations.*

(1) Entry into the regulated area by other than event participants is prohibited unless otherwise authorized by the Patrol Commander. At the completion of scheduled races and departure of participants from the regulated area, traffic may resume normal operations. At the discretion of the Patrol Commander, between scheduled racing events, traffic may be permitted to resume normal operations.

(2) A succession of not fewer than 5 short whistle or horn blasts from a patrol vessel will be the signal for any and all vessels to take immediate steps to avoid collision. The display of an orange distress smoke signal from a patrol vessel will be the signal for any and all vessels to stop immediately.

(3) Spectators are required to maintain a safe distance from the race course at all times.

(c) *Effective date.* These regulations become effective at 11:30 a.m. and terminate at 4:30 p.m. EDT on April 20, 1997.

Dated: March 3, 1997.

R.C. Olsen, Jr.,

*Acting Captain U.S. Coast Guard,  
Commander, Seventh Coast Guard District.*

[FR Doc. 97-6735 Filed 3-17-97; 8:45 am]

BILLING CODE 4910-14-M

### PANAMA CANAL COMMISSION

#### 35 CFR Part 61

#### RIN 3207-AA35

#### **Health, Sanitation and Communicable Disease Surveillance; Correction**

AGENCY: Panama Canal Commission.

ACTION: Final rule; correction.

**SUMMARY:** The Panama Canal Commission published in the Federal Register of July 11, 1996, a document to eliminate the requirement for disinfecting vessels under certain conditions as set out by the World Health Organization (WHO).

**DATES:** March 18, 1997.

**FOR FURTHER INFORMATION CONTACT:** J. M. Ebernez, Director of Admeasurement, Marine Bureau, Panama Canal Commission, telephone in Balboa, Republic of Panama, 011/507-272-4567, or Ruth Huff, Assistant to the Secretary for Commission Affairs, Office of the Secretary, Panama Canal Commission, International Square, 1825 I Street NW, Suite 1050, Washington, DC 20006-5402, (Telephone: (202) 634-6441).

**SUPPLEMENTARY INFORMATION:** The Panama Canal Commission published a document in the July 11, 1996, Federal Register, (61 FR 36497) section § 61.155(e) was incorrect. On page 36497, in the third column, paragraph (e) should read as follows:

#### **§ 61.155 Vessels; yellow fever.**

\* \* \* \* \*

(e) The disinfecting required under paragraph (a) of this section shall not be required when the index of *Aedes aegypti* in Panama exceeds the 1.0 index

level established by the World Health Organization (WHO).

Dated: March 13, 1997.

John A. Mills,

*Secretary, Panama Canal Commission.*

[FR Doc. 97-6787 Filed 3-17-97; 8:45 am]

BILLING CODE 3640-04-P

### LEGAL SERVICES CORPORATION

#### 45 CFR Part 1611

#### **Eligibility: Income Level for Individuals Eligible for Assistance**

AGENCY: Legal Services Corporation.

ACTION: Final rule.

**SUMMARY:** The Legal Services Corporation ("Corporation") is required by law to establish maximum income levels for individuals eligible for legal assistance. This document updates the specified income levels to reflect the annual amendments to the Federal Poverty Guidelines as issued by the Department of Health and Human Services.

**EFFECTIVE DATE:** March 18, 1997.

**FOR FURTHER INFORMATION CONTACT:** Victor M. Fortuno, General Counsel, Legal Services Corporation, 750 First Street NE., Washington, DC 20002-4250; 202-336-8810.

**SUPPLEMENTARY INFORMATION:** Section 1007(a)(2) of the Legal Services Corporation Act ("Act"), 42 U.S.C. 2996f(a)(2), requires the Corporation to establish maximum income levels for individuals eligible for legal assistance, and the Act provides that other specified factors shall be taken into account along with income.

Section 1611.3(b) of the Corporation's regulations establishes a maximum income level equivalent to one hundred and twenty-five percent (125%) of the Federal Poverty Guidelines. Since 1982, the Department of Health and Human Services has been responsible for updating and issuing the Poverty Guidelines.

The revised figures for 1997 set out below are equivalent to 125% of the current Poverty Guidelines as set out at 62 FR 10856 (March 10, 1997).

List of Subjects in 45 CFR Part 1611

Legal services.

### PART 1611—ELIGIBILITY

1. The authority citation for Part 1611 continues to read as follows:

Authority: Secs. 1006(b)(1), 1007(a)(1) Legal Services Corporation Act of 1974, 42 U.S.C. 2996e(b)(1), 2996f(a)(1), 2996f(a)(2).