

consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

Further, since DOL has determined, for good cause, that publication of a proposed rule and solicitation of comments on this rule removing the WIN regulations from 29 CFR would be neither necessary nor fruitful, under section 808(2) of title 5 U.S.C., this final rule is effective immediately upon publication as stated in this notice.

Regulatory Flexibility Act

Consistent with the Regulatory Flexibility Act (Pub. L. 96-354), which requires the Federal government to anticipate and reduce the impact of rules and paperwork requirements on small businesses and other small entities, the Department certifies that this rule has no significant effect on a substantial number of small entities. Therefore, a regulatory flexibility analysis is not required.

Paperwork Reduction Act

This regulation contains no information collection requirements which are subject to review and approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1980 (44 U.S.C. § 3500 *et seq.*).

List of Subjects in 29 CFR Part 56

Administrative practice and procedure, Grant programs—social programs, Reporting and recordkeeping requirements, Work Incentive (WIN) Programs.

Signed at Washington, DC, this 24th day of June.

Robert B. Reich,
Secretary of Labor.

Accordingly, subtitle A of title 29 of the Code of Federal Regulations is amended, under the authority of section 1102 of the Social Security Act, by removing part 56.

PART 56—[REMOVED]

[FR Doc. 96-16514 Filed 6-27-96; 8:45 am]

BILLING CODE 4510-23-M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1602

Elementary-Secondary Staff Information Report EEO-5

AGENCY: Equal Employment Opportunity Commission.

ACTION: Final rule.

SUMMARY: This final rule is based on a Notice of Proposed Rulemaking ("NPRM") published on December 8, 1995. It amends the school filing requirement in subpart M of 29 CFR Part 1602, by discontinuing the EEO-5 report (EEOC Form 168B) for individual schools and annexes. The Commission takes this action in order to reduce the reporting burden on respondents and to streamline the collection of information required for enforcement purposes while maintaining sufficient data to meet the Commission's program needs. The recordkeeping requirements in Subpart L of 29 CFR Part 1602 are unchanged.

EFFECTIVE DATE: July 29, 1996.

FOR FURTHER INFORMATION CONTACT: Joachim Neckere, Director, Program Research and Surveys Division, at (202) 663-4958 (voice) or (202) 663-7063 (TDD) (these are not toll free numbers).

SUPPLEMENTARY INFORMATION: Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), requires employers to make and keep records relevant to a determination of whether unlawful employment practices have been or are being committed and to make reports therefrom as required by the Commission. Accordingly, the Commission has issued regulations setting forth the reporting requirements for various kinds of employers. Elementary and secondary public school systems and districts have been required to submit EEO-5 reports to the Commission since 1974 (biennially in even numbered years since 1982). Two types of EEO-5 reports have been used: EEOC Form 168A, covering the entire public school system or district; and EEOC Form 168B, covering each individual school and annex within the system or district. On October 5, 1995, the Commission voted to discontinue the EEO-5 report (EEOC Form 168B) for individual schools and annexes. Starting with the 1996 survey year, public school systems and districts will be required to file only EEO-5 reports (EEOC Form 168A) covering the entire school system or district.

The Office of Management and Budget (OMB) approval of the current EEO-5

collection of information, OMB Control Number 3046-0003, expired on January 31, 1996. In order to comply with the new information collection clearance procedures that OMB has instituted pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. 3502(1), and set forth at 29 CFR Parts 1320.8, .9, and .11, the Commission solicited public comment in the Federal Register on December 8, 1995, concerning the proposed change in the EEO-5 collection and the Commission's request for an extension of OMB's approval of the collection. The Commission received three public comments in response to the NPRM. Each comment recommended that the Commission not implement the proposed rule and continue to collect information for individual schools and annexes. We point out that even though the data for individual schools and annexes will not be submitted on survey forms, schools still will be required to keep the same records that they formerly kept at the local level to complete the EEO-5 as a part of the recordkeeping requirements contained in Subpart L of 29 CFR Part 1602. Thus, the information will be available upon request. The Commission has determined that this change not only will substantially reduce reporting burden without reducing overall employment coverage or the number of responding school systems and districts, but that it will be more cost effective for the Commission to request the individual school data when necessary for enforcement purposes than to continue with the current collection.

Regulatory Flexibility Act

This amendment will result in substantially reduced expenses and reporting burdens for public school systems and districts. The Commission also has determined that the elimination of reporting requirements for individual schools and annexes will not adversely affect the utility of the information being collected. Thus, the Commission certifies pursuant to 5 U.S.C. § 605(b), enacted by the Regulatory Flexibility Act, Public Law No. 96-354, that the amendment will not result in significant impact on small employers or other entities because it involves elimination of reporting requirements, and that a regulatory flexibility analysis therefore is not required. The Commission hereby publishes this final rule for public information. The rule appears below.

List of Subjects in 29 CFR Part 1602

Reporting and recordkeeping requirements.

Dated: June 17, 1996.

For the Commission,

Gilbert F. Casellas,

Chairman.

Accordingly, 29 CFR Part 1602 is amended as follows:

PART 1602—[AMENDED]

1. The authority citation for part 1602 continues to read as follows:

Authority: 42 U.S.C. 2000e-8, 2000e-12, 44 U.S.C. 3501 *et seq.*; 42 U.S.C. 12117.

§ 1602.41 Requirement for filing and preserving copy of report.

2. Section 1602.41 is amended as follows:

(a) In the introductory text, in the first sentence, delete the phrase “and individual schools within such systems or district”.

(b) In the concluding text, in the first sentence, delete the phrase, “, or the individual school which is the subject of the report where more convenient,”.

3. Section 1602.43 is revised to read as follows:

§ 1602.43 Commission's remedy for school systems' or districts' failure to file report.

Any school system or district failing or refusing to file report EEO-5 when required to do so may be compelled to file by order of a U.S. district court, upon application of the Commission or the Attorney General.

4. Section 1602.44 is revised to read as follows:

§ 1602.44 School systems' or districts' exemption from reporting requirements.

If it is claimed that the preparation or filing of the report would create undue hardship, the school system or district may apply to the Commission for an exemption from the requirements set forth in this part by submitting to the Commission or its delegate a specific proposal for an alternative reporting system prior to the date on which the report is due.

[FR Doc. 96-16056 Filed 6-27-96; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 1, 2, 5, 8, 19, 20, 26, 45, 51, 67, 81, 89, 110, 114, 116, 117, 127, 140, 141, 144, 148, 151, 153, 154, 155, 156, 157, 158, 159, 160, 164, 165, 174, 179, 181, 183, and 187

[CGD 96-026]

RIN 2115 AF33

Technical Amendments; Organizational Changes; Miscellaneous Editorial Changes and Conforming Amendments

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rule amends Title 33, Code of Federal Regulations to reflect recent agency organizational changes. It also makes editorial changes throughout the title to correct addresses, update cross-references, remove obsolete regulatory provisions, and make other technical corrections. This rule will have no substantive effect on the regulated public.

EFFECTIVE DATE: This rule is effective on June 30, 1996.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G-LRA/3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593-0001 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

FOR FURTHER INFORMATION CONTACT: Janet Walton, Project Manager, Office of Standards Evaluation and Development (G-MSR-2), (202) 267-0257.

SUPPLEMENTARY INFORMATION:

Background and Purpose

Each year Title 33 of the Code of Federal Regulations (CFR) is recodified on July 1. This rule makes miscellaneous editorial changes and conforming amendments, including changes brought about by the Coast Guard Headquarters reorganization, to be included in the 1996 recodification of Title 33.

Discussion of Changes

Coast Guard Headquarters recently went through a comprehensive streamlining and reorganization. The substantive functions it performs are essentially unchanged; however, many functions have been consolidated. This rule reflects the redistribution of

functions and responsibilities due to the reorganization.

The rule also makes editorial changes throughout the title to correct addresses, update cross-references, and make other technical corrections.

Sections 157.03, 159.3, 181.3, and 183.3 are being reformatted by reorganizing the definitions into alphabetical order and removing paragraph designators.

Section 165.T01-005 expired on May 1, 1994 and section 165.702 expired on December 31, 1991. These regulations are no longer needed and are being removed.

In addition the safety zone in § 165.1112 was originally established to protect Navy cables and equipment on the ocean floor which could have been damaged by anchoring, fishing, and similar activities. The Navy equipment has been removed and this safety zone is no longer required and is being removed.

Since this amendment relates to departmental management; organization; procedure; and practice, notice and comment on it are unnecessary and it may be made effective in fewer than 30 days after publication in the Federal Register. Therefore, this final rule is effective June 30, 1996.

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 and benefits under section 6(a)(3) of that order. It has not been reviewed 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This rule involves internal agency practices and procedures, it will not impose any costs on the public.

Collection of Information

This rule 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 rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have significant federalism implications