

Programs, Department of Housing and Urban Development, 1999 Broadway, Suite 3390, Denver, CO; telephone (303) 675-1600 (voice) or 1-800-877-8339 (TTY for speech or hearing impaired individuals). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Paperwork Burden

The information collection requirements contained in §§ 954.106, 954.505, 954.506, 954.507 of this rule have been approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), and assigned OMB control number 2577-0191. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

II. Background

On June 21, 1996, at 61 FR 32292, HUD published an interim rule to move the Indian HOME Program from 24 CFR part 92 to part 954. The interim rule also included clarifications and simplifications intended to facilitate the use of the rule by interested parties, increase similarity with the Indian Community Development Block Grant (ICDBG) program, and simplify administration of Native American Tribal Programs.

Comments were solicited on the interim rule for a period of 60 days. No public comments were received, and HUD has determined to promulgate the June 21, 1996 interim rule without any changes as a final rule. Although section 505 of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (Pub. L. 104-330, approved October 26, 1996) ends the Indian HOME Program in Fiscal Year (FY) 1998, which begins on October 1, 1997, this final rule is being issued to provide for the administration of any Indian HOME funds and Indian HOME-assisted projects that will continue beyond the date when new funding under the program will no longer be made available.

III. Findings and Certifications

Regulatory Flexibility Act—Impact on Small Entities

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this rule before publication and by approving it certifies that this rule does not have a significant economic impact on a substantial number of small entities. The rule promulgates as final the interim rule

revisions to the existing Indian HOME program under which Indian tribes receive grant assistance from HUD to increase the number of housing opportunities for low-income and very low-income people. HUD does not anticipate a significant economic impact on small entities since Indian tribes will continue to carry out their Indian HOME program activities as they now do.

Environmental Review

At the time of publication of the interim rule, a Finding of No Significant Impact with respect to the environment was made in accordance with HUD regulations in 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The interim rule is adopted by this final rule without significant change. Accordingly, the initial Finding of No Significant Impact remains applicable, and is available for public inspection between 7:30 a.m. and 5:30 p.m. weekdays in the office of the Rules Docket Clerk at the above address.

Executive Order 13045, Protection of Children From Environmental Health Risks and Safety Risks

This rule will not pose an environmental health risk or safety risk on children.

Unfunded Mandates Reform Act

The Secretary has reviewed this rule before publication and by approving it certifies, in accordance with the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532), that this rule does not impose a Federal mandate that will result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year.

The Catalog of Federal Domestic Assistance Number for the HOME Program is 14.239.

List of Subjects in 24 CFR Part 954

Grant programs—housing and community development, Manufactured homes, Rent subsidies, Reporting and recordkeeping requirements.

Accordingly, for the reasons stated in the preamble, title 24 of the Code of Federal Regulations is amended by adopting the interim rule published in the **Federal Register** on June 21, 1996 (61 FR 32292) as final without change.

Dated: October 22, 1997.

Kevin Emanuel Marchman,

Acting Assistant Secretary for Public and Indian Housing.

[FR Doc. 97-28855 Filed 10-30-97; 8:45 am]

BILLING CODE 4210-33-P

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 102

Post-employment Restrictions on Agency Employees

AGENCY: National Labor Relations Board.

ACTION: Final rule.

SUMMARY: The National Labor Relations Board (NLRB) is repealing its current Agency-specific regulations which restrict practice before the Agency by former NLRB employees and substituting therefor a new rule which references the executive branch-wide post-employment restrictions imposed by 18 U.S.C. 207.

EFFECTIVE DATE: October 31, 1997.

FOR FURTHER INFORMATION CONTACT: John J. Toner, Executive Secretary, National Labor Relations Board, 1099 14th Street, NW, Room 11600, Washington, DC 20570. Telephone: (202) 273-1940.

SUPPLEMENTARY INFORMATION: Executive Order 12674 (April 12, 1989), as modified by Executive Order 12731 (October 17, 1990), authorizes the Office of Government Ethics (OGE), in consultation with the Attorney General and the Office of Personnel Management, to issue regulations that "establish a single, comprehensive, and clear set of executive-branch standards of conduct that shall be objective, reasonable, and enforceable." The Executive Order further authorizes OGE, with the concurrence of the Attorney General, to issue regulations interpreting 18 U.S.C. 207-209.

Pursuant to this authority and similar authority granted OGE by the Ethics Reform Act 1989, on August 7, 1992, OGE published new Standards of Ethical Conduct for Employees of the Executive Branch (Standards). See 57 FR 35006-35067, as corrected at 57 FR 48557, 57 FR 52583, and 60 FR 51667, and amended at 61 FR 42965-42970 (as corrected at 61 FR 48733) and 61 FR 50689-50691, with additional grace period extensions at 59 FR 4779-4780, 60 FR 6390-6391, 60 FR 66857-66858, and 61 FR 40950-40952. The Standards, codified at 5 CFR part 2635, became effective February 3, 1993, and established uniform standards of ethical conduct that apply to all executive branch personnel, superseding most agency-specific standards of conduct. Accordingly, on July 21, 1994, the NLRB issued a final rule repealing certain provisions of its own regulations governing employee responsibilities and conduct codified at 29 CFR part 100

which had been superseded by the new Standards. See 59 FR 37157.

OGE has not yet issued new regulations implementing 18 U.S.C. 207, as amended by the Ethics Reform of 1989, pursuant to its authority under that Act and the Executive Orders 12674 and 12731. However, OGE indicated in its notice of the new Standards that it expects to do so. Further, OGE has since advised the Agency that to the extent the NLRB's current post-employment regulations set forth in sections 102.119 and 102.120 if the Board's rules are more restrictive than 18 U.S.C. 207, as amended by the Ethics Reform Act of 1989, they are unenforceable as to any employees leaving the Agency on or after January 1, 1991, the effective date of the 1989 amendments to that statute. Accordingly, the Board is repealing those regulations, and substituting therefor a reference to 18 U.S.C. 207.

Regulatory Requirements

This rule merely conforms current regulations to statutory requirements, affects only former Agency employees, relates solely to agency organization, procedure and practice, and will not have a significant impact on a substantial number of small businesses or impose any information collecting requirements. Accordingly, the Agency finds that prior notice and comment is not required for these rules and that good cause exists for waiving the general requirement of delaying the effective date under the Administrative Procedure Act (5 U.S.C. 553), and that the rules are not subject to the Regulatory Flexibility Act (5 U.S.C. 601), Small Business Regulatory Enforcement Act (5 U.S.C. 801), Paperwork Reduction Act (44 U.S.C. 3501), or Executive Order 12866.

List of Subjects in 29 CFR Part 102

Administrative practice and procedure, Labor management relations.

For reasons set forth above, 29 CFR part 102 is amended as follows:

PART 102—RULES AND REGULATIONS

1. The authority citation for 29 CFR part 102 continues to read as follows:

Authority: Section 6, National Labor Relations Act, as amended (29 U.S.C. 151, 156). Section 103.117(c) also issued under Section 552(a)(4)(A) of the Freedom of Information Act, as amended (5 U.S.C. 552(a)(4)(A)). Sections 102.143 and 102.155 also issued under Section 504(c)(1) of the Equal Access to Justice Act, as amended (5 U.S.C. 504(c)(1)).

2. Subpart L is revised to read as follows:

Subpart L—Post-employment Restrictions on Activities by Former Officers and Employees

§ 102.119 Post-employee restrictions on activities by former Officers and employees.

Former officers and employees of the Agency who were attached to any of its Regional Offices or the Washington staff are subject to the applicable post-employment restrictions imposed by 18 U.S.C. 207. Guidance concerning those restrictions may be obtained from the Designated Agency Ethics Officer and any applicable regulations issued by the Office of Government Ethics.

Dated, Washington, D.C., October 28, 1997.

By direction of the Board.

John J. Toner,

Executive Secretary.

[FR Doc. 97-28926 Filed 10-30-97; 8:45 am]

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DEPARTMENT OF THE TREASURY

Departmental Offices

31 CFR Part 1

Privacy Act of 1974; Implementation

AGENCY: Departmental Offices, Treasury.

ACTION: Final Rule.

SUMMARY: In accordance with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Department of the Treasury gives notice of an amendment to 31 CFR 1.36 to exempt a new system of records, the Suspicious Activity Reporting System (the SAR System), Treasury/DO.212, from certain provisions of the Privacy Act.

EFFECTIVE DATE: October 31, 1997.

FOR FURTHER INFORMATION CONTACT:

Stephen R. Kroll, Legal Counsel, Financial Crimes Enforcement Network, 2070 Chain Bridge Road, Suite 200, Vienna, VA 22182, (703) 905-3590.

SUPPLEMENTARY INFORMATION: The Department of the Treasury published in the **Federal Register**, at 62 FR 14376, March 26, 1997, a proposed rule exempting the Suspicious Activity Reporting System (the SAR System), Treasury/DO.212, from certain provisions of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2) and (k)(2). A notice of this proposed new system of records was also published in the **Federal Register**, at 62 FR 14532, March 26, 1997.

Under 5 U.S.C. 552a(j)(2), the head of an agency may promulgate rules to exempt a system of records from certain provisions of 5 U.S.C. 552a if the system

of records is "maintained by an agency or component thereof which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and the activities of prosecutors, courts, correctional, probation, pardon or parole authorities, and which consists of (A) information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (B) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (C) 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."

Under 5 U.S.C. 552a(k)(2), the head of an agency may promulgate rules to exempt a system of records from certain provisions of 5 U.S.C. 552a if the system of records is "investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j)(2) of this section."

The notice, proposing that the SAR System of records be exempted from sections (c)(3), (c)(4), (d)(1), (d)(2), (d)(3), (d)(4), (e)(1), (e)(2), (e)(3), (e)(4)(G), (e)(4)(H), (e)(4)(I), (e)(5), (e)(8), (f) and (g) of the Privacy Act, requested that public comments be sent to FinCEN no later than April 25, 1997. FinCEN received one comment. The commenter, a banking trade association, noted that the proposed exemption "is appropriate." Accordingly, the Department of the Treasury is hereby giving notice that its proposed rule, exempting the SAR System from the above referenced provisions of the Privacy Act pursuant to 5 U.S.C. 552a(j)(2) and (k)(2) and the authority of 31 CFR 1.23(c), is being adopted as a final rule without change, except for minor corrections in paragraphs (k)(3) and (k)(4), pertaining to cross references within paragraph (k) of the rule. The reasons for exempting the system of records from the above referenced provisions of the Privacy Act are set forth in the rule.

The Department of the Treasury has determined that this proposed rule is not a "significant regulatory action" under Executive Order 12866.

Pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601-612, for the reasons set forth in the