

Dated: January 7, 2009.

**Jayson P. Ahern,**

*Acting Commissioner, U.S. Customs and Border Protection.*

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**BILLING CODE 9111-14-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5285-N-01]

### Notice of Proposed Information Collection: Comment Request

#### Housing Counseling Program

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

**DATES:** *Comments Due Date:* March 13, 2009.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Lillian Deitzer, Departmental Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410; e-mail [Lillian\\_L\\_Deitzer@HUD.gov](mailto:Lillian_L_Deitzer@HUD.gov) or telephone (202) 402-8048.

**FOR FURTHER INFORMATION CONTACT:** Brian Siebenlist, Deputy Director, Office of Single Family Program Support Division, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410, telephone (202) 402-5415 (this is not a toll free number) for copies of the proposed forms and other available information.

**SUPPLEMENTARY INFORMATION:** The Department is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the

accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

*Title of Proposal:* Housing Counseling Program.

*OMB Control Number, if applicable:* 2502-0261.

*Description of the need for the information and proposed use:* Nonprofit organizations will submit information to HUD through Grants.gov to apply for funding to provide various kinds of housing counseling assistance. HUD will use the information to evaluate applicants competitively and then select organizations to receive funding to supplement their housing counseling program. The proposed collection will allow HUD to evaluate and select the most qualified applicant(s). Post-award collection, such as quarterly reports, will allow HUD to evaluate grantee performance. This collection of information also includes renewal of various HUD forms, including form HUD-9900, the Housing Counseling Approval Application, and form HUD-9902, Housing Counseling Agency Activity Report. Additionally, it covers the collection of client level data and agency profile data.

*Agency form numbers, if applicable:* SF-424, SF-424Supp, SF-424CB, SF-LLL, HUD-27300, HUD-2880, HUD-2990, HUD-2991, HUD-2994, HUD-96010, HUD-9902.

*Estimation of the total number of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:* The estimated total number of hours needed to prepare the information collection is 36,320; the number of respondents is 12,450 generating approximately 39,980 annual responses; the frequency of response is on occasion or quarterly; and the estimated time needed to prepare the response is approximately 49 hours.

*Status of the proposed information collection:* This is extension of an already approved information collection.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C., Chapter 35, as amended.

Dated: January 6, 2009.

**Ronald Y. Spraker,**

*Acting General Deputy Assistant Secretary for Housing—Deputy Federal Housing Commissioner.*

[FR Doc. E9-388 Filed 1-9-09; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5275-N-01]

### Native American Housing Assistance and Self-Determination Reauthorization Act of 2008: Initiation of Negotiated Rulemaking

**AGENCY:** Office of Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Notice.

**SUMMARY:** This notice announces that HUD is initiating negotiated rulemaking for the purpose of developing regulatory changes to the programs authorized under the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA). Changes to these programs were made by the Native American Housing Assistance and Self-Determination Reauthorization Act of 2008, which also directs that HUD undertake negotiated rulemaking to implement the statutory revisions. This notice provides background information on the NAHASDA programs and describes the next steps in the negotiated rulemaking process.

**FOR FURTHER INFORMATION CONTACT:** Rodger J. Boyd, Deputy Assistant Secretary for Native American Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 4126, Washington, DC 20410-5000, telephone at 202-401-7914 (this is not a toll-free number). Persons with hearing or speech impediments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339 (this is a toll-free number).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*) (NAHASDA) changed the way that housing assistance is provided to Native Americans. NAHASDA eliminated several separate assistance programs and replaced them with a single block grant program, known as the Indian Housing Block Grant (IHBG) Program. In addition, title VI of NAHASDA

authorizes federal guarantees for financing of certain tribal activities (Title VI Loan Guarantee Program). The regulations governing the IHBG and Title VI Loan Guarantee Programs are located in part 1000 of HUD's regulations in title 24 of the Code of Federal Regulations. In accordance with section 106 of NAHASDA, HUD developed the regulations with active tribal participation and using the procedures of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561–570).

Under the IHBG Program, HUD makes assistance available to eligible Indian tribes for affordable housing activities. The amount of assistance made available to each Indian tribe is determined using a formula that was developed as part of the NAHASDA negotiated rulemaking process. Based on the amount of funding appropriated annually for the IHBG Program, HUD calculates the annual grant for each Indian tribe and provides this information to the Indian tribes. An Indian Housing Plan for the Indian tribe is then submitted to HUD. If the Indian Housing Plan is found to be in compliance with statutory and regulatory requirements, the grant is made. Under the Title VI Loan Guarantee Program, HUD guarantees notes and other obligations issued by Indian tribes or their tribally designated housing entities, for the purposes of financing the eligible activities specified in NAHASDA.

The Native American Housing Assistance and Self-Determination Reauthorization Act of 2008 (Pub. L. 110–411, approved October 14, 2008) (2008 Reauthorization Act) reauthorizes NAHASDA through 2013 and makes several amendments to the statutory requirements governing the IHBG and Title VI Loan Guarantee Programs. The 2008 Reauthorization Act amends section 106 of NAHASDA to provide that HUD shall “initiate a negotiated rulemaking in accordance with this section by not later than 90 days after enactment of the” 2008 Reauthorization Act.

Through this notice, HUD announces the initiation of the negotiated rulemaking required by the 2008 Reauthorization Act. This notice also provides an overview of the next steps in the negotiated rulemaking process.

## II. Negotiated Rulemaking

The basic concept of negotiated rulemaking is to have the agency that is developing a regulation bring together representatives of affected interests for face-to-face negotiations. The give-and-take of the negotiation process is

expected to foster constructive, creative and acceptable solutions to difficult problems. The establishment of the negotiated rulemaking committee will offer Indian tribal governments the opportunity to have input into the changes to the IHBG Program regulations.

Section 564 of the Negotiated Rulemaking Act of 1990 requires that an agency, prior to the establishment of a negotiated rulemaking committee, publish a notice in the **Federal Register** announcing its intent to establish the committee, provide a list of the proposed committee membership, provide certain other information regarding the formation of the committee, and solicit nominations for selection to the committee. HUD will be publishing the notice required by section 564 in the **Federal Register**. HUD's goal is to establish a committee whose membership reflects a balanced representation of Indian tribes.

When the committee is established, all meetings of the negotiated rulemaking committee will be announced in the **Federal Register** and be open to the public.

Dated: December 31, 2008.

**Milan Ozdinec**,

*Deputy Assistant Secretary for Housing Choice Program, Office of Public and Indian Housing.*

[FR Doc. E9–269 Filed 1–9–09; 8:45 am]

**BILLING CODE 4210–67–P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5289–D–01]

### Order of Succession for the Office of Policy Development and Research

**AGENCY:** Office of the Assistant Secretary for Policy Development and Research, HUD.

**ACTION:** Notice of order of succession.

**SUMMARY:** In this notice, the Assistant Secretary for Policy Development and Research designates the Order of Succession for the Office of Assistant Secretary for Policy Development and Research. This Order of Succession supersedes the Order of Succession for the Office of Policy and Development, published on July 28, 2003.

**DATES:** *Effective Date:* January 6, 2009.

**FOR FURTHER INFORMATION CONTACT:** Lynn B. Newkirk, Director, Management and Administrative Services, Department of Housing and Urban Development, 451 7th Street, SW., Room 8228, Washington, DC 20410–6000, telephone number (202) 708–

1812. (This is not a toll-free number.) Persons with hearing-or speech-impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 1–800–877–8339.

**SUPPLEMENTARY INFORMATION:** The Assistant Secretary for Policy Development and Research is issuing this Order of Succession of officials authorized to perform the duties and functions of the Office of the Assistant Secretary when, by reason of absence, disability, or vacancy in office, the Assistant Secretary is not available to exercise the powers or perform the duties of the Office. This Order of Succession is subject to the provisions of the Federal Vacancies Reform Act of 1998 (5 U.S.C. 3345–3349d). This publication supersedes the Order of Succession notice on July 28, 2003 (68 FR 44353).

Accordingly, the Assistant Secretary for Policy Development and Research designates the following Order of Succession:

#### Section A. Order of Succession

Subject to the provision of the Federal Vacancies Reform Act of 1998, during any period when, by reason of absence, disability, or vacancy in office, the Assistant Secretary for Policy Development and Research is not available to exercise the powers or perform the duties of the Office of the Assistant Secretary for Policy Development and Research, the following officials within the Office of Policy Development and Research are hereby designated to exercise the powers and perform the duties of the Office:

- (1) General Deputy Assistant Secretary.
- (2) Deputy Assistant Secretary for Research, Evaluation, and Monitoring.
- (3) Deputy Assistant Secretary for Policy Development.
- (4) Deputy Assistant Secretary for Economic Affairs.

These officials shall perform the functions and duties of the Office in the order specified herein, and no official shall serve unless all the other officials, whose position titles precede his or hers in this order, are unable to act by reason of absence, disability, or vacancy in office. Foley, Richard.

#### Section B. Authority Superseded

This Order of Succession supersedes the Order of Succession for the Assistant Secretary for Policy Development and Research, published on July 28, 2003 (68 FR 44353).