

**FOR FURTHER INFORMATION CONTACT:**

William W. Matchneer III, Associate Deputy Assistant Secretary for Regulatory Affairs and Manufactured Housing, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410, telephone (202) 708-6401 (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:* Manufactured Home Construction and Safety Standards Program.

*OMB Control Number, if applicable:* 2502-0233.

*Description of the need for the information and proposed use:* Collection of this information will result in a better determination of reporting how Primary Inspection Agencies and manufacturers request certification labels, track payment, track production, refund monies, and report missing or damaged labels to the Department or its monitoring contractor.

*Agency form numbers, if applicable:*

*Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:* The number of burden hours is 2,811. The number of respondents is 176, the number of responses is 5,622, the frequency of response is on occasion, and the burden hour per response is 6.5.

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

**Authority:**

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

Dated: June 23, 2009.

**Ronald Y. Spraker,**

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

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5281-N-51]

### Housing Choice Voucher Program

**AGENCY:** Office of the Chief Information Officer, HUD.

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below has been 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.

Public Housing Authorities (PHA) apply for funding to assist very low-income families to lease or purchase housing. PHAs maintain records on participant eligibility, unit acceptability, lease and/or housing assistance payments, and budget and payment documentation. In some cases PHAs voluntarily divest their voucher programs to a receiving PHA. PHAs may also project-base a portion of their vouchers or use their vouchers under the Homeownership Option.

**DATES:** Comments Due Date: July 30, 2009.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval Number (2577-0169) and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-5806.

**FOR FURTHER INFORMATION CONTACT:**

Lillian Deitzer, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410; e-mail Lillian.Deitzer at

Lillian.L.Deitzer@HUD.gov or telephone (202) 402-8048. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Deitzer.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that the Department of Housing and Urban Development has submitted to OMB a request for approval of the Information collection described below. This notice is soliciting comments from members of the public and affecting agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information 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 through 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 Choice Voucher Program.

*OMB Approval Number:* 2577-0169.

*Form Numbers:* HUD-52515, HUD-52517, HUD-52530-A, HUD-52530-B, HUD-52530-C, HUD-52531-A, HUD-52531-B, HUD-52578-B, HUD-52580-A, HUD-52641, HUD-52641-A, HUD-52642, HUD-52642-A, HUD-52646, HUD-52649, HUD-52665, HUD-52667, HUD-52672, HUD-52681, HUD-52681-B.

*Description of the Need for the Information and its Proposed Use:* Public Housing Authorities (PHA) apply for funding to assist very low-income families to lease or purchase housing. PHAs maintain records on participant eligibility, unit acceptability, lease and/or housing assistance payments, and budget and payment documentation. In some cases PHAs voluntarily divest their voucher programs to a receiving PHA. PHAs may also project-base a portion of their vouchers or use their vouchers under the Homeownership Option.

*Frequency of Submission:* On occasion, quarterly, annually.

	Number of respondents	Annual responses	×	Hours per response	=	Burden hours
Reporting Burden .....	492,450	6.129		0.354		1,071,354

*Total Estimated Burden Hours:*  
1,071,354.

*Status:* Revision of currently approved collection.

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: June 24, 2009.

**Lillian Deitzer,**

*Departmental Reports Management Officer,  
Office of the Chief Information Officer.*

[FR Doc. E9-15478 Filed 6-29-09; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5311-N-03]

### Buy American Exception Under the American Recovery and Reinvestment Act of 2009

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the American Recovery and Reinvestment Act of 2009 (Recovery Act), and implementing guidance of the Office of Management and Budget (OMB), this notice advises that an exception to the Buy American requirements of the Recovery Act was determined applicable to the Boston Housing Authority's construction of a project using Recovery Act funds.

**FOR FURTHER INFORMATION CONTACT:** Dominique G. Blom, Deputy Assistant Secretary for Public Housing Investments, Office of Public Housing Investments, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 4210, Washington, DC 20410-4000, telephone 202-402-8500 (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 800-877-8339.

**SUPPLEMENTARY INFORMATION:** Section 1605(a) of the Recovery Act imposes a "Buy American" requirement on Recovery Act funds used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the

United States. Section 1605(b) provides that the Buy American requirement shall not apply in any case or category in which the head of Federal department or agency finds that: (1) Applying the Buy American requirement would be inconsistent with the public interest; (2) iron, steel, and the relevant manufactured goods are not produced in the U.S. in sufficient and reasonably available quantities or of satisfactory quality, or (3) inclusion of iron, steel, and manufactured goods will increase the cost of the overall project by more than 25 percent. Section 1605(c) provides that if the head of a Federal department or agency makes a determination pursuant to section 1605(b), the head of the department or agency shall publish a detailed written justification in the **Federal Register**.

In accordance with section 1605(c) of the Recovery Act and OMB's implementing guidance published on April 23, 2009 (74 FR 18449), this notice advises the public that, on June 11, 2009, HUD granted the Boston Housing Authority, upon its request, an exception to applicability of the Buy American requirements with respect to work, using Recovery Act funds, in connection with the construction of units for Phase 1B of the Washington Beech HOPE VI project. Although a final determination of applicability of the Buy American requirements to housing had not been made at the time that HUD granted the exception, given the compelling exigencies presented by BHA in its waiver request (as described in this notice), HUD considered the waiver request on the assumption of the applicability of the Buy American requirements to the Phase 1B project. The exception was granted by HUD on the basis that applicability of the Recovery Act Buy American requirements would be inconsistent with the public interest.

BHA received Recovery Act funds in the amount of \$10 million for construction of Phase 1B units of the Washington Beech HOPE VI project. An award of the HOPE VI funds to BHA predated BHA's award of the Recovery Act funds. BHA notified HUD that it had procured Trinity Financial as its development partner in 2007 for the HOPE VI grant awarded for the construction of the Phase 1B units. Because the award of the HOPE VI grant to BHA was made prior to passage of the

Recovery Act's requirements, the requirements of section 1605(a) were not included in BHA's procurement process. Trinity Financial secured and selected a general contractor, CWC Builders, Inc., to build the units in Phase 1B. This construction contract between Trinity Financial and CWC was also negotiated prior to the passage of the Recovery Act, and accordingly section 1605 requirements were not included in the contract. The contract requires CWC Builders to obtain all structural steel as soon as possible to meet the construction deadlines for the Phase 1B project.

In addition to these contracts entered into prior to the Recovery Act, Washington Beech Phase 1B will be developed by a limited partnership that includes a tax credit investor, RBC Tax Credit Equity, LLC (RBC). Prior to passage of the Recovery Act, Trinity Financial received a commitment from RBC to provide equity through the Low-Income Housing Tax Credit (LIHTC) program. RBC informed Trinity Financial and BHA that if the funding transaction for Phase 1B did not close and documents were not recorded by June 15, 2009, RBC would withdraw its offer to purchase the Phase 1B credits. Such withdrawal would place Trinity Financial in the situation of having to renegotiate the tax credit contribution or find another equity investor. BHA advised that delay at this juncture would imperil the availability of the tax credits and jeopardize the ability to complete construction of the Phase 1B units by the deadline of July 28, 2010. BHA also advised that, in accordance with the contracts entered into prior to enactment of the Recovery Act, CWC Builders are ready to begin construction immediately upon the closing that was scheduled to take place on June 15, 2009. BHA advised that if there is a delay in the start of construction, jobs planned by the construction would be lost.

HUD determined that application of the Buy American requirements to the Phase 1B units, given the actions and contracts that occurred prior to enactment of the Recovery Act would be inconsistent with the public interest. The exception granted is for Phase 1B units only. It is not applicable to future construction phases at the Washington Beech HOPE VI project.