

Washington

Bldg. U091B, Fort Lewis
Ft. Lewis Co: Pierce WA 98433-
Landholding Agency: Army
Property Number: 219640193
Status: Unutilized
Reason: Extensive deterioration.

Wisconsin

Bldg. 1867, Fort McCoy
Ft. McCoy Co: Monroe WI 54656-
Landholding Agency: Army
Property Number: 219640194
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 6023, Fort McCoy
Ft. McCoy Co: Monroe WI 54656-
Landholding Agency: Army
Property Number: 219640195
Status: Unutilized
Reason: Extensive deterioration.

Wyoming

Bldg. 920, F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189640016
Status: Unutilized
Reason: Secured Area.

Land (by State)

Alaska

Land—Sanak Island
106+acres
Sanak Island Co: Sanak Harbor AK
Landholding Agency: DOT
Property Number: 879640003
Status: Unutilized
Reason: Other
Comment: Inaccessible.

Texas

Land—Harrison Bayou
Longhorn Army Ammunition Plant
Karnack Co: Harrison TX 75661-
Landholding Agency: Army
Property Number: 219640187
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material Floodway.

Washington

Land—Port Hadlock Detachment
Naval Ordnance Center Pacific Division
Port Hadlock Co: Jefferson WA 98339-
Landholding Agency: Navy
Property Number: 779640019
Status: Underutilized
Reason: Within 2000 ft. of flammable or
explosive material Secured Area.

[FR Doc. 96-29156 Filed 11-14-96; 8:45 am]

BILLING CODE 4210-29-M

[Docket No. FR-4168-N-01]**Notice of Sale of HUD-Held Multifamily Mortgage Loans**

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

ACTION: Notice of Midwest sale of multifamily unsubsidized mortgage Loans.

SUMMARY: This notice announces the Department's intention to sell unsubsidized mortgage loans (Mortgage Loans), without Federal Housing Administration (FHA) insurance. The majority of the Mortgage Loans are secured by properties located throughout the Midwest region of the United States, with an additional significant concentration located in the New York-New Jersey area. The Mortgage Loans will be offered for sale on a whole loan basis, in a competitive auction. This notice describes the bidding process for these Mortgage Loans. The Mortgage Loans will be offered for sale only to qualified bidders.

DATES: Bidders' Information Packages will be available in late October, 1996 to qualified bidders. Bidding is expected to take place on December 12-13, 1996, and closing is expected to take place from late-December, 1996 to mid-February, 1997.

ADDRESSES AND CONTACTS: Bidders' Information Packages will be available from FHA's Financial Advisor, Cushman & Wakefield. Bidders' Information Packages and information about individual Mortgage Loans (Bid Materials) will be made available only to parties who complete a Confidentiality Agreement and Bidder Qualification Statement and are deemed qualified bidders. To obtain a Confidentiality Agreement and Bidder Qualification Statement contact John Howley at Cushman & Wakefield, at 202-467-0600. Bidders' Information Packages will be forwarded by regular mail unless a party makes special arrangements to receive the information through expedited delivery.

Asset Review Files for all the Mortgage Loans are expected to be available for review by qualified bidders at the due diligence facility located at 1800 M Street, N.W., Suite 300-South, Washington, D.C. 20036, beginning October 28, 1996. The facility will close on or about December 11, 1996. The facility will be open to qualified bidders between the hours of 9:00 a.m. and 6:00 p.m., Eastern Time, Monday through Friday. Access to the facility can be arranged by contacting Rick Copeland, at Tradewinds International, Inc., HUD's due diligence contractor, at (202) 530-0841 Ext. 29. Asset review files may also be ordered from Tradewinds International, Inc. and sent to qualified bidders in the manner described in the Bidders' Information Package.

FOR FURTHER INFORMATION CONTACT: Audrey Hinton, Associate Director for Program Operations, Office of Multifamily Asset Management and

Disposition, Room 6160, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, DC 20410; telephone (202) 708-3730 Ext. 2691. Hearing or speech impaired individuals may call (202) 708-4594 (TTY). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:**Status of Mortgage Loans**

The Mortgage Loans encumber properties located in 25 states, with a significant number of such properties concentrated in the midwest region of the United States, particularly Illinois and Michigan. A listing of the specific properties involved in the Sale will be included in the Bidders' Information Package.

The Mortgage Loans have experienced varying levels of delinquency. As of September 1, 1996, most of the Mortgage Loans were classified as nonperforming or subperforming because they had been delinquent at least once within the past 12 months. Several of the Mortgage Loans, however, are performing, i.e., they have been current in their monthly payments for the last 12 consecutive months. Mortgage Loans included in this Sale that are now current may become in default on or before the date that title is transferred to the successful bidder, while Mortgage Loans included in this Sale that are now in default may become current on or before such date.

Certain Mortgage Loans are subject to provisional workout agreements.

The Bidding Process*General*

The Department will offer qualified bidders an opportunity to bid competitively on the Mortgage Loans. Bids may be offered for one or all of the Mortgage Loans, as well as for any combination of the Mortgage Loans. More particularly, a bidder may bid on as many individual Mortgage Loans as the bidder chooses. However, no bidder may bid on more than 20 pools of Mortgage Loans (i.e., combinations of two (2) or more Mortgage Loans). Further, a bidder may condition acceptance of its bids upon its being the successful bidder of Mortgage Loans with either (or both) a minimum or a maximum aggregate unpaid principal balance. The Department will accept those conforming bids that optimize the gross proceeds from the Sale.

Bidders' Information Package

The Bidders' Information Package describes in detail the procedures for participating in the Sale and includes bid forms, a loan sale agreement (Loan Sale Agreement), and certain

information concerning each of the Mortgage Loans, such as the unpaid principal balance and interest rate. Also included in the Bidders' Information Package is a computer diskette with general portfolio information and selected data fields related to each Mortgage Loan.

The Department will distribute the Bidders' Information Packages for a period of approximately 6 weeks prior to the date that bids are due (Bid Date). We expect Bidders' Information Packages to be available on October 23, 1996. The Bidders' Information Package may be supplemented from time to time prior to the Bid Date. Interested parties may request a Bidders' Information Package as described above.

Bid Dates

We expect the bidding to take place on December 12–13, 1996. Deposits. Bidders must include a 5 percent Initial Deposit with their bids. If a bidder submits multiple bids, the Initial Deposit will be limited to 5 percent of the bidder's single largest bid amount. The Initial Deposit for a bidder who has created a pool or a number of pools (but not more than 20 pools as provided above) is limited to 5 percent of the single largest bid amount of the bidder's pool bids. Except as set forth in the Loan Sale Agreement, the successful bidders will be notified within three business days after the Bid Date (Award Date). An additional deposit (Final Deposit) will be required from each successful bidder within 2 business days after the Award Date. The Final Deposit when added to the Initial Deposit must total 10 percent of the bidder's successful bids. More specifically, if a bidder submits multiple individual bids, the Final Deposit when added to the Initial Deposit must total 10 percent of the aggregate unpaid principal of all of the bidder's successful bids. Similarly, if a bidder submits a pool bid or multiple pool bids, the Final Deposit must total 10 percent of the aggregate unpaid principal of all of the bidder's successful pool bids.

Timeliness and Conformity of Bids and Deposits

Each bidder assumes all risks of loss relating to its own bidding mistakes and its failure to deliver, or cause to be delivered, on a timely basis and in the manner specified by the department, each bid form, deposit and loan sale agreement required to be submitted by the bidder.

Ties for High Bidder

In the event there is a tie for a high bid, the Department, through its Financial Advisor, will contact the parties with the tie bid and afford each of them an opportunity to offer a best and final bid. The successful bidder will be the one with the highest bid. If a tie continues after the best and final offers are submitted or the bidders do not respond, or do not respond within the time period established by the Department, the successful bidder will be determined by lottery. Notwithstanding the above, the Department reserves the right to withdraw any Mortgage Loan(s) subject to a tie bid.

Closing

The Department will assign its interest in a Mortgage Loan to a successful bidder at the closing, which is expected to occur no later than February 15, 1996. If the successful bidder fails to abide by the terms of the Loan Sale Agreement, including paying the Department any remaining sums due pursuant to the Loan Sale Agreement and closing on an agreed upon date within the time period provided by the Loan Sale Agreement, the Department shall retain as liquidated damages the Initial and Final Deposit (plus accrued interest) from the successful bidder.

Note. These are expected to be the essential terms of the Sale, but are subject to change. Information regarding any such changes along with any other supplements to the Bidders' Information Package will be made available to parties who request and obtain a Bidders' Information Package. The Loan Sale Agreement, which is included in the Bidders' Information Package, provides additional details. To ensure a competitive bidding process, the terms of sale are not subject to negotiation.

Qualification of Bidders/Ineligible Bidders

Qualified bidders, who are interested parties who have such knowledge and experience in financial and business matters so as to be capable of evaluating the merits and risks of acquiring the Mortgage Loans, and who are not otherwise ineligible to bid (as described below), may bid on the Mortgage Loans.

The following individuals and entities (either alone or in combination with others) are ineligible to bid on any one or combination of the Mortgage Loans included in the Sale:

- (1) Any individual or entity debarred from doing business with the Department pursuant to 24 CFR part 24;
- (2) Any employee of the Department, any member of any such employee's household, and any entity controlled by

any such employee or member of such an employee's household;

(3) Any person or entity that employs or uses the services of an employee of the Department (other than in such employee's official capacity) either: (a) who is involved in the Sale, or (b) to assist in the preparation of a bid for the Mortgage Loans;

(4) Any contractor, subcontractor, advisor or consultant (including any agent of the foregoing) who performed services for or on behalf of the Department in connection with the Sale, or any affiliate of any such contractor, subcontractor, advisor, consultant or agent;

(5) Any individual that was a principal or employee of any entity or individual described in paragraph (4) above at any time during which the entity or individual performed services for or on behalf of the Department in connection with the Sale;

(6) Any individual or entity that uses the services of any person described in paragraph (5) above in preparing its bid on any Mortgage Loan(s).

Furthermore, any entity or individual that served as a loan servicer or performed other services for or on behalf of the Department at any time during the 2-year period prior to December 12, 1996 with respect to any Mortgage Loan included in the Sale is ineligible to bid on such Mortgage Loan. The following also are ineligible to bid on such Mortgage Loan: (a) any affiliate or principal of such entity or individual described in the sentence above, (b) any employee or subcontractor of such entity or individual during that 2-year period, or (c) any entity or individual that employs or uses the services of any other entity or individual described in this paragraph in preparing its bid on such Mortgage Loan.

Due Diligence Facility

During the 6-week period prior to the Bid Date, the due diligence facility will be open to prospective qualified bidders, at which the Department will provide information such as environmental and title reports and market data. The address of the facility is specified above. The Department reserves the right to charge a reasonable fee to recover its costs in duplicating and forwarding any information requested by an interested party, as well as an access fee to the due diligence facility, which will be credited to the purchase of any Asset Review Files.

Application of Replacement Reserve and Certain Escrows

If a Mortgage Loan is delinquent at the time of the Sale, to the extent the

Department determines it is permissible, the Department will apply funds in the replacement reserve and miscellaneous escrow accounts to the amount due to the Department under the Mortgage Loan. Any remaining balances in the replacement reserve and any escrow accounts will be transferred to the new mortgagee. If a Mortgage Loan is current at the time of closing, the funds in the replacement reserve account will be returned to the mortgagor in accordance with such terms and conditions as may be established by the Department.

FHA Reservation of Rights

The Department reserves the right to withdraw Mortgage Loans from the Sale and to terminate the Sale at any time, for any reason, and without liability, prior to the Award Date, without prejudice to its right to include any withdrawn Mortgage Loan in a future sale.

The Department also reserves the right to reject any and all bids, in its sole discretion, for any reason, and without liability.

The Department reserves the right to include in the Sale additional Mortgage Loans.

Mortgage Loan Sale Policy

Almost all of the Mortgage Loans are nonperforming or subperforming. All of the Mortgage Loans are unsubsidized, and there is no project-based Section 8 assistance on any of the projects. Therefore, the Department has determined, pursuant to regulations governing FHA mortgage loan sales, published at 24 CFR part 290, Subpart B (Mortgage Sale Regulations), that the Mortgage Loans will be sold without FHA insurance. The Mortgage Sale Regulations provide for the exclusion of delinquent unsubsidized mortgages from sales where it appears that (1) foreclosure appears unavoidable, and (2) the project is occupied by very low-income tenants who are not receiving housing assistance and would be likely to pay rent in excess of 30 percent of their adjusted monthly income if the mortgage were to be sold and foreclosed (24 CFR 290.35(b)). The Department's interpretation of this provision is set forth in the preamble to the February 6, 1996 interim rule (61 FR 4580-81). The Department has made an administrative determination that the Mortgage Loans do not meet the criteria for exclusion. If the Department determines that any Mortgage Loans meet such criteria, they will be removed from this Sale.

The Department selected a competitive auction as the method to sell the Mortgage Loans in accordance with the requirements of the Mortgage

Sale Regulations (e.g., 24 CFR 290.30). This method of sale optimizes the Department's return on the sale of these Mortgage Loans, affords the greatest opportunity for all qualified bidders to bid on the Mortgage Loans, and provides the quickest and most efficient vehicle for the Department to dispose of the Mortgage Loans.

At one time, the Department considered and discussed with industry participants a loan sale procedure that afforded the borrowers the opportunity to acquire their Mortgage Loans on a noncompetitive basis prior to the Department's offering the Mortgage Loans for sale to others (Borrower Settlement Option). For the reasons set forth above, however, the Department decided to dispose of these Mortgage Loans through a competitive auction.

Freedom of Information Requests

The Department has approved a policy for responding to Freedom of Information Act requests for information on the Department's multifamily mortgage loan sales. The purpose of this policy is to clarify for the public and potential purchasers the types of sales information that will be disclosed in connection with the Department's multifamily mortgage sales program. The policy strikes a balance between the Department's policy of disclosing as much information as possible to the public and its interest in minimizing the harm premature release of this information will have upon bidders, and the harm that release of sensitive and confidential financial information would have on the effectiveness of HUD's loan sale programs, and thus, on the American taxpayer.

Given the forgoing, the Department's policy with respect to Freedom of Information Act requests is summarized as follows:

(i) The Department has determined that after the Award Date it will disclose the aggregate number of bidders and the aggregate proceeds the Department expects from the Sale, as well as the bid information materials that the Department provided to the bidders (provided they are not subject to a privacy or confidentiality exemption).

(ii) After all sales are closed the Department will release: (a) a list of all who received bid materials, (b) a list of all bidders, (c) a list of all winning bidders, and (d) the aggregate amount paid for each successful bid on multiple mortgage loans (whether bid as a pool or otherwise).

(iii) No earlier than one year after all of the sales are closed, the Department will disclose individual winning mortgage loan bid prices.

Scope of Notice

This notice applies to the Midwest Sale of Multifamily Unsubsidized Mortgage Loans, and does not establish the Department's policy for the sale of any other mortgage loans.

Dated: November 8, 1996.

Stephanie A. Smith,

General Deputy Assistant Secretary for Housing, Federal Housing Commissioner.

[FR Doc. 96-29385 Filed 11-14-96; 8:45 am]

BILLING CODE 4210-27-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Information Collection Request for Emergency Approval

AGENCY: Fish and Wildlife Service; Interior.

ACTION: Notice.

SUMMARY: This notice announces that the Fish and Wildlife Service (Service) has submitted a proposal for the collection of information described below to the Office of Management and Budget (OMB) for emergency approval under the provisions of the Paperwork Reduction Act of 1995. Copies of the information collection requirement, related forms and explanatory material, may be obtained by contacting the Service's Information Collection Clearance Officer at the phone number listed below. The Service is soliciting comments and suggestions on the requirement as described below.

DATES: Comments must be submitted on or before November 22, 1996.

ADDRESSES: Comments should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Interior Department, Washington, DC 20503; and a copy of the comments should be sent to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, (MS 224 ARLSQ), 1849 C Street, NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Phyllis H. Cook, Service Information Collection Clearance Officer, 703/358-1943; 703/358-2269 (fax).

SUPPLEMENTARY INFORMATION:

Comments are invited on: (1) the accuracy of the agency's estimate of the burden of the proposed collection of information; and, (2) ways to minimize the burden of the collection of information on respondents.

Title: Application for National Wildlife Refuge Use Supplemental