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Dated: August 21, 1997.

Nicolas P. Retsinas,

Assistant Secretary for Housing-Federal Housing, Commissioner.

[FR Doc. 97-22722 Filed 8-26-97; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4264-N-01]

Public Housing Lease and Grievance Procedures; Notice of HUD Due Process Determinations

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

ACTION: Notice of HUD due process determinations.

SUMMARY: Under section 6(k) of the United States Housing Act of 1937, a housing agency (HA) is generally required to provide a public housing tenant with the opportunity for an administrative hearing before commencement of eviction proceedings in court. The statute provides that the HA may bypass the administrative hearing for evictions involving any activity that threatens the health, safety or right to peaceful enjoyment of the premises of other tenants or employees of the HA or any drug-related criminal activity on or of such premises. However, HUD must first make a determination that local law requires a pre-eviction court hearing that provides the basic elements of due process (a

“due process determination”). This notice lists the judicial eviction procedures in the States of Louisiana and North Carolina for which HUD has recently issued a due process determination.

FOR FURTHER INFORMATION CONTACT: Office of General Counsel, Assisted Housing Division, Department of Housing and Urban Development, 451 7th Street, SW., Room 8166, Washington, DC 20410; telephone (202) 708-0470 (This is not a toll free number). Hearing or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

Individuals may arrange to inspect and copy the documents detailing the legal analysis on which the due process determination is based by contacting the Assisted Housing Division.

SUPPLEMENTARY INFORMATION:

I. Background

On March 26, 1996 (61 FR 13272), HUD published a final rule in the **Federal Register** amending its regulations governing public notice and comment rulemaking requirements (24 CFR part 10) and public housing lease and grievance procedures (24 CFR part 966). The final rule added a new paragraph (a)(2)(iii) to § 966.51 which states that “[f]or guidance to the public, HUD will publish in the **Federal Register** a notice listing the judicial eviction procedures for which HUD has issued a due process determination.”

Also on March 26, 1996 (61 FR 13276), HUD published a notice in the **Federal Register** implementing 24 CFR 966.51(a)(2)(iii). The notice provided a State-by-State listing of the due process determinations issued by HUD. Each listing provided a brief description of the judicial eviction procedures required by local law which HUD has determined are consistent with the basic elements of due process, as further defined in 24 CFR 966.53(c).

Subsequent to the publication of the March 26, 1996 notice, HUD issued due process determinations covering the States of Mississippi and Connecticut. Additionally, HUD expanded the coverage of its previously issued determination for the State of Massachusetts to account for a recent change in State law. On September 11, 1996 (61 FR 47953), HUD published a notice in the **Federal Register** which described the judicial eviction procedures in the States of Connecticut, Massachusetts and Mississippi for which it had issued a due process determination.

Since the publication of the March 26, 1996 and September 11, 1996 **Federal Register** notices, HUD has issued two new due process determinations, which cover the States of North Carolina and Louisiana. This notice supplements the March 26, 1996 and September 11, 1996 notices by providing a brief description of the judicial eviction procedures in these two States for which determinations have been issued.

II. Listing of Judicial Eviction Procedures in the States of Louisiana and North Carolina for Which HUD Has Issued a Due Process Determination

Louisiana

A summary action for eviction in the district courts and in the courts of limited jurisdiction under Book VII, Title XI of the Louisiana Code of Civil Procedure.

North Carolina

A summary ejectment action in district court (including a summary ejectment action before a magistrate in district court) and in superior court under Chapter 42, Article 3 of the General Statutes of North Carolina.

Catalog of Federal Domestic Assistance. The Catalog of Federal Domestic Assistance Number for Public Housing is 14.850.

Dated: August 21, 1997.

Kevin Emanuel Marchman,

Acting Assistant Secretary for Public and Indian Housing.

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DEPARTMENT OF THE INTERIOR

Western Water Policy Review Advisory Commission Meeting

AGENCY: Department of the Interior.

ACTION: Notice of open meeting.

SUMMARY: As required by the Federal Advisory Committee Act, notice is hereby given that the Western Water Policy Review Advisory Commission (Commission), established by the Secretary of the Interior under the Reclamation Projects Authorization and Adjustment Act of 1992, will meet to hear testimony, to discuss final language of the draft Commission Report, and to address other Commission business. The purpose of this meeting is to adopt the draft final Commission report. The draft will be sent to everyone on the Commission's mailing list and other interested parties for a 60 day public review period, beginning approximately October 10, 1997.