DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[2001, and thereafter as necessary on

occur periodically through November,

commence within the near future and

these informal consultations will

representatives, governmental

PHAs and residents, housing advocacy

residents, representatives of PHAs and

stakeholders (such as PHAs,

representatives of PHAs, public housing

residents, representatives of PHAs and

residents, housing advocacy

representatives, governmental

representatives and other groups HUD

represents) and seek their input to

attend informal meetings on PHAS.

AGENCY: Office of the Assistant

Secretary for Public and Indian

Housing, and Office of the Director of

the Real Estate Assessment Center, HUD.

ACTION: Notice of revised timetable for

issuance of management operations

official scores and PHAS advisory

scores and intent to commence informal

meetings on PHAS.

SUMMARY: This document advises that

the Management Operations indicator

under the Public Housing Assessment

System (PHAS) will continue to be the

official assessment for public housing

agencies (PHAs) with fiscal years ending


Accordingly, HUD will issue these

management scores and PHAS advisory

scores as provided in the

Supplementary Information section of

this document. Further, this document

notifies the public of the intent of the

Department to conduct informal

consultations with PHAs, public housing

residents, representatives of

PHAs and residents, housing advocacy

representatives, governmental

representatives, and such other groups

that HUD may identify regarding ways

to improve HUD’s on-going procedures

for assessing the performance of public

housing agencies. It is expected that

these informal consultations will

commence within the near future and

occur periodically through November,

2001, and thereafter as necessary on
dates and at locations provided by
the Department.

FOR FURTHER INFORMATION CONTACT: For

further information contact the Office of

Public and Indian Housing, Office of

Troubled Agency Recovery Attention:

Judy Wojciechowski, Director of PHAS
Operations, U. S. Department of

Housing and Urban Development, 451

Seventh Street, SW, Room 4112,

Washington, D.C. 20410 or the Real

Estate Assessment Center (REAC),

Attention: Wanda Funk, U. S.

Department of Housing and Urban
Development, 1280 Maryland Avenue,

SW, Suite 800, Washington DC, 20024;
telephone Customer Service Center at

(888)-245-4860 (this is a toll free

number). Persons with hearing or

speech impairments may access that

number via TTY by calling the Federal

Information Relay Service at (800) 877–

8339. Additional information is

available from the REAC Internet Site,


SUPPLEMENTARY INFORMATION: HUD’s

rule implementing the PHAS was

published on September 1, 1998 (64 FR

46596), and became effective October 1,

1998. Although the PHAS regulation

became effective October 1, 1998, the

final rule provided a one year delayed

implementation date.

On January 11, 2000 (65 FR 1712),

HUD issued an amended PHAS rule.

The amendments were prompted by

both statutory and administrative

changes to the PHAS and comments

from interested parties. The amended

rule deferred full implementation of

PHAS for PHAs with fiscal year end

dates of September 30, 1999, and

December 31, 1999. The January 11,

2000 rule provided that these PHAs

would receive an assessment score

based only on the Management

Operations indicator (MASS).

On June 6, 2000 (65 FR 36042), HUD

issued a technical correction to the

January 11, 2000, final rule and one of

the corrections further deferred full

implementation of PHAS for PHAs with

fiscal years ending on and after June 30,

2000.

The Conference Report 106–988 for

the Department’s Fiscal Year 2001

Appropriations Act (Pub L. 106–377,

approved October 27, 2000), directed

the Department to, among other things,

continue to assess the accuracy and

effectiveness of the PHAS system,

perform a statistically valid test of

PHAS, conduct a thorough analysis of

the results, and have the methodology

and results reviewed by an independent

expert before taking any adverse action

against a PHA based solely on its PHAS

score. A report addressing these issues

was provided to HUD’s Committee on


Consistent with the direction of the

conference, HUD issued a PIH notice

(Notice PIH 2001–5), issued January 19,

2001, that provided prior to March 1,

2001, HUD would not take adverse

action against PHAs solely on the basis

of the PHAS scores. “Adverse action”

was defined as troubled designations

based upon the final PHAS composite

score. In accordance with the PIH

notice, all official troubled/substandard

designations (with the exception of

substandard management operations

indicator designations), beginning with

PHAs with June 30, 2000, fiscal year

date, were held in abeyance prior to

HUD’s March 1, 2001, submission

date.

Given these recent events, HUD has
determined that full implementation of

PHAS should be further deferred until

after June 30, 2001. Accordingly, PHAs

with fiscal years ending June 30, 2000,

through June 30, 2001, will receive an

assessment solely on the basis of HUD’s

assessment of the PHA’s management

operations in accordance with 24 CFR

part 902, subpart D of the PHAS

regulations (PHAS Indicator #3,

Management Operations), as amended

by the January 11, 2000, final rule, and

corrected by the June 6, 2000, PHAS

Technical Correction.

Further, it is the Department’s intent
to meet with public housing

stakeholders (such as PHAs,

representatives of PHAs, public housing

residents, representatives of PHAs and

residents, housing advocacy

representatives, governmental

representatives and other groups HUD

may identify) and seek their input to

identify any necessary modifications to

the rule and to publish, if appropriate,
a new amended PHAS rule to address

changes. Through these meetings,

H UD is not seeking consensus advice, but

only feedback on experiences with the

PHAS, identification of problems and

recommendations for modifications.

In the interim, modified PHAS scores,
as established by appropriate procedures

and notification, may be issued to PHAs

with fiscal years ending on September

30, 2001, December 31, 2001, March 31,

2002, and June 30, 2002. The following

sets out the timetable for issuance of

PHAS advisory scores and official

MASS scores.

Revised Timetable

PHAs With Fiscal Years Ending:

June 30, 2000, September 30, 2000,

December 31, 2000, March 31, 2001,

and June 30, 2001, HUD will not issue

PHAS scores for the fiscal years ending

on these dates. For these PHAs, in lieu of

a PHAS score, HUD will issue the

following:

Management Assessment Score. PHAs

with a fiscal year ending June 30, 2000,

September 30, 2000, December 31, 2000,

March 31, 2001, or June 30, 2001, will

receive an official assessment score on

the basis of HUD’s assessment of the

PHA’s management operations in

accordance with 24 CFR part 902,
subpart D of the PHAS regulation (PHAS Indicator #3, Management Operations).

1. A PHA may be designated troubled (substandard management) as a result of the management operations assessment score.

2. A PHA may appeal its management operations score in accordance with 24 CFR 902.69.

PHAS Advisory Score. PHAs with a fiscal year ending June 30, 2000, September 30, 2000, December 31, 2000, March 31, 2001, or June 30, 2001, will be issued a PHAS advisory score. The PHA must comply with the requirements of 24 CFR part 902 (the PHAS regulation) so that HUD may issue the advisory score.

1. Physical inspections will continue to be performed by HUD, as part of the PHAS advisory score process, using HUD’s Uniform Physical Condition Standards inspection protocol. However, PHAs with an overall score in the PHAS Physical Condition indicator of at least 80 percent of the 30 available points (or 24 points) will not be inspected this fiscal year. The physical inspection scores from last year will be utilized to calculate the PHAS advisory scores for these PHAs.

2. All PHAs are required to document the correction or abatement of exigent health and safety hazards in accordance with PHAS requirements and should provide Field Offices with certification of such action(s).

3. PHAs must comply with the reporting requirements of PHAS, and be assessed by HUD under the PHAS on an advisory basis.

4. PHAs may not appeal advisory scores, but are encouraged to take advantage of the technical review process for the Physical Condition indicator and the Resident Service and Satisfaction indicator (24 CFR part 902.68). Also available under the Physical Condition indicator is the database adjustment (24 CFR part 902.25).

5. Notwithstanding the automatic designations generated by the Department’s technological systems, all designations other than MASS troubled (substandard management) will be held in abeyance, as well as any incentives that are awarded for such designations.

PHAs With Fiscal Years Ending After 6/30/01

Since it is the intent of the Department to conduct informal consultations with PHAs, residents, and others interested in public housing, on ways to improve HUD’s on-going methodology and procedures for assessing the performance of public housing agencies, and these informal consultations are expected to commence within the near future and continue periodically through November 2001; PHAs with fiscal years ending after June 30, 2001 through June 30, 2002, may be issued modified PHAS scores as established by appropriate procedures and notification.


Gloria Cousar,
Acting General Deputy Assistant Secretary for Public and Indian Housing.

Barbara Burkharter,
Deputy Director, Real Estate Assessment Center.

[FR Doc. 01–13487 Filed 5–29–01; 8:45 am]
BILLING CODE 4210–33–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA–0680–7123–MA–6763]

Prohibition of Use of Firewood Containing Nails, Screws, and Other Metal Hardware Within the Boundaries of the El Mirage Cooperative Management Area; and Rasor, Johnson Valley, Stoddard Valley, and the Dumont Dunes OHV Recreation Areas, San Bernardino County, CA

AGENCY: Bureau of Land Management, (BLM) Interior.

ACTION: Notice of the implementation of a supplementary rule banning the use of firewood containing nails, screws, and other metal hardware within the public lands within the El Mirage Cooperative Management Area; and Rasor, Johnson Valley, Stoddard Valley, and the Dumont Dunes OHV Recreation Areas, San Bernardino County, California.

SUMMARY: Order: A supplementary rule will take effect that will ban the use of firewood containing nails, screws, and other metal hardware in the El Mirage Cooperative Management Area; and Rasor, Johnson Valley, Stoddard Valley, and the Dumont Dunes OHV Recreation Areas. The supplementary rule will be cited under 43 CFR 8365.1–6, Visitors Services, Rules of Conduct, Supplementary Rules. The text of these rules follows:

1. Ban on Firewood Containing Nails, Screws, and Other Metal Hardware Within the El Mirage Cooperative Management Area; and Rasor, Johnson Valley, Stoddard Valley, and the Dumont Dunes OHV Recreation Areas. (a) Due to an ongoing problem with nails, screws, and other metal hardware from pallets and construction lumber causing damage to vehicle tires and a safety problem for the visitors to the El Mirage Cooperative Management Area; and Rasor, Johnson Valley, Stoddard Valley, and the Dumont Dunes OHV Recreation Areas, there is a demonstrated need for the removal of firewood containing nails, screws, and other metal hardware and elimination of their use within the management areas.

(b) Upon the Public Lands within the established boundaries of the El Mirage Cooperative Management Area; and Rasor, Johnson Valley, Stoddard Valley, and the Dumont Dunes OHV Recreation Areas, no person shall bring in, dispose of or possess any firewood containing nails, screws, and other metal hardware.

Background: The purpose of this supplementary rule is to protect visitors to the El Mirage Cooperative Management Area; and Rasor, Johnson Valley, Stoddard Valley, and the Dumont Dunes OHV Recreation Areas from serious injury to themselves as well as damage to their vehicle’s tires as a result of discarded nails, screws, and other metal hardware from firewood.

At this time, nails, screws, and other metal hardware are evident in areas of concentrated use and around high traffic areas. This regularly results in tire damage to visitor’s vehicles and to Bureau patrol vehicles. Falling or stepping on nails, screws, or other metal hardware continues to be a hazard to campers who prefer to utilize well used camping areas.

EFFECTIVE DATE: This rule will take effect on the date of June 1, 2001.

FOR FURTHER INFORMATION CONTACT: Barry Nelson, Chief Ranger, Bureau of Land Management, 2601 Barstow Road, Barstow, California 92311; or call (760) 252–6070.

SUPPLEMENTARY INFORMATION: Area maps, Management Area brochures, and copies of the Management Plans are available by contacting the above personnel.

Authority for this supplemental rule is found in 43 CFR 8365.1–6. Violation of this rule is punishable by a fine not to exceed $100,000/or imprisonment not to exceed 12 months.

Dated: May 9, 2001.

Mike Pool,
California State Director.

[FR Doc. 01–13557 Filed 5–29–01; 8:45 am]
BILLING CODE 4310–40–P