address, telephone number, fax number, e-mail address, title, business affiliation (if applicable), the sponsor of the presentation (e.g., the organization paying travel expenses or fees), a brief summary of the presentation, and the approximate amount of time requested for the presentation. Presentation times may be limited. Persons or groups having similar interests are encouraged to consolidate their presentations and present them through a single representative.

Persons needing a sign language interpreter or other special accommodations should notify the contact person by July 17, 2002.

Transcripts: Transcripts of the public workshop will be available for review at the Dockets Management Branch Public Reading Room, Food and Drug Administration, rm. 1061, 5630 Fishers Lane, Rockville, MD 20852 and on the Internet at http://www.fda.gov/ohrms/dockets/ac/cder02.htm or you may request a transcript of the public workshop from the Freedom of Information Staff (HFI–35), Food and Drug Administration, rm. 12A–16, 5600 Fishers Lane, Rockville, MD 20857, approximately 20 working days after the public workshop, at a cost of 10 cents per page.

Dated: July 8, 2002.

Margaret M. Dotzel,

Associate Commissioner for Policy.

[FR Doc. 02–17513 Filed 7–11–02; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4736–N–08]

Notice of Proposed Information Collection for Public Comment—Housing Agency (HA) Calculation of Occupancy Percentage for a Requested Budget Year (RBY) PHA-Owned Rental Housing Performance Funding System (PFS)

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, 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:* September 10, 2002.

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: Mildred M. Hamman, Reports Liaison Officer, Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 4238, Washington, DC 20410–5000.

FOR FURTHER INFORMATION CONTACT: Mildred M. Hamman, (202) 708–3642, extension 4128, for copies of the proposed forms and other available documents. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The Department will submit 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 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: HA Calculation of Occupancy Percentage for a Requested Budget Year (RBY).

OMB Control Number: 2577–0066.

Description of the need for the information and proposed use: This collection of information is necessary to ensure that Housing Agencies determine an appropriate and justifiable occupancy percentage for RBY in a uniform manner when calculating operating subsidy eligibility under the PFS.

Agency form numbers, if applicable: HUD–25728.

Members of affected public: State and Local Governments (Public Housing Agencies).

Estimation of the total number of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: 3,100 PHAs (respondents), one form per PHA, one hour per response for a total of 3,100 hours which includes preparation of the response (3,100 hours) and recordkeeping burden.

Status of the proposed information collection: Extension.

Authority: Section 3506 of the paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: July 2, 2002.

Michael Liu,

Assistant Secretary for Public and Indian Housing.

BILLING CODE 4210–33–M

HA Calculation of Occupancy Percentage for a Requested Budget Year (RBY)

PHA/IHA-Owned Rental Housing Performance Funding System (PFS)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0066
(Exp. 9/30/2002)

1a. Name and Address of PHA/IHA (Include Street Address, City, State, Zip Code)	2a. Contact (Person who can best answer questions about this submission) 2.b Contact's Phone Number (include area code)

3. RBY Beginning Date: (mo/day/yyyy)	4. Type of Submission	5. PAS/LOCCS Project Number	6. Report Date (mo/day/yyyy) (check one box)	7. Data Source
	☐ Original ☐ Revision No. ( )		☐ Actual Day ☐ Average for Actual Month	☐ form HUD-51234 ☐ Rent Roll Records

Part A. Actual Occupancy Data as of Report Date

8. Units Occupied	
9. Units Available	
10. Actual Occupancy Percentage (Divide line 8 by line 9; multiply by 100 and round to nearest whole)	%

Stop & Note 11. If the HA-wide occupancy percentage shown on line 10 is 97% or greater **and** the HA believes that an average occupancy rate of at least 97% is sustainable for the RBY, then check the box below. You have completed the form and do not need to proceed further.

☐ High Occupancy HA: Occupancy Percentage is 97% or higher and is sustainable for the RBY ➔ Use 97% as the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723

12. Units vacant as of Report Date (subtract line 8 from line 9 and enter result)	

Stop & Note 13. If the result on line 12 is five or fewer vacant units **and** the HA believes that during the RBY: 1) the inventory (line 9) will not change; and, 2) the number of vacant units on line 12 will be vacant for the full RBY, then check the box below. You have completed the form and do not need to proceed further.

☐ High Occupancy HA with five or fewer vacant units ➔ Use line 10 for the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723

Part B. Distribution of Actual Vacancies By Major Cause Given below are circumstances and actions recognized by HUD as possible causes of vacancies that are beyond the control of the HA to correct. If appropriate, please distribute the number of vacant units reported on line 12 among these causes. Attach sheet identified with HA name and address, the RBY beginning date, and ACC number. Use the sheet to describe, for each circumstance; when the circumstance occurred; the location of the units involved; why the circumstance is preventing the HA from occupying, selling, demolishing, rehabilitating, reconstructing, consolidating or modernizing the vacant units; and the likelihood that these circumstances will be mitigated or eliminated in the RBY.

14. Units vacant because of litigation (e.g., units that are being held vacant as part of court-ordered or HUD-approved desegregation plan)	
15. Units vacant because of Federal, Tribal, or State laws of general applicability. (Note: do not include units vacant only because they do not meet minimum construction or habitability standards.)	
16. Units vacant due to changing market conditions	
17. Units vacant because of natural disaster	
18. Units vacant because of insufficient funding for otherwise approvable CIAP application	
19. RMC-managed units vacant because of failure of HA to fund approvable request for Federal modernization funding **(This line for use only by RMCs)**	
20. Units vacant because of casualty loss and need to settle insurance claims	
21. Total Units Vacant Due To Circumstances Beyond The HA's Control (Enter sum of lines 14 - 20)	
22. Units vacant after adjusting for circumstances beyond the HA's control (Subtract line 21 from line 12)	

Stop & Note 23. If the result on line 22 is five or fewer vacant units **and** the HA believes that during the RBY: 1) the inventory (line 9) will not change; and, 2) the number of vacant units on both lines 21 and 22 will be vacant for the full RBY, then check the box below. You have completed the form and do not need to proceed further.

☐ High Occupancy HA with five or fewer vacant units after adjustment for vacancies beyond its control ➔ Use line 10 for the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723

24. Vacancy Percentage after adjusting for beyond control circumstances (Divide line 22 by line 9, multiply by 100, and round to nearest whole)	%

Stop & Note 25. If the result on line 24 is 3% or less **and** the HA believes that during the RBY: 1) the inventory (line 9) will not change; and, 2) the number of vacant units on lines 21 and 22 will be vacant for the full RBY, then check the box below. You have completed the form and do not need to proceed further.

☐ High Occupancy HA: 3% or less vacancy rate afteradjustment for vacancies beyond control ➔ Use line 10 for the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723

This form replaces forms HUD-52728-A thru -C which have been canceled. Previous edition is obsolete.

form **HUD-52728** (8/2001)
ref Handbook 7475.13

Part C. Status of Units Undergoing Modernization as of Report Date If changes occur after the Report Date but prior to submission of this form, the most current status will be shown.

26. Protected Units	Occupied Units	Vacant Units
a: Number of units that are under modernization construction (contract awarded or force account work started)		
b. Number of units not under construction contract but included in a HUD-approved modernization budget where the time period for placing the units under construction (two FFYs after FFY of approval) has not yet expired.		
27. Unprotected Units: Number of units included in a HUD-approved modernization budget where the time period for placing the units under construction (two FFYs after FFY of approval) has expired.		

Part D. Units Estimated to be Available for Occupancy During RBY	(a) No. of Units	(b) Avg. No. of Mos. in RBY	(c) No. of Unit Mos.(a x b)
28. Units Available as of Report Date (Enter line 9)		12	
29. Additional Units Available During RBY because of Development/Acquisition of PFS-Eligible projects	+		+
30. Units Unavailable During RBY because of Demolition/Disposition/Conversion Actions Approved By HUD	-		-
31. Total (Add lines 28 and 29; subtract line 30)			

Part E. Units Estimated to be Occupied During RBY			
32. Units Occupied as of Report Date (Enter line 8)		12	
33. Additional Units Occupied during RBY because of Development/Acquisition of PFS-Eligible Projects	+		+
34. Reoccupancy during RBY of Units Vacated for Circumstances Beyond the HA's Control	+		+
35. Reoccupancy during RBY of Vacant Units in a Funded Modernization Program	+		+
36. Occupied Units in Funded Modernization Program Being Vacated during RBY	-		-
37. Occupied Units Being Vacated during RBY because of Demolition/Disposition/Conversion Actions Approved by HUD. If there are occupied units that become vacant after the Report Date but before the start of the RBY because of circumstances and actions beyond the HA's control, place that number here ( ) and include in total shown on 37. Attach separate sheet with same information requested in Part C.			
38. Total (Add lines 32-35, subtract lines 36 and 37)			

Part F. Occupancy Percentage During RBY	
39. Total Unit Months of Occupancy (Enter line 38c)	
40. Total Unit Months Available for Occupancy (Enter line 31c)	
41. Occupancy Percentage for RBY (Divide line 39 by line 40; multiply by100 and round to nearest whole)	%
42. Average Number of Vacant Units During RBY (Subtract line 39 from line 40;divide result by 12 and round to nearest whole)	

Stop & Note

43. If the result on line 41 is 97% or higher **or** if the result on line 42 is five or less, then check the appropriate box below. You have completed the form and do not need to proceed further.

- ☐ a. High Occupancy HA: Occupancy Percentage is 97% or higher for the RBY ➔ Use 97% as the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723
- ☐ b. High Occupancy HA with five or fewer vacant units ➔ Use line 41 for the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723

Part G. Vacancy Percentage for RBY Adjusted for Modernization		
44. Total Unit Months of Vacancy in RBY (Enter line 40 less line 39)		
45. Total Unit Months for Vacant Units In Funded Mod. and Under Construction or Funded for Construction (Sum the vacant units of lines 26a and b; multiply by 12)		
46. If any of the vacant units on lines 26a or b will be reoccupied during the RBY, enter that number times the average number of months during the RBY these units will be reoccupied.	-	
47. If any of the occupied units on lines 26a or b will be vacated during the RBY for mod. construction, enter that number times the average number of monthsduring the RBY these units will be vacated.	+	
48. Total Unit Months for Vacant Units In Funded Mod. And Under Construction or Funded For Construction In RBY (Add line 45; less line 46; plus line 47)		
49. Total Unit Months of Vacancy in RBY Adjusted for Modernization (Enter line 44 less line 48)		
50. Vacancy Percentage for RBY Adjusted for Modernization (Divide line 49 by line 40; multiple by 100; and round to nearest whole.)		%
51. Average Number of Vacant Units in RBY Adjusted for Modernization (Divide line 49 by 12; round to nearest whole)		

Stop & Note

52. If the result on line 50 is 3% or lower **or** if the result on line 51 is five or less, then check the appropriate box below. You have completed the form and do not need to proceed further.

- ☐ a. High Occupancy HA: Vacancy Percentage is 3% or less for the RBY after Modernization Adjustment ➔ Use line 41 as the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723
- ☐ b. High Occupancy HA: five or fewer vacant units after Modernization Adjustment ➔ Use line 41 for the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723

This form replaces forms HUD-52728-A thru -C which have been canceled. Previous edition is obsolete.

form **HUD-52728** (8/2001)
ref Handbook 7475.13

Part H. Vacancy Percentage for RBY Adjusted for Both Modernization *and* Beyond Control Circumstances	
53. Total Unit Months of Vacancy in RBY (Enter line 44)	
54. Total Unit Months of Vacancy in RBY Due to Modernization (Enter line 48)	
55. Total Unit Months of Vacancy in RBY Due to Beyond Control Vacancies (Enter line 21 times 12; less any entry made on line 34c)	
56. Total Unit Months of Vacancy After Above Adjustments (Enter line 53 less lines 54 and 55)	
57. Vacancy Percentage for RBY After Above Adjustments (Divide line 56 by line 40; multiple by 100; and round to nearest whole.)	%
58. Average Number of Vacant Units in RBY After Above Adjustments (Divide line 56 by 12; round to nearest whole)	

Stop & Note

59. If the result on line 57 is 3% or lower **or** if the result on line 58 is five or less, then check the appropriate box below. You have completed the form and do not need to proceed further.

- ☐ a. High Occupancy HA: Vacancy Percentage is 3% or less for the RBY after Modernization Adjustment → Use line 41 as the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723
- ☐ b. High Occupancy HA: five or fewer vacant units after Modernization Adjustment → Use line 41 for the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723

Part I. Adjustment for Long Term Vacancies If the HA estimates that it will have a vacancy percentage of more than 3% for its RBY and more than five vacant units after adjusting for vacant units undergoing modernization and vacancies beyond its control, the HA will exclude all of its long-term vacancies (if any) from its count of units available for occupancy and use this section to determine its projected occupancy percentage.

60. Total Long-term Vacancies (Subtract vacant units shown on lines 21, 26a, and b from line 12. Analyze remaining vacancies and identify those units that have been vacant for more than 12 months as of the Report Date.)	
61. Unit Months of Vacancy Associated With Long-Term Vacancies (Multiply line 60 by 12)	
62. Total Unit Months Available for Occupancy in RBY Adjusted for Long-Term Vacancies (Subtract line 61 from line 31(c)) Use this UMA number in all other PFS calculations.	
63. Occupancy Percentage for RBY Adjusted for Long-Term Vacancies (Divide line 38(c) by line 62; multiply by 100 and round to nearest whole)	%
64. Average Number of Vacant Units in RBY after All Adjustments (Subtract line 60 from line 58)	
65. Total Unit Months of Vacancy in RBY after All Adjustments (Subtract line 61 from line 56)	
66. Vacancy Percentage for RBY Adjusted for Long-Term Vacancies (Divide line 65 by line 62; multiply by 100 and round to nearest whole)	%

Stop & Note

67. If the result on line 63 is 97% or higher **or** if the result on line 64 is five or less ***or*** if the result on line 66 is 3% or less, then check the appropriate box below. You have completed the form and do not need to proceed further.

- ☐ a. High Occupancy HA: Occupancy Percentage is 97% or higher for the RBY after Long-Term Vacancies Adjustment → Use 97% as the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723. **Use the UMA result on line 62 in calculating PFS eligibility.**
- ☐ b. High Occupancy HA: Five or fewer vacant units after Adjustment for Long-TermVacancies → Use line 63 as the Projected Occupancy Percentage on Part B, line 11of form HUD-52723. **Use the UMA result on line 62 in calculating PFS eligibility.**
- ☐ c. High Occupancy HA: Vacancy Percentage is 3% or lower for the RBY after Long-Term Vacancies Adjustment → Use line 63 as the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723. **Use the UMA result on line 62 in calculating PFS eligibility.**

Part J. Projected Occupancy Percentages for Low Occupancy HAs If the HA cannot determine an acceptable Projected Occupancy Percentage for the RBY using the above approach, it will use this section. The HA will use the lower of either 97% or that percentage based on having five units vacant for the RBY. Either percentage can be adjusted for vacant units undergoing modernization construction and vacancies beyond its control. Small HAs of 140 units or less will generally want to use a percentage based on five vacant units.

68. Enter 97% if HA has more than 140 units. If 140 or fewer units, determine occupancy percentage based on 5 vacant units, for RBY. (Take 60 unit months and divide by line 62; multiply by 100 and round to nearest whole. Subtract result from 100%)	%
69. Percentage Adjustment for Modernization and Beyond Control Vacancies (Add lines 48 plus 55; divide that sum by line 62; multiply by 100 and round to nearest whole)	%
70. Projected Occupancy Percentage for Low Occupancy HA (Take the percentage on line 68 and subtract the percentage shown on line 69. Use the result as the Projected Occupancy Percentage on Part B, line 11 of form HUD-52723. **Use the UMA result on line 62 in calculating PFS eligibility)**	%

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Instructions for Preparing Form HUD-52728, HA Calculation of Occupancy Percentage for a Requested Budget Year (RBY)

The purpose of this form is to provide a structured format for Public Housing Authorities (PHAs), Indian Housing Authorities (IHAs), and, if applicable, Resident Management Corporations (RMCs) to use in developing an appropriate and justifiable projection of occupancy for the RBY. The projected occupancy percentage that is developed will be used as one element in the calculation of operating subsidy under the Performance Funding System (PFS), 24 CFR Parts 950 and 990, as applicable. The term Housing Authority (HA) will be used to collectively describe both PHAs and IHAs. The form is **not** for use by HAs requesting operating subsidy solely to cover the cost of an Independent Audit (IA).

The instructions should be read carefully since it may not be necessary for a HA to complete all sections of the form in order to determine an acceptable projected occupancy percentage for the RBY. The form has been designed to go from the most simple situation to the relatively more complex cases. If, at any point, an HA is able to classify itself as a High Occupancy HA, it does not need to proceed further with the form.

Headings:

RBY Beginning. Enter the beginning month, day and year of the requested budget year for which this form is submitted.

Type of Submission. Indicate whether this form is (1) the original submission for the RBY or (2) a revision of the latest approval for the subject fiscal year. If a revision, enter the revision number.

ACC Number. Enter the number of the Annual Contributions Contract (ACC) covering the projects for which this form is submitted.

PAS/LOCCS Project No. Enter the PAS/LOCCS Project Number applicable to the corresponding Calculation of Performance Funding System Operating Subsidy, form HUD-52723.

Report Date. Enter the date of the occupancy data collected to determine the actual occupancy percentage. **Unless otherwise approved by HUD**, that date will be the last day of the month ending six months before the start of the HA's RBY or the monthly average for the month ending six months before the start of its budget year. Check whether actual day data was used or an average was constructed using actual data for the month.

Data Source. Indicate the data source used to calculate the actual occupancy percentage.

Part A. Actual Occupancy Data as of Report Date

Using actual occupancy data as of the Report Date, an HA will determine its actual occupancy percentage and number of vacant units. For many HAs, this will be the only section that will need to be completed.

Part B. Distribution of Actual Vacancies By Major Cause

This part allows the HA to present data and supporting narrative on the number of units that are vacant for reasons that are beyond the control of the HA to correct. For a further description of allowable reasons, please refer to ¶ 990.102 and the definition of units vacant due to circumstances and actions beyond the HA's control.

Part C. Status of Units Undergoing Modernization

Data in this part will be used in determining the occupancy percentage for the RBY. If the RBY occupancy percentage is less than 97% and HA will have more than five vacant units, data from this part will be used in Part G to determine if the RBY occupancy percentage is justified. Report occupied units, as appropriate, on lines 26a., 26b., and 27, if they will be subsequently vacated in order for construction work to be performed and then reoccupied upon completion. If changes occur after the Report Date but prior to the submission of this form, the most current status will be shown.

Line 26. Enter data on the number of protected units, both vacant and occupied, as of the Report Date, which may fall into two categories: (a) the number of units that are under construction (contract awarded or force account work started); or (b) the number of units not under construction contract but included in a HUD-approved modernization budget where the time period for placing the units under construction (two Federal Fiscal Years (FFYs) after the FFY of approval) has not yet expired.

Line 27. Enter data on the number of unprotected units, both vacant and occupied, as of the Report Date, which are the number of units included in a HUD-approved modernization budget where the time period for placing the units under construction (two FFYS after FFY of approval) has expired and the units are not yet under construction. Note: When such units subsequently reach construction, they will become protected units. If a change in status occurs after the initial subsidy calculation has been approved, an HA may recalculate its subsidy eligibility as part of its year-end adjustments.

Part D. Units Estimated to be Available for Occupancy During RBY

Data which is entered on **line 29** or **line 30** must only reflect actions that have been approved by HUD, including approvals made after the Report Date but prior to the submission of this form. If there are pending applications for HUD approval of actions that would increase or decrease the number of units available for occupancy at the time of submission, that data will be excluded.

Part E. Units Estimated to be Occupied During RBY

Line 33. Use this line to show the number of units on line 29. (if any) that will be occupied during the RBY.

Line 34. Use this line to show the number of units on line 21. (if any) that will be occupied during the RBY.

Line 35. Use this line to show the number of vacant units on lines 26a and 26b. (if any) that will be reoccupied during the RBY.

Line 36. Use this line to show the number of occupied units on lines 26a, 26b, and 27. (if any) that will be vacated during the RBY.

Line 37. Use this line to show the number of units on line 30. (if any) that will be vacated during the RBY.

Part G. Vacancy Percentage for RBY Adjusted for Modernization

Note that this section deals with units that meet the definition of being vacant units undergoing modernization. The units must be under construction and on-schedule or funded for construction with the time period (two-year maximum after award) for fund obligation not expiring.

Part I. Adjustment for Long Term Vacancies

Note that if this section is used, the HA will be recalculating its Unit Months Available (UMAs) to exclude long-term vacancies and must use the recalculated result in its determination of PFS eligibility. If the UMAs for occupancy have been adjusted for long term vacancies, the unit months associated with those vacancies, line 61, shall be multiplied by 20% of the AEL (Part A, line 8 of the HUD-52723 prepared for RBY) and the result displayed on Part D, line 7 of the HUD-52723.

[FR Doc. 02–17489 Filed 7–11–02; 8:45 am]

BILLING CODE 4210–33–C

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4730–N–28]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

EFFECTIVE DATE: July 12, 2002.

FOR FURTHER INFORMATION CONTACT: Mark Johnston, Department of Housing and Urban Development, Room 7262, 451 Seventh Street, SW., Washington, DC 20410; telephone (202) 708–1234; TTY number for the hearing- and speech-impaired (202) 708–2564, (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1–800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless.

Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: July 2, 2002.

John D. Garrity,

Director, Office of Special Needs Assistance Programs.

[FR Doc. 02–17057 Filed 7–11–02; 8:45 am]

BILLING CODE 5210–29–M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Privacy Act of 1974, as Amended; Addition of a New System of Records

AGENCY: Department of the Interior.

ACTION: Proposed addition of a new system of records.

SUMMARY: The Department of the Interior is issuing public notice of its intent to add a new Privacy Act system of records to its inventory of records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a). This action is necessary to meet the requirements of the Privacy Act to publish in the **Federal Register** notice of the existence and character of records systems maintained by the agency (5 U.S. C. 552a(e)(4)). The new system of records is called the Electronic Email Archive System (EEAS), Interior—OS–10.

EFFECTIVE DATE: 5 U.S.C. 552a(e)(11) requires that the public be provided a 30-day period in which to comment on the intended use of the information in the system of records. Any persons interested in commenting on this proposed system of records may do so by submitting comments in writing to the Departmental Privacy Act Officer, U.S. Department of the Interior, Office of the Chief Information Officer, MS 5312 MIB, 1849 C Street NW., Washington, DC 20240.

Comments received within 30 days of publication in the **Federal Register** will be considered. The system will be effective as proposed at the end of the comment period unless comments are received which would require a contrary determination. In that case the Department will publish any changes to the routine uses.

FOR FURTHER INFORMATION CONTACT: For information on the Electronic Email Archive System contact Regina Lawrence, Office of the Chief Information Officer, Department of the Interior at 202–208–5413, or mail at MS–5312–MIB, 1849 C St. NW., Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The Interior Electronic Email Archive System (EEAS) will contain data from certain Department of the Interior bureaus/offices with Indian Trust program responsibilities for the purpose of responding to discovery requests from plaintiffs and requests from the Court, the Special Master, and the Court Monitor in *Cobell et al.* v. *Norton, et al.*, U.S.D.C. D.C., No. 1:96CV01285. The capability of the system to retrieve information from an email archive depository will assist compliance with court requirements.

Dated: July 9, 2002

Marilyn Legnini,

Departmental Privacy Act Officer, Office of the Chief Information Officer.

INTERIOR/OS–10.

SYSTEM NAME:

Electronic Email Archive System (EEAS).

SECURITY CLASSIFICATION:

Sensitive, but unclassified.

SYSTEM LOCATION:

The records of this system are located at a digital safe site at a location managed by the contractor for the Department of the Interior. Only information maintained at this site by the contractor is considered a Privacy Act system of records covered by this notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system contains information on individuals who send and receive electronic messages using Internet email and interoffice email from and to those Departmental bureaus/offices involved with Indian Trust programs, and those individuals who are referred to in the electronic messages. These bureaus/offices are as follows: Office of the Solicitor, Bureau of Indian Affairs, Office of the Special Trustee for American Indians, Office of the Assistant Secretary—Indian Affairs, Bureau of Land Management, Office of the Assistant Secretary—Policy, Management, and Budget, Office of Hearings and Appeals, Office of Historical Trust Accounting, Office of the Secretary, and the Minerals Management Service.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include information from Internet email and interoffice email, including address of sender and receiver(s), subject, date sent or received, text of the message, name of attachment, attachment text, and certification status. The name and email address of the sender and receiver are captured along with the bcc, cc, subject line, and text of the message.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 USC 301, 43 CFR 1455, and 40 CFR part 1441.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The system's main purpose is to respond to discovery requests from plaintiffs and requests from the Court, the Special Master, and the Court Monitor in the *Cobell* v. *Norton* litigation, filed in the U.S. District Court for the District of Columbia.

Disclosures outside the Department of the Interior can be made to:

(a) Contractors who service and maintain the system for the Department, ensuring that all provisions of the Privacy Act, and all other applicable laws, regulations, and policies relating