

remote access by contacting Owusu & Company, HUD's due diligence contractor, at (202) 638-8390.

### Mortgage Loan Sale Policy

HUD reserves the right to add Mortgage Loans to or delete Mortgage Loans from MHLS 2002-1 at any time prior to the Award Date. HUD also reserves the right to reject any and all bids, without prejudice to HUD's right to include any Mortgage Loans in a later sale. Mortgage Loans will not be withdrawn after the Award Date except as is specifically provided in the Loan Sale Agreement.

This is a sale of unsubsidized mortgage loans. Additionally, there are no project-based Section 8 Rental Assistance Contracts on any of the mortgaged properties. Therefore, HUD has determined that, pursuant to the Multifamily Mortgage Sale Regulations, the Mortgage Loans will be sold without FHA insurance. Consistent with HUD's policy as set forth in 24 CFR 290.35, HUD knows of no Mortgage Loan that is delinquent and secures a project (1) for which foreclosure appears unavoidable, and (2) in which reside very low-income tenants who are not receiving housing assistance and who would be likely to pay rent in excess of 30 percent of their adjusted monthly income if HUD sold the Mortgage Loan. If HUD determines that any Mortgage Loans meet these criteria, they will be removed from the sale.

### Mortgage Loan Sale Procedure

HUD selected a competitive sale as the method to sell the Mortgage Loans primarily to satisfy the Mortgage Sale Regulations. These regulations require that, except under certain limited circumstances, HUD-held multifamily mortgage loans must be sold on a competitive basis (24 CFR 290.30). This method of sale optimizes HUD'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 HUD to dispose of the Mortgage Loans.

### Bidder Eligibility

In order to bid in the sale, a prospective bidder must complete, execute and submit both a Confidentiality Agreement and a Qualification Statement acceptable to HUD and meet the requirements set forth in the BIP. Qualified bidders will receive a password that will permit them to access the BIP through the MHLS 2002-1 website.

The following individuals and entities are ineligible to bid on any of the

Mortgage Loans included in MHLS 2002-1:

(1) Any employee of FHA or HUD, a member of such employee's household, or an entity owned or controlled by any such employee or member of such an employee's household;

(2) any individual or entity that is debarred from doing business with FHA or HUD pursuant to Title 24 of the Code of Federal Regulations;

(3) any contractor, subcontractor and/or consultant or advisor (including any agent, employee, partner, director, principal or affiliate of any of the foregoing) who performed services for or on behalf of HUD in connection with MHLS 2002-1;

(4) any individual who was a principal, partner, director, agent or employee of any entity or individual described in subparagraph 3 above, at any time during which the entity or individual performed services for or on behalf of HUD in connection with MHLS 2002-1;

(5) any individual or entity that uses the services, directly or indirectly, of any person or entity ineligible under subparagraphs 1 through 4 above to assist in preparing any of its bids on the Mortgage Loans;

(6) any individual or entity which employs or uses the services of an employee of HUD (other than in such employee's official capacity) who is involved in MHLS 2002-1;

(7) any mortgagor (or affiliate of a mortgagor) that failed to submit to HUD the 1999, 2000 and 2001 audited financial statements for a project securing a Mortgage Loan on or before May 31, 2002; and

(8) any individual or entity and any Related Party (as such term is defined in the Qualification Statement) that is a mortgagor in any of HUD's multifamily housing programs that is in default under such mortgage loan or is in violation of any regulatory or business agreements with HUD, unless such default or violation is cured on or before June 28, 2002.

In addition, any entity or individual that served as a loan servicer or performed other services for or on behalf of FHA or HUD at any time during the 2-year period prior to May 1, 2002 with respect to any Mortgage Loan is ineligible to bid on such Mortgage Loan. Also ineligible to bid on any Mortgage Loan are: (a) Any affiliate or principal of any entity or individual described in the preceding sentence; (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.

Prospective bidders should carefully review the Qualification Statement and the BIP to determine whether they are eligible to submit bids on the Mortgage Loans in MHLS 2002-1.

### Freedom of Information Act Requests

HUD reserves the right, in its sole and absolute discretion, to disclose information regarding MHLS 2002-1, including, but not limited to, the identity of any bidder and their bid price or bid percentage, upon the completion of the sale. Even if HUD elects not to publicly disclose any information relating to MHLS 2002-1, HUD will have the right to disclose any information that HUD is obligated to disclose pursuant to the Freedom of Information Act and all regulations promulgated thereunder.

### Scope of Notice

This notice applies to MHLS 2002-1, and does not establish HUD's policy for the sale of other mortgage loans.

Dated: July 11, 2002.

**John C. Weicher,**

*Assistant Secretary for Housing-Federal Housing Commissioner.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4743-N-04]

### Notice of Planned Closing of Rapid City, South Dakota Post-of-Duty Station

**AGENCY:** Office of Inspector General, HUD.

**ACTION:** Notice of Planned Closing of Rapid City, South Dakota Post-of-Duty Station.

**SUMMARY:** This notice advises the public that the HUD Office of Inspector General (OIG) is closing its Rapid City, South Dakota post-of-duty station, and also provides a cost-benefit analysis of the impact of the closure.

**FOR FURTHER INFORMATION CONTACT:** Bryan Saddler, Counsel to the Inspector General, Room 8260, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, (202) 708-1613. (This is not a toll free number.) A telecommunications device for hearing- and speech-impaired persons (TTY) is available at 1-800-877-8339 (Federal Information Relay Services).

**SUPPLEMENTARY INFORMATION:**

## Background

In 1998, HUD/OIG established a single person post-of-duty station in Rapid City, South Dakota, to conduct an intensive investigation of allegations involving the Pine Ridge Indian Reservation. Specifically, the establishment of the office was intended to minimize substantial anticipated travel costs associated with having staff located in the Denver Regional Office perform the investigation. The investigation is now complete, and the need for a separate post-of-duty station in Rapid City is therefore unnecessary. The closing of this post-of-duty station will provide the HUD/OIG with the opportunity to generate cost savings associated with closing this station.

Section 7(p) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(p)) provides that a plan for field reorganizations, which may involve the closing of any field or regional office of HUD may not take effect until 90 days after a cost-benefit analysis of the effect of the plan on the office in question is published in the **Federal Register**. The required cost-benefit analysis should include: (1) An estimate of cost savings anticipated; (2) an estimate of the additional cost which will result from the reorganization; (3) a discussion of the impact on the local economy; and (4) an estimate of the effect of the reorganization on the availability, accessibility, and quality of services provided for recipients of those services.

Legislative history pertaining to section 7(p) indicates that not all reorganizations are subject to the requirements of section 7(p). Congress stated that “[t]his amendment is not intended to [apply] to or restrict the internal operations or organization of the Department (such as the establishment of new or combination of existing organization units within a field office, the duty stationing of employees in various locations to provide on-site service, or the establishment or closing, based on workload, of small, informal offices such as valuations stations).” (See House Conference Report No. 95-1792, October 14, 1978 at 105-106.)

The one-person Rapid City, South Dakota post-of-duty station is a single purpose duty station, and it is being closed based on workload rather than on a reorganization of HUD/OIG field offices. Although notice of the closing of the post-of-duty station is not subject to the requirements of section 7(p), as supported by the legislative history, HUD/OIG nevertheless prepared a cost-benefit analysis for its own use in

determining whether to proceed with the closing. Through this notice, HUD/OIG advises the public of the closing of the Rapid City, South Dakota post-of-duty station and provides its cost-benefit analysis of the impact of the closure.

## Impact of the Closure of the Rapid City, South Dakota Post-of-Duty Station

HUD/OIG considered the costs and benefits of closing the Rapid City, South Dakota post-of-duty station, and is publishing its cost-benefit analysis with this notice. In summary, HUD/OIG has determined that the closure will result in a cost savings, and, as a result of the size and limited function of the office, will cause no appreciable impact on the provision of authorized investigative services/activities in the area.

### Cost Benefit Analysis

A. *Cost Savings*: The Rapid City, South Dakota post-of-duty station currently costs approximately \$2,200 per month for the space rental and associated overhead expenses to operate. Thus, closing the post-of-duty will result in annual savings of at least \$26,000. In addition, by closing the office, HUD/OIG will not be required to incur additional costs associated with current plans to install high-speed computer access lines to and on the premises.

B. *Additional Costs*: There are no offsetting expenses anticipated. Currently, no Special Agent is assigned to the Rapid City, South Dakota post-of-duty station, and, therefore, relocation costs are not associated with the closure.

C. *Impact on Local Economy*: No appreciable impact on the local economy is anticipated. Another Federal agency has already expressed an interest in taking over the office space that HUD/OIG leases in Rapid City, South Dakota.

D. *Effect on Availability, Accessibility and Quality of Services Provided to Recipients of Those Services*: The establishment of the Rapid City, South Dakota post-of-duty station was based largely on needs associated with HUD/OIG's investigation of the Pine Ridge Indian Reservation, which has since concluded. Further, as was the case prior to 1998, ordinary or less intensive fraud investigations in the Rapid City area can be effectively addressed by agents assigned to the Denver Regional Office.

For the reasons stated in this notice, HUD/OIG intends to proceed to close its Rapid City, South Dakota post-of-duty station at the expiration of the 90-day

period from the date of publication of this notice.

Dated: July 9, 2002.

**Kenneth M. Donohue,**

*Inspector General.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### Agency Information Collection; Proposed Revisions to a Currently Approved Information Collection; Comment Request

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of renewal of a currently approved collection (OMB No. 1006-0001).

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. § 3501 et seq.), the Bureau of Reclamation (we, our or us) intends to submit a request for renewal (with revisions) of an existing approved information collection to the Office of Management and Budget (OMB): Crop Acreage and Yields and Water Distribution (Water User Crop Census Report [Form 7-332], and Crop and Water Data [Form 7-2045]), OMB Control Number: 1006-001. We request your comments on the revised Crop Acreage and Yields and Water Distribution Forms and specific aspect of the information collection.

**DATES:** Your written comments must be received on or before September 16, 2002.

**ADDRESSES:** You may send written comments to the Bureau of Reclamation, Attention: D-5200, P.O. Box 25007, Denver, CO 80225-0007.

**FOR FURTHER INFORMATION CONTACT:** You may request copies of the proposed revised forms by writing to the above address or by contacting Jeremy Simons at: (303) 445-2739.

**SUPPLEMENTARY INFORMATION:** The currently approved collection has been revised to reflect industry standards concerning units used to measure yields for certain crops (i.e., using pounds instead of bales for cotton lint and using pounds instead of tons for hops). Other changes include:

- In Section II-e on both forms, “Acres irrigated by”, we are adding the option to choose “Flood” along with the current options of “Sprinkler” and “Drip”.

- In Section II-g on both forms, “Acres not irrigated”, we are adjusting