

emergency review and approval, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

**DATES:** Comments Due Date: April 8, 2003.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments must be received within seven (7) days from the date of this Notice. Comments should refer to the proposal by name and should be sent to: Lauren Wittenberg, HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503, [lauren\\_wittenberg@opm.eop.gov](mailto:lauren_wittenberg@opm.eop.gov), Fax: (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** Wayne Eddins, Reports Management Officer, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, telephone (202) 708-0050. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Mr. Eddins.

**SUPPLEMENTARY INFORMATION:** This Notice informs the public that the Department of Housing and Urban Development (HUD) has submitted to OMB, for emergency processing, an information collection package with respect to a guide format which specifies the components of a legal opinion required by the Department in connection with the insurance of mortgage loans upon multifamily rental projects and health care facilities under Title II of the National Housing Act, 12 U.S.C. 1702, *et seq.* The guide form was originally prepared in 1994 in view of changes in opinion practice. This guide form has been used in the past to

establish the parameters of the opinion which HUD requires the counsel to the mortgagor to submit to HUD and the mortgagee. The guide clearly articulates those matters upon which HUD requires an opinion from private counsel, as well as those matters upon which confirmations are required. The guide also contains detailed instructions pertaining to the form as well as a format for certifications by the mortgagor as to matters particularly within the knowledge of the mortgagor upon which its legal counsel relies in rendering the opinion.

The Department regards the mortgagor's attorney as a crucial, central figure in the process of preparing and executing the legal and administrative documents necessary to achieve a closing in those multifamily rental and health care mortgage insurance programs where a note is endorsed for mortgage insurance by the Department. The existing guide form has expired and expedited processing of the guide is necessary to facilitate timely closings of pending multifamily mortgage insurance transactions. To the extent that the guide represents any "collection of information," the process is necessary to ensure the Department that the attorney representing the mortgagor has followed the otherwise specified requirements of the Department and to ensure the Department that the attorney has exercised an acceptable degree of due diligence in representing the client and in rendering the opinion to the mortgagee and HUD. The extent of due diligence expected to be performed under the guide is not substantially different from what HUD had anticipated under Form 1725 or from what qualified counsel, in fact, perform in conventional financing transactions.

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:* Guide for Opinion of Mortgagor's Counsel.

*Office:* The Office of General Counsel.

*OMB Control Number:* 2510-0010.

*Description of the need for the information and proposed use:* The opinion is required to provide comfort to HUD and the mortgagee in multifamily rental and health care facility mortgage insurance transactions and similarly to HUD and owners in the capital advance transactions.

*Form Number:* Guide.

*Members of affected public:* Counsel to mortgagors of multifamily rental projects and health care facilities upon which the mortgage loans are insured by HUD.

*Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:*

| Number of respondents | × | Frequency of response | = | Hours per response | = | Burden hours |
|-----------------------|---|-----------------------|---|--------------------|---|--------------|
| 700                   |   | 1                     |   | 1                  |   | 700          |

*Total Estimated Burden Hours:* 700.  
*Status:* Expired.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35, as amended.

Dated: March 26, 2003.

**Camille Acevedo,**  
*Associate General Counsel.*

[FR Doc. 03-7707 Filed 3-31-03; 8:45 am]

**BILLING CODE** 4210-67-P

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-4529-N-06]

**Notice of Proposed Information Collection: Comment Request; Guide for Opinion of Counsel to the Mortgagor and HUD Guide for Counsel to Owner**

**AGENCY:** Office of the General Counsel, 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:* June 2, 2003.

**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:

Patricia A. Wash, Reports Liaison Officer, Department of Housing and Urban Development, 451 7th Street, SW., Room 10245, Washington, DC 20410.

**FOR FURTHER INFORMATION CONTACT:** Millicent Potts, Assistant General Counsel for Multifamily Mortgage Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street, SW, Room 9230, Washington, DC 20410, telephone (202) 708-4090 (this is not a toll-free number) for copies of the proposed guide.

**SUPPLEMENTARY INFORMATION:** The Department is submitting 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 affecting 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:* HUD Guide for Counsel to the Mortgagor and HUD Guide to Counsel to Owner.

*OMB Control Number, if applicable:* 2510-0010

*Description of the need for the information and proposed use:*

The opinion is required to provide comfort to HUD and the mortgagee in multifamily rental and health care facility mortgage insurance transactions and similarly to HUD and owners in the capital advance transactions.

*Agency form numbers, if applicable:* Guide.

*Members of affected public:* Counsel to mortgagors of multifamily rental projects and health care facilities upon which the mortgage loans are insured by HUD and counsel to owners of section 202 or section 811 projects which receive capital advances from HUD.

*Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:* As closings occur in connection with the aforementioned projects.

| Number of respondents | Burden hours | Frequency of response | Total burden hours |
|-----------------------|--------------|-----------------------|--------------------|
| 700 .....             | 1.0          | 1                     | 700                |

*Status of the proposed information collection:* Expired.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35, as amended.

Dated: March 26, 2003.

**Camille Acevedo,**

*Associate General Counsel.*

[FR Doc. 03-7708 Filed 3-31-03; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Notice of Receipt of Application for Endangered Species Permit**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of receipt.

**SUMMARY:** The following applicant has applied for a permit to conduct certain activities with an endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

**DATES:** Written data or comments on this application must be received at the address given below by May 1, 2003.

**ADDRESSES:** Documents and other information submitted with this application are available for review by any party who submits a written request

for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, Massachusetts 01035. Attention: Diane Lynch, Regional Endangered Species Permits Coordinator, telephone: 413-253-8628; facsimile: 413-253-8482.

**FOR FURTHER INFORMATION CONTACT:** Diane Lynch, telephone: 413-253-8628; facsimile: 413-253-8482.

**SUPPLEMENTARY INFORMATION:** You are invited to comment on an application received from York University, Department of Biology, Toronto, Ontario, Canada, PRT-TE068166-0. The application requests authorization to take (harm) Karner blue butterfly (*Lycaeides melissa samuelis*) eggs and/or larvae from Saratoga County, New York; Lake and Porter Counties, Indiana; and Manistee, Wexford, Mason, Lake, Oceana, and Newaygo Counties, Michigan. This project may result in accidental injury or death of Karner blue butterfly eggs and/or larvae through unavoidable foot traffic when conducting field work. The applicant's objectives are to access the quality of potential reintroduction sites in Ontario, Canada; to identify the most suitable Karner blue butterfly source sites in the United States; and to compare the effect of different management methods by comparing vegetation structures of sites

managed under different strategies. None of the proposed activities involves collection of Karner blue butterflies.

Dated: March 7, 2003.

**Mamie A. Parker,**

*Regional Director.*

[FR Doc. 03-7740 Filed 3-31-03; 8:45 am]

**BILLING CODE 4310-55-M**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Endangered and Threatened Species Permit Applications**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of receipt of applications.

**SUMMARY:** The following applicants have applied for a scientific research permit to conduct certain activities with endangered species pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*).

**DATES:** Written comments on these permit applications must be received within 30 days of the date of publication.

**ADDRESSES:** Written data or comments should be submitted to the Chief, Endangered Species Division, Ecological Services, PO Box 1306, Room 4102,