

*Total Estimated Burden Hours:* 38,824.

*Status:* Extension of a currently approved collection.

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: March 20, 2007.

**Lillian L. Deitzer,**

*Departmental Paperwork Reduction Act Officer, Office of the Chief Information Officer.*

[FR Doc. E7-5408 Filed 3-23-07; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5123-N-07]

### Notice of Proposed Information Collection for Public Comment on the Survey of Market Absorption of New Multifamily Units

**AGENCY:** Office of Policy Development and Research, HUD.

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1995. The Department is soliciting public comments on the subject proposal.

**DATES:** *Comments Due Date:* May 25, 2007.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name/or OMB Control Number and should be sent to: Reports Liaison Officer, Office of Policy Development and Research, Department of Housing and Urban Development, 451 7th Street, SW., Room 8234, Washington, DC 20410.

**FOR FURTHER INFORMATION CONTACT:**

Ronald J. Sepanik, Director, Housing and Demographic Analysis Division, Office of Policy Development and Research, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410. The telephone number is (202) 402-5887. This is not toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Mr. Sepanik.

**SUPPLEMENTARY INFORMATION:** The Department of Housing and Urban Development will submit the proposed information collection package 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 information 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 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:* Survey of Market Absorption of New Multifamily Units.

*OMB Control Number:* 2528-0013 (Expires 11/30/2007).

*Description of the need for the information and proposed use:* The Survey of Market Absorption (SOMA) provides the data necessary to measure the rate at which new rental apartments and new condominium apartments are absorbed; that is, taken off the market, usually by being rented or sold, over the course of the first twelve months following completion of a building. The data are collected at quarterly intervals until the twelve months conclude, or until the units in a building are completely absorbed. The survey also provides estimates of certain characteristics, *i.e.*, asking rent/price, number of units, and number of bedrooms. The survey provides a basis for analyzing the degree to which new apartment construction is meeting the present and future needs of the public. Additionally, beginning with new construction in 2002, the survey will attempt to ascertain the number and degree of services provided by "Assisted Living" type units.

*Members of affected public:* Rental Agents/Builders.

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

*Estimated Number of Respondents:* 12,000 yearly (maximum).

*Estimated Time per Response:* 20 minutes.

*Frequency of Response:* Four times (maximum).

*Estimated Total Annual Burden Hours:* 4,000 (12,000 × 20 minutes).

*Estimated Total Annual Cost:* The only cost to respondents is that of their time.

**Authority:** The survey is taken under Title 12, United States Code, Section 1701Z.

Dated: March 16, 2007.

**Darlene F. Williams,**

*Assistant Secretary for Policy Development and Research.*

[FR Doc. E7-5411 Filed 3-23-07; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5133-N-01]

### Mortgage and Foreclosure Rights of Servicemembers Under the Servicemembers Civil Relief Act: Informational Notice

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Notice.

**SUMMARY:** This notice provides information regarding the homeowner notification requirement of section 106(c)(5) of the Housing and Urban Development Act of 1968. The Servicemembers Civil Relief Act (SCRA) provides legal rights and protections that are applicable to the debts of servicemembers and their dependents. Notice is to be provided to all homeowners who are in default in order to inform them of mortgage and foreclosure rights available to them under the SCRA if they are servicemembers or dependents of servicemembers. HUD has developed, in consultation with the Departments of Defense and Treasury, a final disclosure form to be used by mortgagees for fulfilling this notice requirement. HUD made the form available on its website in July 2006, and the form is also attached as an appendix to this notice.

**FOR FURTHER INFORMATION CONTACT:**

Leslie Bromer, Mortgage Servicing Specialist, Asset Management and Disposition Division, Office of Single Family Housing, Office of Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 9180, Washington, DC 20410-8000; telephone (202) 708-1672 (this is not a toll-free number). Individuals with speech or hearing challenges may access this number through TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339.

Questions regarding this notice may also be directed to the National Servicing Center in Oklahoma City, Oklahoma, at (888) 297-8685.

Individuals with speech or hearing challenges may access this number through TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The Servicemembers Civil Relief Act (50 U.S.C. app. 501 *et seq.*) (SCRA) provides various protections to active duty military members and reservists, or members of the National Guard called to active duty, and, in limited situations, dependents of military members. The SCRA is intended to ease the economic and legal burdens on military personnel by postponing, suspending, or mitigating obligations, such as mortgage payments and foreclosure actions. Section 688 of the National Defense Authorization Act for Fiscal Year (FY) 2006 (Pub. L. 109-163, approved January 6, 2006) (NDAA) amended the required content of notifications of homeownership counseling availability under section 106(c)(5)(A)(ii) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(c)(5)(A)(ii)) and directed HUD to issue a final disclosure form to be used by mortgagees in fulfilling the notice requirement.

##### **II. HUD Notice of Servicemembers Rights Under SCRA**

Pursuant to the NDAA amendment, HUD has developed, in consultation with the Departments of Defense and Treasury, the final disclosure form for the required notice of servicemember rights. The form is located in the appendix to this notice. The form was also earlier made available on HUD's Web site in July 2006 and can be found at [http://www.hudclips.org/sub\\_nonhud/html/pdf/forms/92070.pdf](http://www.hudclips.org/sub_nonhud/html/pdf/forms/92070.pdf). All mortgage loans, including conventional mortgages and mortgages insured by HUD, are subject to the notification requirement. The notice is required to: (1) Be sent to all homeowners who are in default on a residential mortgage; (2) include the toll-free Military OneSource number (800-342-9647) to call if servicemembers or their dependents require further assistance; and (3) be made within 45 days from the date a missed payment was due, unless the homeowner pays the overdue amount before the expiration of the 45-day period.

##### **III. Rights and Protections Under the SCRA**

The SCRA provides, among other things, that a debt incurred by a servicemember, or by a servicemember jointly with a spouse, prior to entering

military service, shall not bear interest at a rate above six percent during the period of military service. (See section 207(a)(1) of SCRA.) Servicemembers become eligible for the interest rate limitation by providing to the creditor with written notice, a copy of the military orders calling the servicemember to active duty, and any orders further extending military service, not later than 180 days after the date of the servicemember's termination or release from military service. (See section 207(b)(1) of SCRA.) Upon receipt, the creditor must limit interest on the obligation to no more than six percent per year, effective as of the date on which the servicemember is called to military service. (See section 207(b)(2) of SCRA.) Only a court may grant the creditor an exception to the interest rate limitation, which may only be granted if in the opinion of the court the ability of the servicemember to pay interest on the obligation or liability at a rate in excess of six percent per year is not materially affected by reason of the servicemember's military service. (See section 207(c) of SCRA.)

In a legal action to enforce a debt against real estate that is filed during, or within 90 days after the servicemember's military service, a court may stay the proceedings for a period of not less than 90 days or may adjust the debt. (See section 202(b)(1) of SCRA.) In addition, the sale, foreclosure, or seizure of real estate shall not be valid if it occurs during or within 90 days after the servicemember's military service unless the creditor has obtained a court order approving the sale, foreclosure, or seizure of the real estate. (See section 303(c) of SCRA.)

In addition to the rights described above, the SCRA provides some additional legal protections. HUD, however, is not in a position to interpret or provide information on all of the various provisions of the SCRA as they may affect the rights afforded creditors and servicemembers. Such interpretations should be obtained for the Department of Defense or should be determined by the courts.

##### **IV. Verification of Military Service**

Creditors who are otherwise unable to verify a debtor's military status may request and obtain a statement as to military service from the Department of Defense, pursuant to section 602 of the SCRA (50 U.S.C. app. 582). To facilitate SCRA searches, the Department of Defense's Manpower Data Center (DMDC) has developed a secure public internet access system through which any requester can quickly determine

whether an individual is currently in the armed forces. The Web site for SCRA queries is <http://www.dmdc.osd.mil/owa/scra/home>. The requester must provide the Social Security Number (SSN) and a last name. First name, middle name, birth year, and birth month are optional.

A report is executed by clicking the "LookUp" tab on the query form. If the provided SSN and other identifying information match the name of a person currently on active duty, the DMDC response report will provide the named individual's branch of military service and "begin date" of Active Duty status. If the provided SSN is matched to the name of a person on active duty but the last name and/or birth date entered do not match the information recorded for that individual, the DMDC response report page states, "Based on the social security number you have provided, the individual is currently on Active Duty. However, the name or partial DOB, or both provided do not match the individual against whom the social security number is assigned." If the DMDC does not have information regarding whether the name of the identified person is on active duty, the response report will only list the supplied name with the text, "Based on the information you have furnished, the DMDC does not possess any information indicating the individual is currently on active duty."

There is no charge for the online SCRA queries and no authorization, user ID, or password is required. Requesters needing assistance may fax a request for a statement as to military service to DMDC at (703) 696-4156, or call (703) 696-6762.

##### **V. Paperwork Reduction Act Statement**

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2502-0565. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

Dated: March 16, 2007.

**Brian D. Montgomery,**

*Assistant Secretary for Housing—Federal Housing Commissioner.*

**Appendix**

**United States Department of Housing and Urban Development Servicemembers Civil Relief Act Notice**

*Legal Rights and Protections Under the SCRA*

Servicemembers on “active duty” or “active service,” or a dependent of such a servicemember may be entitled to certain legal protections and debt relief pursuant to the Servicemembers Civil Relief Act (50 U.S.C. App. 501, *et seq.*) (SCRA).

*Who May Be Entitled to Legal Protections Under the SCRA*

- Active duty members of the Army, Navy, Air Force, Marine Corps, Coast Guard, and active service National Guard;
- Active service members of the commissioned corps of the National and Atmospheric Administration;
- Active service members of the commissioned corps of the Public Health Service;
- United States citizens serving with the armed forces of a nation with which the United States is allied in the prosecution of a war or military action; and
- Dependents of the above (e.g., spouse or children).

*What Legal Protections Are Servicemembers Entitled to Under the SCRA?*

- The SCRA states that a debt incurred by a service member, or spouse jointly, prior to entering military service shall not bear interest at a rate above 6 percent during the period of military service.
- The SCRA states that in a legal action to enforce a debt against real estate that is filed during, or within 90 days after the servicemember’s military service, a court may stop the proceedings for a period of time, or adjust the debt. In addition, the sale, foreclosure, or seizure of real estate shall not be valid if it occurs during, or within 90 days after the servicemember’s military service unless the creditor has obtained a court order approving the sale, foreclosure, or seizure of the real estate.

*How Does a Servicemember or Dependent Request Relief Under the SCRA?*

- A servicemember or dependent, or both, may request relief under the SCRA by providing the lender a written notice with a copy of the servicemember’s military orders. (Note: Lender should place its name, address, and contact information here.)

*How Does a Servicemember or Dependent Obtain Information About the SCRA?*

- The U.S. Department of Defense’s information resource is “Military OneSource.” Web site: <http://www.militaryonesource.com>
- The toll-free telephone number for Military OneSource are:
  - From the United States: 1–800–342–9647.
  - From outside the United States (with applicable access code): 800–3429–6477.

- International Collect (through long distance operator): 1–484–530–5908.
- Servicemembers and dependents with questions about the SCRA should contact their unit’s Judge Advocate, or their installation’s Legal Assistance Officer. A military legal assistance office locator for each branch of the armed forces is available at <http://legalassistance.law.af.mil/content/locator.php>.

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Notice of Availability of a Final Implementation Schedule for the South Florida Multi-Species Recovery Plan**

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

**ACTION:** Notice of document availability.

**SUMMARY:** The Fish and Wildlife Service (“we,” “our,” or “Service”) announces the availability of the Implementation schedule for the South Florida Multi-Species Recovery Plan (MSRP). The MSRP, as approved in 1999, included a discussion of the need for a coordinated effort to develop an implementation schedule. This implementation schedule was prepared with the assistance of the South Florida Multi-species/Ecosystem Recovery Implementation Team (MERIT). The implementation schedule prioritizes the recovery tasks as described in the MSRP on a community level, and identifies the associated participating parties, time frames, and costs necessary to accomplish those tasks.

**ADDRESSES:** Copies of the final implementation schedule can be downloaded from <http://verobeach.fws.gov> or can be obtained by contacting the Fish and Wildlife Service, South Florida Ecological Services Office, 1339 20th Street, Vero Beach, Florida 32960. We encourage requests for the CD-ROM version of the implementation schedule, as the hard (paper) copy encompasses more than 140 pages.

**FOR FURTHER INFORMATION CONTACT:** Cindy Schulz at the South Florida Ecological Services Office, (772) 562–3909, ext. 305.

**SUPPLEMENTARY INFORMATION:** On April 2, 2004, we published a notice announcing the availability of this technical/agency draft implementation schedule in the **Federal Register**, and opened a 60-day public comment period. We particularly sought comments concerning: (1) Recommended changes to the priority

number for recovery tasks; (2) recommendations for additions or deletions to the participants identified for each recovery task; and (3) additional information to assist us with determining costs for accomplishing recovery tasks. Four parties provided comments on ten species. Among those were comments on recovery task priority number, participants, and cost. Comments were also received on the recovery tasks themselves. We have considered and addressed comments where appropriate in this final implementation schedule. Those comments, as well as updates by Service staff, led to this final version of the implementation schedule that differs from the technical/agency draft. The recovery tasks listed in the implementation schedule were taken directly from the MSRP. Any changes needed to the tasks themselves will be addressed in a future revision of the MSRP rather than in the implementation schedule. These changes, if any, would be subject to public comment only during such future revision.

**Background**

Restoring listed animals and plants to the point where they are again secure, self-sustaining components of their ecosystems is a primary goal of the Service’s threatened and endangered species program. To help guide the recovery effort, we prepare recovery plans for listed species native to the United States, pursuant to section 4(f) of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. *et seq.*), which requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Recovery plans describe actions that may be necessary for conservation of these species, establish criteria for reclassification from endangered to threatened status or removal from the list, and estimate the time and cost for implementing the needed recovery measures.

Section 4(f) of the Act also requires that a public notice and an opportunity for public review and comment be provided during recovery plan development. Accordingly, the MSRP was made available for public review and comment before its approval in May 1999. The MSRP identifies the recovery needs of the 68 threatened and endangered species and 23 natural communities in the south Florida ecosystem, which encompasses 67,346 square kilometers (26,002 square miles), covering the 19 southernmost counties in Florida.