

Department of Labor will not make further payments to such State.

Portia Wu,

Assistant Secretary for Employment and Training, Labor.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Chapter II

[Docket No. FR-5817-N-01]

Federal Housing Administration (FHA): Solicitation of Comment on Streamline Refinance Provisions in the FHA Single Family Housing Policy Handbook

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

ACTION: Solicitation of comment.

SUMMARY: On September 30, 2014, FHA issued the FHA Single Family Housing Policy Handbook section for Title II Insured Housing Programs Forward Mortgages: Origination through Post-Closing/Endorsement, Handbook 4000.1. The goal of the new FHA Single Family Housing Policy Handbook (Handbook) is to streamline and ease the implementation of FHA's various programs by consolidating and organizing all of FHA's Single Family policy into one document. FHA will be issuing other individual sections of the Handbook as they are completed. As part of the consolidation of policy pertaining to streamline refinance transactions, FHA has taken the opportunity to integrate the language pertaining to streamline refinance transactions in Mortgagee Letters 2013-29, 2011-11, 2009-32 and 2008-40 into a refined mortgage payment history and calculation of the maximum insurable mortgage for the streamline refinance program. Prior to adopting in the Handbook as final this refined maximum insured mortgage calculation for streamline refinance transactions, HUD seeks public comment on this language as presented in the Handbook.

DATES: *Comment Due Date:* November 10, 2014.

ADDRESSES: Interested persons are invited to submit comments regarding this document to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410-0500. Communications must refer to the above docket number and title. There are two

methods for submitting public comments. All submissions must refer to the above docket number and title.

1. Submission of Comments by Mail. Comments may be submitted by mail to the Regulations Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street SW., Room 10276, Washington, DC 20410-0500.

2. Electronic Submission of Comments. Interested persons may submit comments electronically through the Federal eRulemaking Portal at www.regulations.gov. HUD strongly encourages commenters to submit comments electronically. Electronic submission of comments allows the commenter maximum time to prepare and submit a comment, ensures timely receipt by HUD, and enables HUD to make them immediately available to the public. Comments submitted electronically through the www.regulations.gov Web site can be viewed by other commenters and interested members of the public. Commenters should follow the instructions provided on that site to submit comments electronically.

Note: To receive consideration as public comments, comments must be submitted through one of the two methods specified above. Again, all submissions must refer to the docket number and title of the document.

No Facsimile Comments. Facsimile (FAX) comments are not acceptable.

Public Inspection of Public Comments. All properly submitted comments and communications submitted to HUD will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address. Due to security measures at the HUD Headquarters building, an appointment to review the public comments must be scheduled in advance by calling the Regulations Division at 202-708-3055 (this is not a toll-free number). Individuals with speech or hearing impairments may access this number via TTY by calling the Federal Relay Service at 800-877-8339. Copies of all comments submitted are available for inspection and downloading at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: Elissa Saunders, Deputy Director, Office of Single Family Program Development, Office of Housing, Department of Housing and Urban Development, 451 7th Street SW., Room 9278, Washington, DC 20410; telephone number 202-708-2121 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION:

Payment history standards related to streamline refinances are currently found in Handbook HUD 4155.1, entitled Mortgage Credit Analysis for Mortgage Insurance on One- to Four-Unit Mortgage Loans, in sections 3.A.1.h., but have subsequently been modified by Mortgagee Letters, including those referenced above. The Maximum Insurable Mortgage Calculation for streamline refinances is found in section 3.C.2.c.

In an effort to ease program implementation and reduce burden on lenders, servicers, borrowers, and interested members of the public, FHA, as noted in the Summary of this document, is consolidating and reorganizing its guidance into a new, comprehensive FHA Single Family Housing Policy Handbook (Handbook), which, once effective, will supersede all mortgagee letters and prior handbook provisions whose content has been incorporated into the Handbook. This consolidation and reorganization alleviates unnecessary burdens on lenders, servicers, and borrowers who have had to keep track of individual policy changes published in individual mortgagee letters, and gives all interested parties one place to find important program requirements.

The Handbook section for Title II Insured Housing Programs Forward Mortgages—Origination through Post-Closing/Endorsement was issued on September 30, 2014, at <http://portal.hud.gov/hudportal/documents/huddoc?id=40001HSGH.pdf> and will be effective for case numbers assigned on or after June 15, 2015. Due to the timing of the pre-scheduled release of the Handbook and the complexity of incorporating and organizing the various guidance documents for streamline refinances noted above, and eliminating extraneous examples, HUD has opted, in an abundance of caution, to seek public comment on the refined maximum mortgage amount calculation provision and payment history for the streamline refinance program which can be found in Paragraphs (4)(b) and (j) of II.A.8.d.vi.(C) "Streamline Refinances" in the Title II Insured Housing Programs Forward Mortgages section of the Handbook. The public comments received on these provisions will be given consideration, and notification will be provided of changes, if any, made to this section of the Handbook.

Given the significant transition period that FHA is providing between the posting of the Handbook and the effective date of the Handbook, FHA does not anticipate having to change the effective date as a result of any changes

that may be made to the streamline refinance section of the Handbook.

Dated: October 3, 2014.

Carol J. Galante,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 2014-24069 Filed 10-8-14; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Parts 81 and 82

[BIA-2014-0006; K00103 12/13 A3A10; 134D0102DR-DS5A300000-DR.5A311.IA000113]

RIN 1076-AE93

Secretarial Election Procedures

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Proposed rule.

SUMMARY: The Bureau of Indian Affairs is proposing to amend its regulations governing Secretarial elections and procedures for tribal members to petition for Secretarial elections. This proposed rule reflects changes in the law and the requirement that regulations be written in plain language.

DATES: Comments must be received on or before December 17, 2014. See the **SUPPLEMENTARY INFORMATION** section of this document for dates of tribal consultations.

ADDRESSES: You may submit comments by any of the following methods:

—*Federal rulemaking portal:* <http://www.regulations.gov>. The rule is listed under the agency name “Bureau of Indian Affairs.” The rule has been assigned Docket ID: BIA-2014-0006.

—*Email:* laurel.ironcloud@bia.gov. Include “Part 81” in the subject line of the message.

—*Mail or hand-delivery:* Chief, Division of Tribal Government Services, Office of Indian Services, Bureau of Indian Affairs, Department of the Interior, 1849 C Street NW., Mail Stop 4513-MIB, Washington, DC 20240.

Comments on the Paperwork Reduction Act information collections contained in this rule are separate from comments on the substance of the rule. Submit comments on the information collection requirements in this rule to the Desk Officer for the Department of the Interior by email at OIRA_Submission@omb.eop.gov or by facsimile at (202) 395-5806. Please also send a copy of your comments to laurel.ironcloud@bia.gov.

See the **SUPPLEMENTARY INFORMATION** section of this document for locations of tribal consultation sessions.

FOR FURTHER INFORMATION CONTACT:

Laurel Iron Cloud, Chief, Division of Tribal Government Services, Central Office, Bureau of Indian Affairs at telephone (202) 513-7641. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service at 1-800-877-8339 between 8 a.m. and 4 p.m. Monday through Friday, excluding Federal holidays.

SUPPLEMENTARY INFORMATION:

I. Background

The Bureau of Indian Affairs (BIA) is amending 25 CFR parts 81 (Secretarial Elections) and 82 (Petitioning Procedures), combining them into one Code of Federal Regulations part at 25 CFR part 81. The Secretarial Elections regulations were originally adopted in 1964, and the Petitioning Procedures regulations were originally adopted in 1967. See 29 FR 14359 (October 17, 1964); 32 FR 11779 (August 16, 1967). The Department has not updated either of these regulations since 1981. See 46 FR 1668 (January 7, 1981).

A Secretarial election is a Federal election conducted by the Secretary of the Interior (Secretary) under a Federal statute or tribal governing document under 25 CFR part 81. See *Cohen’s Handbook of Federal Indian Law* section 4.06[2][a]-[b], at 286-297 (Nell Jessup Newton ed., 2012). See also *Cheyenne River Sioux Tribe v. Andrus*, 566 F. 2d 1085 (8th Cir. 1977), *cert. denied*, 439 U.S. 820 (1978). The proposed rule:

- Responds to the amendments made to section 16 of the Indian Reorganization Act (IRA) (June 18, 1934, 48 Stat. 984) (25 U.S.C. 476), as amended, which established time frames within which the Secretary must call and conduct Secretarial elections and provided that all elections will be handled by mailout ballot unless polling places are expressly required by the amendment or adoption article of the tribe’s governing document.

- Responds to the amendments made to Section 17 of the IRA by the Act of May 24, 1990 (104 Stat. 207) (25 U.S.C. 477) under which additional tribes may petition for charter of incorporation and removes the requirement of an election to ratify the approval of new charters issued after May 24, 1990, unless required by tribal law.

- Reflects the 1994 addition of two subsections to section 16 of the IRA by Technical Corrections Act of 1994 (108 Stat. 707) (25 U.S.C. 476(f) & (g)) that

prohibit the government from making a regulation or administrative decision “that classifies, enhances, or diminishes the privileges and immunities available to a federally recognized Indian tribe relative to the privileges and immunities available to other federally recognized tribes by virtue of their status as Indian tribes.”

When Congress enacted Oklahoma Indian Welfare Act (OIWA) in 1936, the language it used to guarantee the right of tribes to organize and adopt constitutions and bylaws was different from that used in the IRA. The OIWA language requires the Secretary to approve the constitution before it is submitted to the tribal membership for a vote to ratify it. These regulations reflect the difference in language between the IRA and the OIWA.

The proposed rule includes language clarifying that a tribe reorganized under the IRA may amend its governing document to remove the requirement for Secretarial approval of future amendments. Once the requirement for Secretarial approval is removed through a Secretarial election, Secretarial approval of future amendments is not required.

The proposed rule also clarifies that the Secretary will accept petitions for Secretarial elections only from federally recognized tribes included on the list of recognized tribes published by the Secretary pursuant to section 479a-1.

II. Comments From Tribal Representatives

As discussed in section III of this document, we held several tribal consultation sessions on draft regulations addressing Secretarial elections and petitioning procedures. The following summarizes comments received during that consultation process.

Definitions

Several tribes questioned the definition of “Indian” included in the consultation draft. Because the term is not used in the body of the regulation other than as defined in the IRA, we have deleted this definition. We have also clarified the definition of “tribe” as those federally recognized tribes included on the list of recognized tribes published by the Secretary pursuant to Section 479a-1.

One tribe questioned the definition of “member” because the consultation draft included an additional provision stating that, in the absence of the tribe’s written criteria for membership, a member is a person the tribal members recognize as belonging to that tribe. The tribe noted that there may not be