

Counsel to redelegate the authority. The General Counsel is, in turn, re delegating that authority to the Director of the DEC and, concurrently, to the Directors of the five DEC Satellite Offices.

Accordingly, the General Counsel hereby retains and redelegates authority as follows:

*Section A. Redlegation of Authority:* The Director of the DEC and the Directors of the five DEC Satellite Offices are hereby re delegated the authority to take all actions permitted under 24 CFR 30.45. The authority re delegated does not include authority to waive any regulations issued under the authority of the Assistant Secretary for Housing-Federal Housing Commissioner.

*Section B. Authority to Redelegate:* The Director of the DEC and the Directors of the five DEC Satellite Offices are not authorized to re delegate the authority described in Section A.

*Section C. Revocation of Authority:* The General Counsel may revoke the authority authorized herein, in whole or part, at any time.

**Authority:** Section 30.45 of Title 24 of the Code of Federal Regulations.

Dated: September 12, 2002.

**Richard A. Hauser,**

*General Counsel.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4572-D-22]

### Redelegation of Authority to the Director of the HUD Departmental Enforcement Center Regarding Civil Money Penalty Actions for Certain Violations Under the National Housing Act

**AGENCY:** Office of the General Counsel, HUD.

**ACTION:** Notice of redelegation of authority.

**SUMMARY:** Elsewhere in today's **Federal Register** is a notice of a delegation from the Assistant Secretary for Housing-Federal Housing Commissioner to the General Counsel of HUD to take civil money penalty actions against participants in mortgages or loans insured under the National Housing Act for certain violations, along with the power to redelegate that authority. By this action, the General Counsel is re delegating that same authority to the Director of the HUD Departmental Enforcement Center (DEC).

**EFFECTIVE DATE:** September 12, 2002.

**FOR FURTHER INFORMATION CONTACT:** Dane M. Narode, Deputy Chief Counsel, Administrative Proceedings Branch, Departmental Enforcement Center, Department of Housing and Urban Development, Portals Building, 1250 Maryland Avenue, Suite 200, Washington, DC 20024, (202) 708-2350. This is not a toll-free number. For the hearing-speech-impaired, the number may be accessed via TTY by calling the Federal Information Relay Service at 1-800-877-8399.

**SUPPLEMENTARY INFORMATION:** HUD regulations at 24 CFR 30.36 authorize the Assistant Secretary for Housing-Federal Housing Commissioner, or the Assistant Secretary's designee, to take a civil money penalty action against any principal, officer or employee of a mortgagee or lender, or other participant, in either a mortgage insured under the National Housing Act (Act) or any loan that is covered by a contract of insurance under title I of the Act, or any provider of assistance to a borrower in connection with any such mortgage or loan, including: sellers, borrowers, closing agents, title companies, real estate agents, mortgage brokers, appraisers, loan correspondents, dealers, consultants, contractors, subcontractors and inspectors. Section 30.36 also identifies the violations for which the Assistant Secretary for Housing-Federal Housing Commissioner may impose a penalty. *See also* 12 U.S.C. 1735f-14.

The DEC is responsible for carrying out a wide range of HUD enforcement activities. Because the DEC has been recently placed under the Office of the General Counsel, the Assistant Secretary for Housing-Federal Housing Commissioner retained and delegated the enforcement authority in 24 CFR 30.36 to the General Counsel on September 12, 2002, notice of which is published in today's **Federal Register**. That delegation allows the General Counsel to redelegate the authority. The General Counsel is, in turn, re delegating that authority to the Director of the DEC.

Accordingly, the General Counsel hereby retains and redelegates authority as follows:

*Section A. Redlegation of Authority:* The Director of the HUD Departmental Enforcement Center is hereby re delegated the authority to take all actions permitted under 24 CFR 30.36. The authority re delegated does not include authority to waive any regulations issued under the authority of the Assistant Secretary for Housing-Federal Housing Commissioner.

*Section B. Authority to Redelegate:* The Director of the DEC is not

authorized to redelegate the authority described in section A.

*Section C:* The General Counsel may revoke the authority authorized herein, in whole or in part, at any time.

**Authority:** Section 30.36 of title 24 of the Code of Federal Regulations.

Dated: September 12, 2002.

**Richard A. Hauser,**

*General Counsel.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4572-D-21]

### Delegation of Authority to the General Counsel Regarding Civil Money Penalty Actions for Certain Violations Under the National Housing Act

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

**ACTION:** Notice of delegation of authority.

**SUMMARY:** In this notice, the Assistant Secretary for Housing-Federal Housing Commissioner is delegating authority to the General Counsel of HUD to take civil money penalty actions against participants in mortgages or loans insured under the National Housing Act for certain violations, along with the power to redelegate that authority. Elsewhere in today's **Federal Register** is a notice of a redelegation from the General Counsel that will enable the Director of the HUD Departmental Enforcement Center (DEC) to take these actions as well.

**EFFECTIVE DATE:** September 12, 2002.

**FOR FURTHER INFORMATION CONTACT:** Dane M. Narode, Deputy Chief Counsel, Administrative Proceeding Branch, Departmental Enforcement Center, Department of Housing and Urban Development, Portals Building, 1250 Maryland Avenue, Suite 200, Washington, DC 20024, (202) 708-2350. This is not a toll-free number. For the hearing/speech-impaired, the number may be accessed via TTY by calling the Federal Information Relay Service at 1-800-877-8399.

**SUPPLEMENTARY INFORMATION:** HUD regulations at 24 CFR 30.36 authorize the Assistant Secretary for Housing-Federal Housing Commissioner, or the Assistant Secretary's designee, to initiate a civil money penalty action against any principal, officer or employee of a mortgagee or lender, or other participant, in either a mortgage

insured under the National Housing Act (Act) or any loan that is covered by a contract of insurance under title I of the Act, or any provider of assistance to a borrower in connection with any such mortgage or loan, including: sellers, borrowers, closing agents, title companies, real estate agents, mortgage brokers, appraisers, loan correspondents, dealers, consultants, contractors, subcontractors and inspectors. Section 30.36 also identifies the violations for which the Assistant Secretary for Housing-Federal Housing Commissioner may impose a penalty. See also 12 U.S.C. 1735f-14.

Today's notice announces the decision to delegate the enforcement authority in 24 CFR 30.36(a) to the General Counsel, along with the power to redelegate that authority. The DEC is responsible for carrying out a wide range of HUD enforcement activities. Because the DEC has been recently placed under the Office of the General Counsel, the General Counsel is, in turn, redelegating the authority to the Director of the DEC. The redelegation from the General Counsel also appears in today's **Federal Register**.

Finally, this delegation of authority, noticed today, does not affect the authority of the Mortgagee Review Board, described in 24 CFR 30.35, or the Assistant Secretary for Housing to initiate civil money penalty actions.

Accordingly, the Assistant Secretary for Housing—Federal Housing Commissioner hereby retains and delegates authority as follows:

*Section A. Authority Delegated:* The General Counsel is hereby delegated the authority to take all actions permitted under 24 CFR 30.36. The authority delegated does not include authority to waive any regulations issued under the authority of the Assistant Secretary for Housing—Federal Housing Commissioner.

*Section B. Authority to Redelegate:* The General Counsel is authorized to redelegate the authority described in section A.

*Section C:* The Assistant Secretary may revoke the authority authorized herein, in whole or in part, at any time.

**Authority:** Section 30.36 of title 24 of the Code of Federal Regulations.

Dated: September 12, 2002.

**John C. Weicher,**

*Assistant Secretary for Housing-Federal Housing Commissioner.*

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### Agency Information Collection Activities: Comment Request

**ACTION:** Request OMB emergency approval: Fee remittance form for certain F-1; J-1 and M-1 nonimmigrants; Form I-901.

The Department of Justice, Immigration and Naturalization Service (INS) has submitted an emergency information collection request (ICR) utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with section 1320.13(a)(1)(ii) and (a)(2)(iii) of the Paperwork Reduction Act of 1995. The INS has determined that it cannot reasonably comply with the normal clearance procedures under this part because normal clearance procedures are reasonably likely to prevent or disrupt the collection of information. INS is requesting emergency review from OMB of this information collection to ensure compliance section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), and under 31 U.S.C. 9701 and section 286(m) of the Act. Therefore, OMB approval has been requested by January 10, 2003. If granted, the emergency approval is only valid for 180 days. ALL comments and/or questions pertaining to this pending request for emergency approval MUST be directed to OMB, Office of Information and Regulatory Affairs, Attention: Ms. Karen Lee, Department of Justice Desk Officer, 725-17th Street, NW., Suite 10235, Washington, DC 20503. Comments regarding the emergency submission of this information collection may also be submitted via facsimile to Ms. Lee at 202-395-5806.

During the first 60 days of this same period, a regular review of this information collection is also being undertaken. During the regular review period, the INS requests written comments and suggestions from the public and affected agencies concerning this information collection. Comments are encouraged and will be accepted until March 3, 2003. During the 60-day regular review, ALL comments and suggestions, or questions regarding additional information, to include obtaining a copy of the information collection instrument with instructions, should be directed to Mr. Richard A. Sloan, 202-514-3291, Director, Regulations and Forms Services

Division, Immigration and Naturalization Service, U.S. Department of Justice, Room 4304, 425 I Street, NW., Washington, DC 20536. Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(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 agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(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, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection

(1) *Type of Information Collection:* New collection.

(2) *Title of the Form/Collection:* Fee Remittance Form for Certain F-1, J-1, and M-1 Nonimmigrants.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I-901. Adjudications Division, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. This form is used by nonimmigrant students and exchange visitors to submit the fee authorized by Public Law 104-208, Subtitle D, Section 641. Additionally, this information is required to send receipt to the student or exchange visitor upon payment and to positively identify that a particular student or exchange visitor has paid the fee.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 900,000 responses at 19 minutes (.316 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 284,400 annual burden hours.