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Dated: August 19, 2009.

**Rajiv Khandpur,**

*U.S. Coast Guard, Acting Chief, Office of Waterways Management.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5284-N-01]

### Notice of Proposed Information Collection: Comment Request; Maintenance Wage Rate Recommendation, and Maintenance Wage Rate Survey; and Report of Additional Classification and Wage Rate

**AGENCY:** Office of Departmental Operations and Coordination, Office of Labor Relations, 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:* October 26, 2009.

**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: Lillian Deitzer, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., L'Enfant Plaza Building, Room 4178, Washington, DC 20410 or [Lillian.L.Deitzer@hud.gov](mailto:Lillian.L.Deitzer@hud.gov).

**FOR FURTHER INFORMATION CONTACT:** Jade Banks, Senior Policy Advisor, Office of Labor Relations, Department of Housing and Urban Development, 451 7th Street SW., Room 2102, Washington, DC 20410 or [Jade.M.Banks@hud.gov](mailto:Jade.M.Banks@hud.gov), telephone (202) 402-5475 (this is not a toll-free number) for copies of the proposed forms and other available information.

**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 affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection 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:* Maintenance Wage Rate Recommendation; Maintenance Wage Rate Survey; Report of Additional Classification and Wage Rate.

*OMB Control Number, if applicable:* 2501-0011.

*Description of the need for the information and proposed use:* Public housing agencies (PHAs), Tribally-designated housing entities (TDHEs), and the Department of Hawaiian Homelands (DHHL) are required to ensure that maintenance laborers and mechanics employed in the operation of HUD-assisted low-income or affordable housing are paid no less than prevailing wages that are determined or adopted by HUD (section 12(a), U.S. Housing Act of 1937, as amended; sections 104(b) and 805(b) of the Native American Housing Assistance and Self-Determination Act of 1996, as amended). Except that, TDHEs may, at their discretion, implement tribally determined prevailing maintenance wage rates which would apply in place of HUD-determined or -adopted wage rates.

HUD determines or adopts a schedule of prevailing maintenance wage rates for each PHA, TDHE (except for those TDHEs that implement tribally-determined prevailing wage rates), and the DHHL, annually, coinciding with the agency's fiscal year. In order to ensure that the wage rates are reflective of current economic conditions, HUD requests that each PHA, TDHE and the DHHL submit a recommendation of prevailing wage rates for HUD consideration. PHA, TDHE, and DHHL recommendations may be based on a wide variety of economic indicators including, at the discretion of the PHA, TDHE, or DHHL, the results of a wage survey that the PHA, TDHE or DHHL may conduct of maintenance employers in their operating jurisdiction. In

addition, HUD may conduct a maintenance wage rate survey in the absence of a PHA/TDHE/DHHL recommendation or to evaluate a recommendation that has been provided by a PHA, TDHE or DHHL.

In order to assist PHAs, TDHEs and the DHHL to submit prevailing wage rate recommendations and, if they choose, to conduct and evaluate the results of a maintenance wage survey, and to assist HUD personnel in the conduct and evaluation of a maintenance wage survey, HUD instituted three forms: Maintenance Wage Rate Recommendation; Maintenance Wage Rate Survey Summary; and a Maintenance Wage Rate Survey. PHA, TDHE or DHHL submission of a recommendation is highly encouraged by HUD. In the absence of an agency recommendation, HUD will issue a prevailing wage rate schedule based upon its own actions, which may include a maintenance wage survey conducted by HUD. Participation in any maintenance wage survey conducted by a PHA, TDHE, DHHL, or HUD is voluntary on the part of maintenance employers. Maintenance wage rate recommendations, survey summaries and survey responses must be retained by PHAs, TDHEs, the DHHL and HUD to document compliance with the statutory labor standards provisions.

Agencies, contractors and subcontractors engaged on HUD-assisted construction and maintenance projects subject to Federal labor standards must pay no less than the wages determined to be prevailing by the Secretary of Labor (for construction work) or determined to be prevailing by the Secretary of HUD (for maintenance work) to all laborers and mechanics engaged on such work. Occasionally, the applicable wage decision schedule does not contain a prevailing wage rate for all classifications of work needed to complete the project. In such cases, the employer that will utilize the classification(s) missing from the wage decision must propose a wage rate for each such classification for the consideration of the Department of Labor (DOL) or HUD, as the case may be. The employer must submit its request in writing; there is no form specified or required for employer submissions. HUD and local agencies that administer HUD-assisted projects use the form HUD-4230A to record and submit employer additional classification and wage rate requests to DOL, when DOL approval is required.

*Agency form numbers, if applicable:* Forms HUD-4750 for Maintenance Wage Rate Recommendation, HUD-4751 for Maintenance Wage Rate



Survey, HUD-4752 Maintenance Wage 4230A for Report of Additional  
Rate Survey Summary Sheet, and HUD- Classification and Wage Rate.

ESTIMATION OF THE TOTAL NUMBERS OF HOURS NEEDED TO PREPARE THE INFORMATION COLLECTION INCLUDING  
NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, AND HOURS OF RESPONSE

Item	Number of respondents	Amount of time required (hours)	Total time required/annum (hours)
Maintenance Wage Recommendation .....	3,400	4	13,600
Survey Summary .....	1,800	4	7,200
Survey Form Agency Evaluation .....	1,800	8	14,400
Survey Form Employer Response .....	1,800	4	7,200
Record keeping .....	3,400	1	3,400
Additional Classification and Wage Rate .....	500	2	1,000
Recordkeeping .....	500	1	500
Total Annual Burden .....	.....	.....	47,300

*Status of the proposed information collection:* Extension of a currently approved collection.

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

Dated: August 14, 2009.

**Waite H. Madison,**

*Director, Office of Labor Relations.*

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**BILLING CODE 4210-67-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Renewal of Information Collection for Tribal Self-Governance Program

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Submission of Information Collection to the Office of Management and Budget.

**SUMMARY:** The Bureau of Indian Affairs (BIA) is submitting a request to renew the information collection entitled "Tribal Self-Governance Program, 25 CFR 1000" to OMB, as required by the Paperwork Reduction Act. This information collection is currently authorized by OMB Control Number 1076-0143. Respondents include potential and existing Self-Governance Indian tribes. The information collected will be used to establish requirements for entry into the pool of qualified applicants for Self-Governance and to meet reporting requirements of the Tribal Self-Governance Act.

**DATES:** Submit comments on or before September 25, 2009.

**ADDRESSES:** You may submit comments on the information collection to the Desk Officer for the Department of the Interior at the Office of Management and Budget, by facsimile at (202) 395-5806

or by e-mail to [OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov). Please also send a copy to Sharee M. Freeman, Director, Office of Self-Governance, 1951 Constitution Avenue, NW., Mail Stop 355-G SIB, Washington, DC 20240.

**FOR FURTHER INFORMATION CONTACT:** You may request further information or obtain copies of the information collection request submission from Dr. Kenneth Reinfeld, Senior Policy/Program Analyst, 1951 Constitution Avenue, NW., Mail Stop 355-G SIB, Washington, DC 20240, (202) 208-5734.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

A notice seeking comments from the public on a request to OMB to extend information collection activities was published in the **Federal Register** on January 9, 2009 (74 FR 917). No comments were received in response to this notice. You are advised that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information that does not display a valid OMB control number.

##### II. Request for Comments

BIA requests you to send your comments on this collection to the two locations listed in the **ADDRESSES** section. Your comments should address: (a) Necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated

collection techniques or other forms of information technology.

OMB has up to 60 days to make a decision on the submission for renewal, but may make the decision after 30 days. Therefore, to receive the best consideration of your comments, you should submit them by the date indicated in the **DATES** section.

Before including your address, phone number, e-mail address or other personally identifiable information, be advised that your entire comment—including your personally identifiable information—may be made public at any time. While you may request that we withhold your personally identifiable information, we cannot guarantee that we will be able to do so.

##### III. Data

*OMB Control Number:* 1076-0143.

*Title:* Tribal Self-Governance Program, 25 CFR 1000.

*Brief Description of Collection:* The Self-Governance program is authorized by the Tribal Self-Governance Act of 1994, Public Law 103-413 (the Act), as amended. Indian tribes interested in entering into Self-Governance must submit certain information as required by the Act. In addition, those tribes and tribal consortia that have entered into Self-Governance funding agreements will be requested to submit certain information as described in 25 CFR 1000. This information will be used to justify a budget request submission on their behalf and to comport with section 405 of the Act that calls for the Secretary to submit an annual report to the Congress. Responses are required to obtain or retain a benefit or are voluntary, depending upon the parts of the program being addressed.

*Type of Review:* Extension of a currently approved collection.