available documents submitted to OMB maybe 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 request to HUD's proposed issuance of a Notice of Funding Availability. The Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act (FY 1998 Appropriations Act) set aside $10 million from the HOME Investment Partnership Program for grants for up to three organizations that are exempt from Federal Taxation under Section 501(c)(3) of the Internal Revenue Code.

The basis for expedited processing is that this demonstration program is a high priority to the Department as evidenced by the $10 million dollar set aside from the HOME Investment Partnerships Program to properly execute this program.

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: NOFA for Secondary Market for Non-conforming Loans to Low-Wealth Borrowers Demonstration Program.

OMB Control Number, if applicable: None.

Agency form numbers, if applicable: None.

Members of affected public: Not for profit institutions.

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: The estimated number of respondents are 30, an average of 25 hours per response, and the annual burden hours are 750 with a frequency of 1.

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

Dated: February 16, 1999.

David S. Cristy,

Director, IRM Policy and Management Division.

[FR Doc. 99–4772 Filed 2–25–99; 8:45 am]

BILLING CODE 4210–27–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4441–N–17]

Submission for OMB Review: Comment Request

AGENCY: Office of the Assistant Secretary for Administration, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been 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: March 29, 1999.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments must be received within thirty (30) days from the date of this Notice. Comments should refer to the proposal by name and/or OMB approval number and should be sent to: Joseph F. Lackey, Jr., OMB Desk Officer, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Wayne Eddins, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, Southwest, Washington, DC 20410, telephone (202) 708–1305. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Mr. Eddins.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the OMB approval number, if applicable; (4) the description of the need for the information and its proposed use; (5) the agency form number, if applicable; (6) what members of the public will be affected by the proposal; (7) how frequently information submissions will be required; (8) an estimate of the total number of hours needed to prepare the information submission including number of respondents, frequency of response, and hours of response; (9) whether the proposal is new, an extension, reinstatement, or revision of an information collection requirement; and (10) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

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

Dated: February 16, 1999.

David S. Cristy,

Director, IRM Policy and Management Division.

Notice of Submission of Proposed Information Collection to OMB

Title of Proposal: Requirements for Single Family Mortgage Instruments.

Office: Housing.

OMB Approval Number: 2502–0404.

Description of the need for the Information and Its Proposed Use: HUD insures home mortgages and must ensure that the mortgage instruments contain provisions that are compatible with FHA program requirements. The subject instruments contain the specific language of accomplish program objectives.

Form Number: None.

Respondents: Individuals or Households and Business or Other For-Profit.

Frequency of Submission: On Occasion.

Reporting Burden:

	Number of respondents	×	Frequency of response	×	Hours per response	=	Burden hours
	747,000		1		.25		186,750

Total Estimated Burden Hours: 186,750.

Status: Reinstatement without changes.

Contact: James A. Beavers, HUD, (202) 708–2121; Joseph F. Lackey, Jr., OMB, (202) 395–7316.

[FR Doc. 99–4773 Filed 2–25–99; 8:45 am]

BILLING CODE 4210–01–M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Reopening Certain Escheated Estates

AGENCY: Office of the Secretary, Interior.

ACTION: Notice.

SUMMARY: The Secretary of the Interior is granting a petition filed by the Deputy Commissioner of Indian Affairs with the Office of Hearings and Appeals (OHA) to reopen estates in which property escheated to an Indian tribe under the escheat provision of the Indian Land Consolidation Act. The petition is granted to give full effect to the 1997 decision of the U.S. Supreme Court in *Babbitt* v. *Youpee,* 519 U.S. 234 (1997), which found the escheat provision unconstitutional, and to prevent manifest injustice.

EFFECTIVE DATE: February 19, 1999.

FOR FURTHER INFORMATION CONTACT: Robert L. Baum, Director, Office of Hearings and Appeals, United States Department of the Interior, 4015 Wilson Boulevard, Mail Stop 1103 BT–3, Arlington, Virginia 22203; telephone: (703) 235–3810.

SUPPLEMENTARY INFORMATION:

Background

The U.S. Supreme Court issued a decision in *Babbitt* v. *Youpee,* 519 U.S. 234 (1997), holding that the escheat provision of the Indian Land Consolidation Act, 25 U.S.C. 2206(a), was unconstitutional. The Deputy Commissioner for Indian Affairs filed a Petition for Reopening All Estates in Which Property Escheated to an Indian Tribe Pursuant to 25 U.S.C. 2206 (the Petition) with the OHA.

On October 2, 1998, the Secretary of the Interior assumed jurisdiction over the Petition pursuant to 43 CFR 4.5(a), and issued a proposed order reopening the escheated estates in question. The proposed reopening of the estates gave the Department of the Interior (Department) the opportunity to redistribute the escheated interests to the rightful distributees without regard to the unconstitutional provision. The proposed order provided that all prior Departmental probate determinations wherein land interests were ordered escheated to Indian tribes under 25 U.S.C. 2206 would be reopened and modified ''to the extent that the appropriate Bureau of Indian Affairs official having jurisdiction over the affected land titles shall distribute any such escheated interests to the rightful heirs and beneficiaries without regard to the provisions of 25 U.S.C. 2206, except that prior determinations where an Indian tribe has paid fair market value for any escheated interest under 25 U.S.C. 2206 will not be reopened or modified.'' Recognizing that some cases would fall outside the parameters of the proposed order, the Secretary delegated authority to the Department's Administrative Law Judges to adjudicate such cases on an ad hoc basis pursuant to existing law.

On October 7, 1998, the Office of the Secretary published a ''Notice of the Secretary's Assumption of Jurisdiction Over Probate of Estates in Which Property Escheated to an Indian Tribe Pursuant to 25 U.S.C. 2206 and Opportunity to Comment'' in the **Federal Register.** The Notice gave interested parties until November 2, 1998, to submit comments to the Director of OHA.

Discussion of Interested Party Comments

The OHA Director received seven timely comments in response to the published Notice. One additional comment was received after November 2, 1998. None of the comments received objected to the proposed reopening of the escheated estates or suggested any changes to the language in the Secretary's proposed order. The comments are summarized below and responses follow.

Comment: Four comments expressed concern about the administrative burdens and costs associated with the complicated task of reopening the case, and suggested that the tribes should not bear the burden and expense of correcting a problem they did not create.

Response: The Department expects that the Bureau of Indian Affairs (BIA) will bear the majority of administrative burdens and costs associated with the reopening of these estates. Direct cost to the tribes should be minimal. The Department will request a supplemental appropriation for the costs incurred by the BIA in reopening the estates.

Comment: Four comments suggested that no tribe should be held liable for reimbursing lease income and interest that BIA sent the tribe from the escheated interests.

Response: The heirs and beneficiaries are entitled to the money that they lost while the tribes held their interests under the escheat provision. The Supreme Court's decision makes it clear that the tribes were not entitled to that money. Furthermore, many tribes escrowed this money in anticipation of a reopening of the escheated estates.

Comment: One Tribe requested that the option of government purchase of escheated interests on the Quinault Reservation not be considered.

Response: This comment is outside the scope of the current issue and does not affect this decision.

Comment: One Tribe suggested that Congress should appropriate funds for the process of reopening the estates as well as for the tribes to buy the fractionated interests from any heirs who may not want to keep their interest, but seek a fair market value for them.

Response: The Department will be requesting supplemental appropriations for costs incurred by the BIA in reopening the escheated interests. Congress has provided a $5 million appropriation for a pilot project to enable tribes to purchase fractional interests from willing sellers. However, there is no program at present that would apply nationally.

Comment: One Tribe commented that it was incorrectly listed in the **Federal Register** Notice of October 7, 1998, as the ''Stockbridge-Munsee Community of Minnesota'' and their correct name is the ''Stockbridge-Munsee Community of Wisconsin.'' The Tribe also said it had no record of land escheating to it under 25 U.S.C. 2206, and asked to be told if the BIA or the Department is aware of any property that escheated to this Tribe under Act.

Response: BIA is looking into this matter and will advise the Tribe.

Comment: One Tribe expressed concerns about time delays or reallocation of resources affecting ongoing fee-to-trust conveyances by tribal governments or tribal members, and funding to participate in the Indian Land Consolidation Project proposed by BIA. The Tribe has applied to participate in this pilot project and seeks funding at the earliest possible date for tribes with escheated lands that have already applied for the pilot to carry out their proposed projects.

Response: This comment is outside the scope of the current issue and does not affect this decision.

Department's Determination

The Secretary of the Interior has determined the following:

1. The Supreme Court of the United States has found the escheat provision