We may also be contacted at: USCIS, Regulatory Products Division, 111 Massachusetts Avenue, NW., Washington, DC 20529–2210, telephone number 202–272–8377.

Dated: June 8, 2009.

Stephen Tarragon,

Deputy Chief, Regulatory Products Division, U.S. Citizenship and Immigration Services, Department of Homeland Security.

[FR Doc. E9–13750 Filed 6–10–09; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities: Form I–751, Extension of a Currently Approved Information Collection; Comment Request

ACTION: 60-Day Notice of Information Collection Under Review: Form I–751, Petition to Remove Conditions on Residence; OMB Control No. 1615–0038.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for sixty days until August 10, 2009.

During this 60-day period, USCIS will be evaluating whether to revise the Form I–751. Should USCIS decide to revise Form I–751 we will advise the public when we publish the 30-day notice in the **Federal Register** in accordance with the Paperwork Reduction Act. The public will then have 30 days to comment on any revisions to the Form I–751.

Written comments and suggestions regarding items contained in this notice, and especially with regard to the estimated public burden and associated response time should be directed to the Department of Homeland Security (DHS), USCIS, Chief, Regulatory Products Division, Clearance Office, 111 Massachusetts Avenue, NW., Washington, DC 20529–2210. Comments may also be submitted to DHS via facsimile to 202–272–8352, or via e-mail at *rfs.regs@dhs.gov.* When submitting comments by e-mail, please add the OMB Control Number 1615–0038 in the subject box.

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 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 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:* Extension of an existing information collection.

(2) *Title of the Form/Collection:* Petition to Remove Conditions on Residence.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I–751. U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Individuals and households. This form is used by the USCIS to verify the petitioner's status and determine whether the conditional resident is eligible to have his or her status removed.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 118,008 responses at 3 hours and 20 minutes (3.333 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 393,321 annual burden hours.

If you need a copy of the information collection instrument, please visit the Web site at: *http://www.regulations.gov/.*

We may also be contacted at: USCIS, Regulatory Products Division, 111 Massachusetts Avenue, NW., Washington, DC 20529–2210, Telephone number 202–272–8377.

Dated: June 8, 2009.

Stephen Tarragon,

Deputy Chief, Regulatory Products Division, U.S. Citizenship and Immigration Services.

[FR Doc. E9–13753 Filed 6–10–09; 8:45 am]

BILLING CODE 9111–97–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5297–N–04]

Notice of Proposed Information Collection: Comment Request; Legal Instructions Concerning Applications for Full Insurance Benefits—Assignment of Multifamily Mortgages to the Secretary

AGENCY: Office of the General Counsel, 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:* August 10, 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: Reports Liaison Officer, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 10276, Washington, DC 20410–0500.

FOR FURTHER INFORMATION CONTACT: Millicent Potts, Assistant General Counsel for Multifamily Mortgage Division, Office of General Counsel, Department of Housing and Urban Development, 451 7th Street, SW., Room 9230, Washington, DC 20410–0500, telephone (202) 708–4090 (this is not a toll-free number) for a copy of the instructions.

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 affecting 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: Legal Instructions Concerning Applications for Full Insurance Benefits—Assignment of Multifamily Mortgage to the Secretary. Organizational and editorial changes are being made to these instructions. The revised instructions highlighting these changes (underlining for additions, and strikethrough for deletions is included) are attached to this notice.

OMB Control Number, if applicable: 2510–0006.

Description of the need for the information and proposed use: Mortgagees of HUD-insured mortgages may receive mortgage insurance benefits upon assignment of mortgages to HUD. In connection with the assignment, legal documents (*e.g.*, mortgage, mortgage note, security agreement, title insurance policy) must be submitted to the Department. The instructions describe the documents to be submitted and the procedures for submission.

Agency form numbers, if applicable: N/A.

Members of affected public: Mortgagees when applying for insurance benefits from HUD.

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

Number of respondents	Burden hours	Frequency of response	Total burden hours
359	26	1	9,334

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: June 4, 2009.

Camille E. Acevedo,

Associate General Counsel, Legislation and Regulations.

BILLING CODE 4210–67–P

LEGAL INSTRUCTIONS CONCERNING APPLICATIONS FOR FULL INSURANCE BENEFITS - ASSIGNMENT OF MULTIFAMILY MORTGAGES TO THE SECRETARY

These instructions apply both to assignments of current mortgages under Section 221(g)(4) of the National Housing Act, 12 U.S.C. 1715l(g)(4) and to assignments of mortgages in default pursuant to 12 U.S.C. 1713(g). The time limitations and other requirements the mortgagee must meet in submitting a claim are set forth in 24 CFR § 207.258.

The initial package of legal documents should be sent to the attention of the Deputy Assistant General Counsel for Multifamily Mortgage Division. Subsequent documents should be sent to the attention of the staff attorney or paralegal handling the claim. All documents should be sent to the following address:

Multifamily Mortgage Division
Office of General Counsel
U. S. Department of Housing and Urban Development
451 7th Street, S. W. - Room 9230
Washington, D. C. 20410-0500

Part A - Documents to be Recorded

The mortgagee must file for record the following documents with the appropriate land records office:

1. Assignment of Mortgage. The assignment of mortgage must run to the "Secretary of Housing and Urban Development, of Washington, D. C., his/her successors and assigns" and must be in a form which meets the requirements of the laws of the jurisdiction in which the property is located. (Note: Do not use Form No. 289, Assignment, as the assignment of mortgage.) No insertions or deletions of any kind may be made to the model form of assignment, except (i) modifications necessary to insert the missing information in the appropriate spaces and (ii) modifications or additions required in order to comply with applicable state law, local law, or recording requirements. Please ensure that the property description is attached to the assignment. The assignment must include the following ~~warranty~~ requisite language:

> This Assignment is without recourse or warranty, except that the undersigned hereby warrants that no act or omission of the undersigned has impaired the validity or priority of said Mortgage. The undersigned also warrants that said Mortgage is prior to all mechanics' and materialmen's liens filed of record subsequent to the recording of such Mortgage regardless of whether such liens attached prior to such recording date, and prior to all liens and encumbrances which may have attached or defects which may have arisen subsequent to the recording of such Mortgage (except such liens or other matters as have been approved by the Assignee hereunder). The undersigned also warrants that, as of the execution of this Assignment, the sum of _____ _____ and ___/100 Dollars ($_____) (insert the unpaid principal

balance of the mortgage as of ~~that~~ the date of execution of the Assignment), together with the interest accruing at the rate of ____% per annum, as provided in the said Note and Mortgage, is actually due and owing under said Note and Mortgage, that there are no offsets or counterclaims thereto, and that the undersigned has a good right to assign the said Note and Mortgage.

2. UCC ~~Assignments.~~ Filings. The mortgagee must file a UCC financing statement ~~amendment~~ assignment, assigning the UCC -1 to the Secretary, for each place at which the UCC-1 was filed (i.e., County Recorder's Office, Secretary of State, etc.). Additional filings may be necessary to comply with ~~Revised Article 9. Please consult your counsel~~ revised Article 9 of the UCC. See Part B, Item 8, below. Mortgagees must consult with their own counsel to ensure that their UCC submissions comply with Revised Article 9 of the Uniform Commercial Code.

Part B - Submission of Legal Documents After Recordation of Assignment

The documents identified in this Part must be submitted within 45 days after the date that the assignment of mortgage is filed for record. ~~For cash claims only, the~~ The Office of the General Counsel may grant ~~a~~ one 15-day extension of the deadline ~~within which to submit these documents. An extension will be granted~~ for claims paid in cash, upon written or oral request, made prior to the expiration of the 45-day period. ~~Only one such extension will be granted.~~ If made orally, the request must be confirmed in writing, ~~but written confirmation does not have to be sent within~~ within five (5) calendar days after the 45-day ~~period.~~ deadline.

Please note, in the case of claims to be paid in cash, the mortgagee's failure to submit the documents within the deadline (or extended deadline) in a legally acceptable form, as determined by the Office of the General Counsel, shall result in the curtailment of interest on the claim, i.e., interest on the final insurance payment will accrue only through the last day of the deadline (or extended deadline). See 24 CFR § 207.259(b)(1)(iii).

Any extension granted or denied by the Office of the General Counsel is independent of extensions granted or denied by the Multifamily Financial Operations Division. Therefore, if necessary, the mortgagee must separately request and receive extensions from the Multifamily Financial Operations Division regarding the submission of fiscal documents.

~~In the case of claims to be paid in cash, the mortgagee's failure to submit the documents in a legally acceptable form within the deadline shall result in the curtailment of interest of the claim, i.e., interest on the final cash insurance payment will accrue only through the last day of the deadline, as extended. See 24 CFR § 207.259 (b) (1) (iii).~~

The following documents must be submitted within the period specified above:

1. The original Note, endorsed to the Secretary ~~as follows~~ the following requisite language:

For value received, all right, title and interest of the undersigned to the within note, the unpaid balance of which is $_____ (insert the unpaid balance as of the date of assignment), together with interest thereon, is hereby assigned to the Secretary of Housing and Urban Development, his

> successors and assigns, without recourse or warranty except as shown in that certain assignment of even date assigning to said Secretary the mortgage securing this note.

(**NOTE**: If dated, the foregoing endorsement must bear the date of the execution of the assignment of the mortgage. If sufficient space is available, the endorsement ~~should~~ must be typed on the back of the Note. The endorsement may be on an allonge only when sufficient space is not available on the Note.)

If the original Note is unavailable, the mortgagee must submit an Affidavit of Lost Note, in a form acceptable to HUD, and an Indemnification Agreement. The Indemnification Agreement must contain the following language and ~~otherwise~~ be in ~~a~~the form acceptable to HUD:

> [Insert name of the mortgagee] agrees to indemnify and hold harmless the Secretary of Housing and Urban Development and his/her successors and assigns against any loss, costs, or charges whatsoever, including attorney's fees, which may be sustained by the Secretary as a result of the loss of the original Note.

2. The original Mortgage or Deed of Trust, or a certified copy, certified by the recording official, and the originals or certified copies of all amendments and/or modifications. All certifications must be made by the recording official. If an amendment or modification was not recorded and the original is unavailable, a copy must be provided, along with an Indemnification Agreement that contains the following language and is otherwise acceptable to HUD:

> [Insert name of the mortgagee] agrees to hold the Secretary of Housing and Urban Development and his successors and assigns harmless from any losses or damages caused by the failure of the mortgagee to furnish an original copy of [insert description of document].

3. Original or copy certified by the recording official of the Assignment of Mortgage or Deed of Trust to the Secretary.

4. Original interim assignments, amendments, or modifications of the Mortgage or Deed of Trust, or ~~copies~~ certified copies, if recorded. All certifications must be made by the recording official. If an assignment, amendment, or modification was not recorded and the original is unavailable, a copy must be provided, along with an Indemnification Agreement that contains the language set forth in Part B, item 2 above and which is otherwise acceptable to HUD.

~~5. Assignment of Security Agreement. If a security agreement or chattel mortgage was recorded, the assignment of that document to the Secretary must also be recorded. The assignment must include the following warranty~~

> ~~"The Assignor hereby warrants that no act or omission of the Assignor has impaired the validity or priority of the first lien created by said [Security Agreement] [Chattel Mortgage] and that Assignor has a good right to assign said [Security Agreement] [Chattel Mortgage]."~~

~~6~~ 5. The original security agreement/chattel mortgage, or (if recorded) a copy certified by the recording official. If the security agreement/chattel mortgage was not recorded and the original document is unavailable, the mortgagee may satisfy this requirement by furnishing an Indemnification Agreement that contains the following language and is otherwise acceptable to HUD:

> [Insert name of the mortgagee] agrees to hold the Secretary of Housing and Urban Development and his successors and assigns harmless from any losses or damages caused by the failure of the mortgagee to furnish an original copy of [insert description of document].

6. Assignment of Security Agreement. If a security agreement or chattel mortgage was recorded, the assignment of that document to the Secretary must also be filed for record. The assignment must include the following requisite language:

> The Assignor hereby warrants that no act or omission of the Assignor has impaired the validity or priority of the first lien created by said [Security Agreement] [Chattel Mortgage] and that Assignor has a good right to assign said [Security Agreement] [Chattel Mortgage].

7. Original interim assignments of the ~~security agreement/chattel mortgage,~~ Security Agreement][Chattel Mortgage], or (if recorded) copies certified by the recording official. If the interim assignments are unrecorded and the original documents are unavailable, the mortgagee may satisfy this requirement by furnishing an Indemnification Agreement which contains the language set forth in Part B, item 5 above and which is otherwise acceptable to HUD.

~~8. If Uniform Commercial Code filings were executed and filed for record, the mortgagee must submit the following original documents:~~

~~(a) UCC-1 for each place of recordation;~~

~~(b) UCC assignments for each interim assignment of the financing statement;~~

~~(c) UCC financing statement amendments assigning each UCC-1 to the Secretary; and~~

~~(d) UCC continuation statements.~~

8. Uniform Commercial Code ("UCC") Financing Statements. NOTE: Several states have unique UCC filing requirements. Mortgagees must consult with their own counsel to ensure that their UCC submissions comply with Revised Article 9 of the Uniform Commercial Code. Mortgagees must provide evidence that the "Secretary of Housing and Urban Development of Washington, D. C., his/her successors and/or assigns ATIMA" holds a valid perfected first lien security interest in the collateral, either by assignment of existing UCC financing statements or by perfection/reperfection in both the applicable local jurisdiction for fixture filings and in the appropriate Secretary of State office.

• *If UCC Filings are Current*: The mortgagee must submit all original Uniform Commercial Code filings (items (a) through (e) below, as applicable) showing recording information (or tear sheet/acknowledgement sheet for UCC filings that were originally on carbon

set forms) ("UCC filings") in chronological sequence, sorted by filing jurisdiction (i.e., clip or bind the UCC filings that were filed in a Secretary of State's office separately from those filed in a city or county). If original UCC documents are unavailable, the mortgagee must submit copies certified by the recorder's office or copies accompanied by a UCC-11 Search ~~from a reputable search service acceptable to HUD. All such copies must legibly show recording/filing information.~~ Searches performed by title insurance companies or attorneys are not acceptable. Lapsed UCC filings should be provided, to the extent available.

~~The mortgagee must also submit a list of all UCC statements in chronological sequence. Lapsed filings need not be included in the list. The UCC statements must be arranged in an organized manner, e.g., stapled to sheets of paper in a chronological sequence for each recording office within the jurisdiction.~~

~~If UCCs~~

(a) UCC-1;

(b) UCC assignment for each interim assignment of a financing statement;

(c) UCC amendment(s), if applicable;

(d) UCC financing statement assignments, assigning each UCC-1 to the "Secretary of Housing and Urban Development of Washington, D. C., his/her successors and/or assigns ATIMA"; and

(e) UCC continuation statements.

- If UCC filings will expire within six (6) months after the assignment of mortgage, continuation statements must be prepared and filed for record by the mortgagee.

- *Lapsed UCC filings: Reperfecting the Security Interest in the Collateral*: If any UCC filing has lapsed, the mortgagee must prepare a new UCC-1 ~~listing the Secretary as the secured party~~ and file it for record in the appropriate filing office~~. If~~ to re-perfect the ~~mortgagor's signature is required,~~ security interest in the collateral ~~mortgagee must comply with the following:~~ This must be accomplished within the deadline or extended deadline as applicable.

~~A letter must be sent from the mortgagee to mortgagor requesting that the mortgagor execute new UCCs in connection with the Department's mortgage requirements. The letter must be sent "Registered Mail - Return Receipt Requested." The letter should state that if the executed UCCs are not returned to the mortgagee within seven business days of the mortgagor's receipt of the letter, the mortgagee will assume that the mortgagor has refused to execute the UCCs and will notify the Department of this fact. If executed, the UCCs must be assigned to the Secretary in accordance with the procedures set forth in these instructions. If the mortgagor refuses or fails to respond within seven business days, the mortgagee must send the Department a copy of its correspondence, and provide a copy of the Return Receipt. As provided below, the mortgagee must also send an Indemnification Agreement for the period the UCC lapsed. This must be accomplished within the 45-day period or the 60-day extended period.~~

~~NOTE: Whenever there has been a UCC lapse, the mortgagee must provide a UCC-11 Search as of the date that UCCs are assigned to the Department showing that the lien being assigned to the Department is a first lien, and that there are no intervening liens. If the lien being assigned to the Department is not a first lien, the prior lien must be removed, and the Department must be provided a first lien in accordance with these instructions.~~

~~HUD will return the signed~~ Reperfecting before the assignment of mortgage is recorded. The secured party named in the new UCC-1 ~~to~~ should be the mortgagee ~~for filing. In addition, the mortgagee must provide a title insurance policy~~ Secretary of Housing and Urban Development, of Washington, D.C., their successors and/or ~~endorsement expressly covering the chattels (in the case of fixtures) and must~~ assigns, ATIMA".

Indemnification Agreement. The mortgagee must also provide an Indemnification Agreement in a form which is otherwise acceptable to HUD and which contains language holding the Secretary of Housing and Urban Development and his/her successors and assigns harmless from any loss or damage caused by the lapse of the UCC filing or the failure to file a UCC financing statement.

- *UCC filing was never filed: Perfecting the Security Interest in the Collateral*: If a UCC filing was never made in a required jurisdiction, the mortgagee must prepare a new UCC-1 and file it for record in the appropriate filing office to perfect the security interest in the collateral, following the instructions set forth above under "Lapsed UCC Filings: Reperfecting the Security Interest in the Collateral" and pursuant to applicable law. This must be accomplished within the deadline or extended deadline, as applicable.

Indemnification Agreement. The mortgagee must provide an Indemnification Agreement in a form which is otherwise acceptable to HUD and which contains language holding the Secretary of Housing and Urban Development and his/her successors and assigns harmless from any loss or damage caused by the lapse of the UCC filing ~~and which is otherwise acceptable to HUD.~~or the failure to file a UCC financing statement.

~~If the mortgagee advises the Department that UCCs were never filed, the Department will require that the mortgagee submit a UCC-11 Search (conducted by the Secretary of State and the County Recorder) for each recording office within the jurisdiction.~~

~~If the UCCs were filed electronically in a particular jurisdiction, the mortgagee must provide copies of the filings together with evidence satisfactory to HUD that electronic filings are authorized by the applicable state law.~~

~~NOTE: Several states have unique UCC filing requirements. Mortgagees should consult with their own counsel to ensure that UCC filing requirements are met.~~

~~9.~~ **NOTE: UCC-11 LIEN SEARCH WHEN THERE HAS BEEN A UCC LAPSE OR NON-FILING**: Whenever there has been a UCC lapse or a UCC was not filed, the mortgagee must also provide a UCC-11 Search for each recording office as appropriate, pursuant to revised Article 9 of the UCC, dated as of the date that UCCs are assigned to the Secretary. The Search must demonstrate or evidence that the lien being assigned to the Secretary is a first lien, and that there are no intervening liens. If the lien being assigned to the Secretary is not a

first lien, the prior lien must be removed, and the Secretary must be provided a first lien in accordance with these instructions. Searches performed by title insurance companies or attorneys are not acceptable.

9. Form No. 289, Assignment. This form is intended to cover collateral documents, interests and funds required by the Departmental regulations to be assigned to the Secretary that affect the note or mortgage, or which may be necessary to enable the Secretary to enforce all rights of a mortgagee against the obligors. This instrument is not to be used as the assignment of mortgage and it need not be recorded.

10. The original of each hazard insurance policy covering the project, or evidence of property insurance, comprising property damage liability totaling at least eighty percent (80%) of the unpaid principal balance of the mortgage. The hazard insurance must be in effect at least through 11:59 p.m. on the date on which the assignment of mortgage is recorded. ~~The hazard insurance policy or evidence of property insurance is not acceptable if it contains the statement that it is for informational purposes only and does not confer rights upon the holder of the policy.~~ In addition, the mortgagee must submit an endorsement to each policy changing the mortgagee clause to show as the sole mortgagee/loss ~~payeethe "Secretary of Housing and Urban Development, of Washington, D.C., his successors and assigns." The effective date of this endorsement should be the date of the filing of the assignment of mortgage to the Secretary.~~

Secretary of Housing and Urban Development,
of Washington, D.C., his successors and assigns
451 Seventh Street, SW, Room 9230
Washington, D.C. 20410-0500

The effective date of this endorsement should be the date the assignment of mortgage to the Secretary is filed for record. The hazard insurance policy or evidence of property insurance is not acceptable if it contains any language to the effect that it is for informational purposes only and does not confer rights upon the holder of the policy. A Certificate of Insurance is not acceptable.

11. An assignment of the mortgagee's interest in the hazard insurance policy should state the following:

> The interest of _____, as the Mortgagee under Policy No. _____ issued by _____ is hereby assigned to the Secretary of Housing and Urban Development of Washington, D.C., his successors and assigns. Date: _____

12. Additional Assignments. If the assignment of mortgage occurs within two (2) years after the date of final endorsement of the project loan, the mortgagee must assign to the Secretary its rights under the Building Loan Agreement and all bonds or other agreements designed to assure completion. The balances of any undrawn letters of credit for escrow deposits held by the mortgagee at the time of default will be treated as cash in the settlement of the mortgagee's claim for insurance benefits.

13. A copy of the resolution of the mortgagee's board of directors or other appropriate evidence demonstrating the authority of the signatory of the assignment instruments to act on behalf of the mortgagee.

14. Title insurance coverage. The regulations (24 CFR § 207.258(b)(4)(ii)) require that the effective date of the original loan title insurance policy coverage be extended to include the date the mortgage is assigned to the Secretary. ~~In compliance therewith~~Therefore, the mortgagee must submit (in addition to the original loan title insurance policy and previous endorsements) a date down endorsement to the original loan title insurance policy, or a new loan title insurance policy (see below) in the amount of the outstanding principal balance of the mortgage, which (1) bears an effective date on or after the date ~~of~~ the assignment of mortgage is ~~filed for record~~recorded, (2) names "The Secretary of Housing and Urban Development, of Washington, D.C., his/her successors and assigns" as the sole insured party, and (3) contains only those exceptions as may have been approved by the Secretary~~. If the mortgagee intends to submit a new policy, it must obtain HUD's advance approval of the policy form being used. If a new title policy is submitted, the policy must conform with the 1992 ALTA format. In those states in which the 1992 ALTA title policy format has not been approved by the applicable state insurance board or commissioner for use in that jurisdiction, the policy submitted to HUD must conform with the 1970 ALTA or 1987 ALTA format. If either the 1987 or the 1992 format is submitted, the policy must include an ALTA Form 8.1 Environmental Endorsement. The following policy formats are not acceptable:~~

NOTE: ~~1970 ALTA Loan Policy Modified/Revised 1984~~
~~1984 ALTA Loan Policy~~
~~1990 ALTA Loan Policy~~ Exceptions to title insurance including liens, covenants or easements which the Secretary has not approved previously and which have priority over the assigned mortgage may not appear as exceptions to the loan title insurance policy unless such exceptions are approved by the Secretary during the mortgage assignment process.

Any liens, covenants or easements which appear as exceptions to the loan title insurance policy and have not been approved previously must be listed as subordinate to the assigned mortgage. If this cannot be done, the acceptability of the exceptions will be evaluated on a case-by-case basis. The mortgagee should be aware that if the problem cannot be resolved within the deadline for submitting the complete legal package, interest on the claim will be curtailed.

If the mortgagee intends to submit a new loan title insurance policy, the policy must conform with the 2006 ALTA format, and the applicable boxes in Schedule A, item 6 must be checked. In those states in which the 2006 ALTA loan title insurance policy format has not been approved by the applicable state insurance board or commissioner for use in that jurisdiction, the loan title insurance policy submitted to HUD must conform with the 1992 ALTA or 1987 ALTA format (except in California, Texas, or Louisiana, where the applicable state-approved forms are used instead of the ALTA forms). If either the 1992 or the 1987 format is submitted, the loan title insurance policy must include an ALTA Form 8.1 Environmental Endorsement. The following loan title insurance policy formats are **not** acceptable:

1970 ALTA Loan Policy Modified/Revised 1984
1984 ALTA Loan Policy
1990 ALTA Loan Policy

If the loan was not finally endorsed for mortgage insurance prior to the mortgagee's election to assign, a pro-forma or specimen loan title insurance policy must be submitted for prior approval. The mortgagee must also enclose a copy of any existing loan title insurance policy. **NOTE:** Any pro-forma or specimen loan title insurance policy must be approved and the original loan title insurance policy must be received within the legal submission deadline (45 days or 60 days, if an extension has been granted as set forth hereinabove).

15. Information indicating when the current year's taxes will become delinquent. This may be in the form of a notation on the loan title insurance policy endorsement, tax bills stating the date of delinquency, or a letter from the taxing authority. Taxes that become delinquent within 45 days after the ~~recordation of the~~ assignment of the mortgage to HUD has been filed for record may not appear as an exception on the loan title insurance policy. These taxes must be paid by the mortgagee and will be reimbursed by HUD pursuant to 24 CFR §§ 207.259(b)(1)(i) and 207.259(b)(1)(ii).

NOTE: HUD reserves the right to refuse to accept ~~an~~ any Indemnification Agreement, as described in ~~various items~~ the paragraphs above, if litigation has occurred which has affected or may affect the project or the mortgagee's interests. HUD's determination shall be made on a case-by-case basis.

[FR Doc. E9–13631 Filed 6–10–09; 8:45 am]
BILLING CODE 4210–67–C

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UTU 80808]

Public Land Order No. 7734; Withdrawal and Transfer of Jurisdiction of Public Land for the Department of Energy Crescent Junction Uranium Mill Tailings Repository; Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order withdraws approximately 936 acres of public land from the United States mining and mineral leasing laws and transfers jurisdiction to the Department of Energy for a period of 20 years for ancillary facilities at its Crescent Junction Uranium Mill Tailings Repository.

DATES: *Effective Date:* June 11, 2009.

FOR FURTHER INFORMATION CONTACT: Mary von Koch, Realty Specialist, BLM Moab Field Office, 82 East Dogwood Avenue, Moab, Utah 84532, 435–259–2128.

Order

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (2000), it is ordered as follows:

1. Subject to valid existing rights, the following described public land is hereby withdrawn from location and entry under the United States mining laws (30 U.S.C. Ch. 2 (2000)), and from leasing under the mineral leasing laws (30 U.S.C. 181 *et seq.* and 30 U.S.C. 351 *et seq.* (2000)), to protect the Department of Energy's ancillary facilities at its Crescent Junction Uranium Mill Tailings Repository:

Salt Lake Meridian

T. 21 S., R. 19 E.,

Sec. 22, S½, excluding SE¼SE¼SW¼, NE¼SW¼SE¼, S½SW¼SE¼, and SE¼SE¼;
Sec. 23, S½, excluding S½S½N½SW¼, S½SW¼, and W½SW¼SW¼SE¼;
Sec. 26, the land lying North of the railroad right-of-way, excluding W½W½NW¼NE¼, N½NW¼, N½SW¼NW¼, N½NE¼SE¼NW¼, and NW¼SE¼NW¼;
Sec. 27, the land lying North of the railroad right-of-way, excluding N½NE¼, SW¼NE¼, N½SE¼NE¼, SW¼SE¼NE¼, E½NE¼NW¼, and E½SE¼NW¼.

The area described contains approximately 936 acres in Grand County.

2. Subject to retention of valid existing claims, rights, and interests, by the Secretary of the Interior as stated in Paragraph 3, full jurisdiction over the above-described land is hereby transferred to the Secretary of Energy and vests in the Department of Energy full management, jurisdiction, authority, responsibility, and liability for such land and all activities conducted therein.

3. The authority to administer any existing claims, rights, and interests in the above-described land established before June 11, 2009 is reserved to the Secretary of the Interior.

4. This withdrawal will expire 20 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f)(2000), the Secretary determines that the withdrawal shall be extended.

Dated: May 21, 2009.

Ken Salazar,

Secretary of the Interior.

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