

(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.

Interested persons are invited to submit comments regarding the information collection requirements in this proposal. Comments must be received by April 7, 2003. Comments must refer to the proposal by name and docket number (FR-4707-P-01) and must be sent to:

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Office of Management and Budget,
Room 10235, New Executive Office
Building, Washington, DC 20503, Fax
number (202) 395-6947, E-mail
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and

Rules Docket Clerk, Office of the
General Counsel, Room 10276, U.S.
Department of Housing and Urban
Development, 451 Seventh Street,
SW, Washington, DC 20410.

Regulatory Planning and Review

The Office of Management and Budget (OMB) reviewed this rule under Executive Order 12866, *Regulatory Planning and Review*. OMB determined that this rule is a "significant regulatory action" as defined in section 3(f) of the Order (although not an economically significant regulatory action under the Order). Any changes made to this rule as a result of that review are identified in the docket file, which is available for public inspection in the office of the Department's Rules Docket Clerk, Room 10276, 451 Seventh Street, SW, Washington, DC 20410-0500.

Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 establishes requirements for federal agencies to assess the effects of their regulatory actions on state, local, and tribal governments, and the private sector. This rule will not impose any federal mandates on any state, local, or tribal governments or the private sector within the meaning of the Unfunded Mandates Reform Act of 1995.

Environmental Review

A Finding of No Significant Impact with respect to the environment was made in accordance with HUD regulations in 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The Finding remains available for public inspection during regular business hours in the

Office of the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, Room 10276, 451 Seventh Street, SW., Washington, DC 20410.

Impact on Small Entities

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed and approved this rule, and in so doing certifies that this rule is not anticipated to have a significant economic impact on a substantial number of small entities. This rule revises HUD's existing regulations for the assessment of public housing at 24 CFR part 902, PHAS, to revise certain procedures to clarify the regulation and to simplify the PHAS process. The additional information and the revision of certain procedures impose no significant economic impact on a substantial number of small entities.

Notwithstanding HUD's determination that this rule will not have a significant effect on a substantial number of small entities, HUD specifically invites comments regarding any less burdensome alternatives to this rule that will meet HUD's objectives as described in this preamble.

Federalism

The General Counsel, as the Designated Official under Executive Order 12612, Federalism, has determined that the policies contained in this rule will not have substantial direct effects on states or their political subdivisions, on the relationship between the federal government and the states, or on the distribution of power and responsibilities among the various levels of government. This rule is intended to promote good management practices by including, in HUD's relationship with PHAs, continuing review of PHAs' compliance with already existing requirements. This rule will not create any new significant requirements. As a result, the rule is not subject to review under the Order.

Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance numbers for Public Housing is 14.850.

List of Subjects in 24 CFR part 902

Administrative practice and procedure, Public Housing, Reporting and recordkeeping requirements.

Accordingly, HUD proposes to revise 24 CFR part 902 to read as follows:

PART 902—PUBLIC HOUSING ASSESSMENT SYSTEM

Subpart A—General Provisions

Sec.

- 902.1 Purpose and general description.
- 902.3 Scope.
- 902.5 Applicability.
- 902.7 Definitions.
- 902.9 PHAS grading.
- 902.10 PHAS designation.
- 902.13 Frequency of PHAS assessments.
- 902.15 Posting and publication of PHAS grades and designations.

Subpart B—PHAS Indicator #1: Physical Condition

- 902.20 Physical condition assessment.
- 902.23 Inspectable areas.
- 902.24 Physical inspection of PHA properties.
- 902.25 Adjustments to physical condition property grade.
- 902.26 Database adjustments to physical condition assessments.
- 902.27 Physical inspection report.
- 902.28 Overall physical condition indicator grade.
- 902.29 Threshold.

Subpart C—PHAS Indicator #2: Financial Condition

- 902.30 Financial condition assessment.
- 902.33 Financial condition grading.
- 902.35 Financial condition components.
- 902.37 Threshold.

Subpart D—PHAS Indicator #3: Management Operations

- 902.40 Management operations assessment and performance standards.
- 902.41 Management operations sub-indicator #1—vacant unit turnaround time.
- 902.42 Management operations sub-indicator #2—Capital Fund.
- 902.43 Management operations sub-indicator #3—work orders.
- 902.44 Management operations sub-indicator #4—annual inspection of dwelling units and systems.
- 902.45 Management operations sub-indicator #5—security.
- 902.46 Management operations sub-indicator #6—self-sufficiency.
- 902.47 Management operations sub-indicator #7—income verification.
- 902.48 Management operations sub-indicator #8—rent calculation.
- 902.49 Threshold.

Subpart E—PHAS Indicator #4: Resident Service and Satisfaction

- 902.50 Resident service and satisfaction assessment.
- 902.51 Certification and updating of unit address information.
- 902.52 Resident survey sampling.
- 902.53 Third party administrator.
- 902.54 Resident service and satisfaction grading and survey contents.
- 902.55 Threshold.

Subpart F—PHAS Submission Requests and Grade Adjustments

- 902.60 Requests for manual and late submissions.