14 CFR Part 71

[Airspace Docket No. 82-AAL-8]

Revocation of Alaskan Low Altitude Reporting Point—Solid

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment revokes Alaskan Low Altitude Reporting Point "SOLID" located in the vicinity of Kachemak, AK. SOLID compulsory reporting point is no longer required because that area is now within radar coverage.

DATES: Effective date—September 2, 1982. Comments must be received on or before September 1, 1982.

ADDRESSES: Send comments on the rule in triplicate to: Director, FAA Alaskan Region, Attention: Chief, Air Traffic Division, Docket No. 82-AAL-8, Federal Aviation Administration, 701 C Street, Box 14, Anchorage, AK 99513.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, D.C.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves revocation of Low Altitude Compulsory Reporting Point SOLID in the Kachemak, AK, area and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic, and energy aspects of the rule that might suggest the need to modify the rule.

The Rule

The purpose of this amendment to § 71.211 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to revoke Low Altitude Compulsory Reporting Point SOLID. This action aids flight planning and reduces pilot and controller workload. Section 71.211 of Part 71 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982.

Since this amendment is minor in nature, and merely changes a compulsory reporting point to noncompulsory thereby reducing workload, I find that notice or public procedure under 5 U.S.C. 553(b) is contrary to the public interest and that good cause exists for making this amendment effective 30 days after its publication in the **Federal Register.**

List of Subjects in 14 CFR Part 71

Reporting points.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.211 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.M.T., September 2, 1982, as follows:

Solid [Revoked]

By removing the title and text.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on July 26, 1982.

B. Keith Potts,

Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 82-20746 Filed 7-30-82; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 2

Amendments to the Commission's Rule Governing Requests To Reopen and Modify Final Orders

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission amends § 2.51(c) of its Rules of Practice to extend the public comment period on a request to reopen to 30 days after issuance of a press release on the request. However, the rule retains the provision for a shorter comment period where the Commission determines that earlier disposition of a § 2.51 request is necessary.

The Commission also amends § 2.51(c) to delegate to Bureau Directors the authority to publish notice of a § 2.51 request in the **Federal Register** at their discretion.

EFFECTIVE DATE: August 2, 1982.

FOR FURTHER INFORMATION CONTACT: Jerome A. Tintle, Office of General Counsel, Federal Trade Commission, Washington, D.C. 20580, (202) 523-3487.

List of Subjects in 16 CFR Part 2

Administrative practice and procedure, Investigations, Reporting requirements.

PART 2—NONADJUDICATIVE PROCEDURES

Accordingly, 16 CFR 2.51(c) is revised to read as follows:

§ 2.51 Requests to reopen.

* * * * *

(c) *Opportunity for public comment.*—A request under this section shall be placed on the public record except for material exempt from public disclosure under rule 4.10(a). Unless the Commission determines that earlier disposition is necessary, the request shall remain on the public record for thirty (30) days after a press release on the request is issued. Bureau Directors are authorized to publish a notice in the **Federal Register** announcing the receipt of a request to reopen at their discretion. The public is invited to comment on the request while it is on the public record.

* * * * *

(Sec 6(g), 38 Stat. 721 (15 U.S.C. 46(g)); 80 Stat. 383, as amended, 81 Stat. 54 (5 U.S.C. 552))

By direction of the Commission, dated July 23, 1982.

Carol M. Thomas,

Secretary.

[FR Doc. 82-20795 Filed 7-30-82; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Parts 203 and 204

[Docket No. 82-965]

Mutual Mortgage Insurance and Rehabilitation Loans; Temporary Mortgage Assistance Payments and Assignments to HUD

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

ACTION: Final rule.

SUMMARY: This final rule defines the conditions under which single-family mortgagors may qualify for temporary mortgage assistance payments and assignments to HUD, and those standards for program administration required of mortgagees and HUD Field Offices. The rule implements the temporary mortgage assistance payments program authorized by amendments contained in the Housing and Community Development Act of 1980. This program is intended to be a lower cost alternative to the existing mortgage assignment program.

EFFECTIVE DATE: Upon expiration of the first period of 30 calendar days of continuous session of Congress after publication. Further notice of the actual effective date will be published in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Richard B. Buchheit, Director, Single Family Servicing Division, Office of Single Family Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, (202) 755-8680 (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: A proposed rule governing the Temporary Mortgage Assistance Payments (TMAP) Program authorized by Section 230 of the National Housing Act (12 U.S.C. 1715u) as amended by Section 341 of the Housing and Community Development Act of 1980, was published in the **Federal Register** for public comment on April 5, 1982 (Volume 47, Number 65, 14495-14500). Interested parties were given until May 20, 1982 to submit written comments. Thirty-one public comments were received on the proposed rule prior to the May 20, 1982 date. The majority of comments were received from individuals. Other comments were received from community groups, HUD Field Offices, mortgagees, a mortgage banking industry trade organization, housing counseling agencies, and legal assistance organizations. One comment was received from a member of Congress.

Discussion of Comments

The comments submitted by individuals indicated their approval or disapproval of granting temporary mortgage assistance. These comments were of a general nature and were generated, in part, due to a bill introduced in the U.S. House of Representatives that would amend the statute authorizing the TMAP program. The majority of these individuals expressed approval of the concept for providing temporary mortgage assistance, without commenting on any substantive aspects of the proposed rule. The dissenting individual commentors felt that the Federal Government should not be assisting individuals in financial difficulties. One dissenting commentor stated that assistance encourages delinquencies and discourages pride of home ownership.

Two commentors opposed the concept of a TMAP program as an alternative to the assignment program. One of these commentors objected on the grounds that the assignment program was working successfully and that TMAP would create additional expenses for taxpayers. The other commentor maintained that the TMAP program would violate the Amended Stipulation under *Ferrell* v. *Pierce,* No. 73 C 334 (N.D. of Ill., Nov. 8, 1979), since it would curtail the basic rights of mortgagors under the assignment program. Although HUD agrees that the assignment program is working well, Congress has enacted legislation and has authorized funds for the TMAP program. There is no reason to believe that TMAP will be more costly than assignment, and considerable reason to believe that it will be less costly. Further, we have considered the challenges to the legality of the program on the basis of its inconsistency with the Amended Stipulation, and believe them to be unfounded.

One commentor suggested that the language in Sections 606(b)(3) and 640(a)(5) and (6) is more restrictive than the previous assignment regulations regarding notification of the availability of foreclosure relief to mortgagors by mortgagees, and eligibility criteria guidelines. As stated in the Supplementary Information section of the proposed rule, changes were made in these areas to reflect a clear Congressional intent that the purpose of TMAP and assignment is to assist "homeowners who are experiencing temporary financial distress to maintain ownership and occupancy of their homes" (see page 52 of House Report No. 96-979). In implementing the Congressional intent, it was felt that the regulations must preclude participation in these assistance programs from investors who have not utilized their financial resources available to maintain the mortgage payments on the mortgage under review, including rental income from other properties owned. Sections 640(a)(5) and (6) are not more restrictive than the previous assignment eligibility criteria. We have simply streamlined the regulations to more clearly reflect the Secretary's existing authority to waive those eligibility criteria relating to principal residence and owning other property subject to a HUD mortgage. The previously included examples were not situations mandating a waiver but were included to illustrate circumstances under which the Secretary might find a waiver appropriate. The appearance of the examples in the body of the rule might imply that waiver is required in such circumstances, affording a mortgagor a right to a waiver. *See generally, Batterton* v. *Marshall,* 648 F. 2d 694, 701-2 (D.C. Cir. 1980). To avoid the appearance of creating such a right, we have eliminated the examples. The situations described in prior examples will still be considered in determining what is in the best interests of the Department.

Two commentors objected to the eligibility criterion in § 203.640(a)(4), stating that the requirement that the mortgagor have prospects for both bringing the mortgage current and resuming full mortgage payments is inconsistent with the previous assignment regulations. HUD disagrees. The previous assignment program language clearly referenced a reasonable prospect of resuming full mortgage payments and paying the mortgage in full, which by definition includes repayment of any delinquency. The eligibility criterion for the TMAP program, which reflects statutory language, is identical in meaning to that used previously.

Several comments indicated that assistance under TMAP could be terminated earlier than under