

source of illumination that is composed of a wick surrounded by wax. CBP concluded that the wax objects, on their own, were unable to provide illumination. CBP's historical position is that the essential character of a candle is imparted by both the wick and the wax components. None of the wax objects have a wick and are unable to provide its user with light. Therefore, CBP held that the wax objects do not have the essential character of a candle.

In addition, CBP also held that the wax forms are not unassembled candles because unassembled goods must be imported with the requisite number of parts. None of the rulings indicate that the wax objects were being imported with an equal number of wicks. Therefore, CBP has concluded that classification by application of GRI 2(a) in heading 3406, HTSUS is inappropriate.

Finally, CBP's prior decisions held that classification by application of GRI 3(a) is inappropriate because the wax objects are not *prima facie* classifiable in two or more headings of the HTSUS. In order for classification by application of GRI 3(a) to be appropriate the goods cannot be classifiable by application of GRIs 1 or 2 and the good must be *prima facie* classifiable in two or more headings. As indicated above, CBP has held that heading 3406, HTSUS, does not describe the imported products. As a result, the wax articles are not *prima facie* classifiable in any other heading, except heading 9602, HTSUS.

Comments

Pursuant to section 175.21(a), CBP regulations (19 CFR 175.21(a)), before making a determination on this matter, CBP invites written comments on the petition from interested parties.

The domestic interested party petition concerning the tariff classification of wax objects, as well as all comments received in response to this notice, will be available for public inspection on the docket at <http://www.regulations.gov>. Please note that any submitted comments that CBP receives by mail will be posted on the above-referenced docket for the public's convenience.

Authority: This notice is published in accordance with section 175.21(a), CBP Regulations (19 CFR 175.21(a)) and 19 U.S.C. 1516.

Dated: December 29, 2009.

Jayson P. Ahern,

Acting Commissioner, U.S. Customs and Border Protection.

[FR Doc. E9-31352 Filed 1-4-10; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5369-N-01]

Notice of Availability: HUD Real Estate Settlement Procedures Act (RESPA) Handbook

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

ACTION: Notice.

SUMMARY: Through today's **Federal Register** notice, HUD announces the availability on its Web site of the revised special information booklet (Booklet) pursuant to the Real Estate Settlement Procedures Act (RESPA) requirement in 12 U.S.C. § 2604. The Real Estate Settlement Procedures Act of 1974 (RESPA) (12 U.S.C. 2601-2617), establishes the process for disclosing settlement costs in the financing or refinancing of a home, and helps protect consumers from unethical practices by settlement service providers during the home-buying and loan process. Under RESPA, lenders and mortgage brokers are required to give borrowers this Booklet within three days of the borrower's applying for a mortgage loan. The Booklet provides information designed to assist individuals seeking to buy a home to become familiar with the home-buying process. As a result, the Booklet provides information regarding the purchase contract, how to use a Good Faith Estimate to shop for the best loan, required settlement services to close the loan, and the HUD-1 Settlement Statement. It also provides information regarding interest rates, points, balloon payments, prepayment penalties and how they can affect mortgage payments. The Booklet also discusses how to resolve loan servicing problems that will help avoid actions that could lead to foreclosure.

The Booklet is currently available on the HUD Web site at: <http://www.hud.gov/utilities/intercept.cfm?http://portal.hud.gov/portal/page/portal/HUD/documents/Settlement%20Booklet%20December%2015%20REVISED.pdf>. It is also currently the top link at <http://www.hud.gov/respa>.

FOR FURTHER INFORMATION CONTACT: The Office of RESPA and Interstate Land Sales, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW., Room 9158, Washington, DC 20410; telephone number 202-708-0502 (this is not a toll-free number). Persons with hearing or speech impairments may access this number via TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

Dated: December 29, 2009.

David H. Stevens,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. E9-31304 Filed 1-4-10; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5275-N-04]

Native American Housing Assistance and Self-Determination Reauthorization Act of 2008: Notice of Final List of Negotiated Rulemaking Committee Members

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: On September 23, 2009, HUD published a **Federal Register** notice establishing the negotiated rulemaking committee that will work with HUD to develop regulatory changes to programs authorized under the Native American Housing Assistance and Self-Determination Act of 1996. Changes to these programs were made by the Native American Housing Assistance and Self-Determination Reauthorization Act of 2008, which also directs that HUD undertake negotiated rulemaking to implement the statutory revisions. The September 23, 2009, notice also announced the names and affiliations of the committee's proposed members and requested public comment on the committee and its proposed membership. Today's notice announces the final list of committee members.

FOR FURTHER INFORMATION CONTACT:

Rodger Boyd, Deputy Assistant Secretary for Native American Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 4126, Washington, DC 20410, telephone number 202-401-7914 (this is not a toll-free number). Hearing- or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

I. Background

The Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*) (NAHASDA) changed the way that housing assistance is provided to Native Americans. NAHASDA eliminated several separate assistance programs and replaced them with a single block

grant program, known as the Indian Housing Block Grant (IHBG) program. In addition, Title VI of NAHASDA authorizes federal guarantees for the financing of certain tribal activities (Title VI Loan Guarantee Program). The regulations governing the IHBG and Title VI Loan Guarantee programs are located in part 1000 of HUD's regulations in title 24 of the Code of Federal Regulations. In accordance with section 106 of NAHASDA, HUD developed the regulations with active tribal participation and using the procedures of the Negotiated Rulemaking Act of 1996 (5 U.S.C. 561–570).

The Native American Housing Assistance and Self-Determination Reauthorization Act of 2008 (Pub. L. 110–411, approved October 14, 2008) (NAHASDA Reauthorization) reauthorizes NAHASDA through September 30, 2013, and makes a number of amendments to the statutory requirements governing the IHBG and Title VI Loan Guarantee programs. The NAHASDA Reauthorization amends section 106 of NAHASDA to provide that HUD shall “initiate a negotiated rulemaking in accordance with this section by not later than 90 days after enactment of the [2008 Reauthorization Act].”

On January 12, 2009 (74 FR 1227), HUD published a notice in the **Federal Register** announcing the initiation of the negotiated rulemaking required by the NAHASDA Reauthorization. On March 2, 2009 (74 FR 9100), HUD published a notice in the **Federal Register** that commenced the negotiated rulemaking process by soliciting nominations for membership on the negotiated rulemaking committee. The notice provided that the negotiated rulemaking committee must consist of representatives of interests that are potentially affected by the rulemaking, such as tribally designated housing entities, elected officials of tribal governments, and HUD representatives. The notice explained that there was no requirement that each potentially affected organization or entity necessarily have its own representation on the committee. However, HUD noted that the committee, as a whole, must reflect a geographically diverse cross-section of small, medium, and large Indian tribes. The March 2, 2009, notice was followed by a September 23, 2009, notice published in the **Federal Register** (74 FR 48584) that listed the proposed members of the NAHASDA Reauthorization negotiated rulemaking committee.

II. Discussion of Public Comments

The public comment period for the September 23, 2009, notice ended on October 23, 2009. HUD received 10 public comments. A number of commenters objected that there was no representative of a particular tribe or too few representatives of a category of tribes on the proposed committee. Another commenter found HUD's description of the scope of the subject rule and the interests affected to be insufficiently detailed, and also questioned why HUD is proposing that the committee have a total of 26 members, including HUD. One commenter objected to the inclusion of a particular individual on the committee, while others objected that a particular individual was not included. Finally, HUD received requests from tribes requesting that their nominees, who were included in the proposed committee, be replaced with representatives of the same tribes.

HUD appreciates the interest of the commenters in the composition of the NAHASDA Reauthorization negotiated rulemaking committee. HUD regrets it is unable to include a representative of every tribe or group of tribes on the committee. In order to ensure that the negotiated rulemaking process is workable, the Negotiated Rulemaking Act directs agencies to limit committee composition to no more than 25 members, unless the agency determines that such number cannot achieve the desired balance of interests. (See 5 U.S.C. 565(b).) The Negotiated Rulemaking Act's preference for limiting committees to workable numbers of members means that not every tribe can have its own representative and not every interested and qualified individual can be a member. HUD has determined that allocating all 25 seats to tribal members, and increasing the committee size by two members to accommodate HUD's representatives, maximizes tribal representation. This committee size and allocation are sufficient to satisfactorily achieve the balance of interests, with respect to size and geographical location, that HUD strives to achieve through this committee, while also ensuring that the negotiated rulemaking process remains workable. Although committee membership is limited, committee meetings are open to the public, and HUD welcomes the participation of individuals beyond those who are members of the committee. HUD also notes that, as it has stated in prior notices, affected interests include those of tribally designated housing entities, tribal

governments, and tribes of different sizes and geographic locations, and are similar to those involved in previous NAHASDA negotiated rulemaking, which also addressed the distribution of block grant funding for Indian housing and federal guarantees for financing certain tribal activities. Accordingly, HUD proposed a committee whose membership is diverse and that approximates membership from prior NAHASDA negotiated rulemaking committees. Finally, in cases where a tribe or group of tribes requested that its representative be replaced with a substitute, HUD has honored the request.

III. First Committee Meeting

HUD intends to announce the date and location of the first meeting of the NAHASDA Reauthorization negotiated rulemaking committee in a future **Federal Register** notice.

IV. Final Membership of the Negotiated Rulemaking Committee

Following is the final list of tribal negotiated rulemaking committee members. In making the selections for membership on the negotiated rulemaking committee, HUD's goal was to establish a committee whose membership reflects a balanced representation of Indian tribes. In addition to the tribal members of the committee, there will be two HUD representatives: Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing, and Rodger J. Boyd, Deputy Assistant Secretary for Native American Programs.

The final list of NAHASDA negotiated rulemaking committee members is as follows:

- Steven Angasan, King Salmon Tribe, Naknek, Alaska.
- Carol Gore, President/CEO, Cook Inlet Housing Authority, Anchorage, Alaska.
- Blake Kazama, President, Tlingit-Haida Regional Housing Authority, Juneau, Alaska.
- Marty Shuravloff, Executive Director, Kodiak Island Housing Authority, Kodiak, Alaska.
- Retha Herne, Executive Director, Akwesasne Housing Authority, Hogansburg, New York.
- Ray DePerry, Housing Director, Red Cliff Chippewa Housing Authority, Bayfield, Wisconsin.
- Robert Durant, Executive Director, White Earth Reservation Housing Authority, Waubun, Minnesota.
- Leon Jacobs, Lumbee Tribe of North Carolina, Mystic, Connecticut.

Susan Wicker, Executive Housing Director, Poarch Band of Creek Indians, Atmore, Alabama.

Jason Adams, Executive Director, Salish Kootenai Housing Authority, Pablo, Montana.

Lafe Haugen, Executive Director, Northern Cheyenne Tribal Housing Authority, Lame Deer, Montana.

Rebecca Phelps, Development Specialist, Turtle Mountain Housing Authority, Belcourt, North Dakota.

S. Jack Sawyers, Paiute Indian Tribe of Utah, Cedar City, Utah.

Margarite Becenti, Member, Board of Commissioners, Umatilla Reservation Housing Authority, Pendleton, Oregon.

Henry Cagey, The Honorable Chairman, Lummi Nation, Bellingham, Washington.

Larry Coyle, Executive Director, Cowlitz Indian Tribal Housing, Chehalis, Washington.

Karin Foster, Legal Counsel, Yakama Nation Housing Authority, Toppenish, Washington.

Marvin Jones, Manager, Housing Oversight, Cherokee Nation, Tahlequah, Oklahoma.

Thomas McGeisey, Executive Director, Seminole Nation Housing Authority, Wewoka, Oklahoma.

Shawna Pickup, Housing Director/Secretary, Eastern Shawnee Tribe of Oklahoma, Wyandotte, Oklahoma.

Russell Sossamon, Executive Director, Choctaw Nation Housing Authority, Hugo, Oklahoma.

Ervin Keeswood, Member, Navajo Housing Authority Board of Commissioners, Window Rock, Arizona.

Judith Marasco, Executive Director, Yurok Indian Housing Authority, Klamath, California.

Alvin Moyle, The Honorable Chairman, Fallon Business Council, Fallon Paiute-Shoshone Tribe, Fallon, Nevada.

Darlene Tooley, Executive Director, Northern Circle Indian Housing Authority, Ukiah, California.

Dated: December 24, 2009.

Sandra B. Henriquez,
Assistant Secretary for Public and Indian Housing.

[FR Doc. E9-31302 Filed 1-4-10; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLWO320000L1320000.PP]

Extension of Approved Information Collection, OMB Control Number 1004-0073

AGENCY: Bureau of Land Management, Interior.

ACTION: 60-day notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) announces its intention to request that the Office of Management and Budget (OMB) extend approval for the paperwork requirements in 43 CFR parts 3400 through 3500, which cover leasing or developing Federal coal. The BLM uses the information to determine if the applicant is qualified to hold a Federal coal lease. The Office of Management and Budget (OMB) previously approved this information collection activity under the control number 1004-0073.

DATES: You must submit your comments to the BLM at the address below on or before March 8, 2010. The BLM is not obligated to consider any comments postmarked or received after the above date.

ADDRESSES: You may mail comments to: U.S. Department of the Interior, Bureau of Land Management, Mail Stop 401-LS, 1849 C St., NW., Washington, DC 20240, Attention: 1004-0073. You may also comment by e-mail at: Jean_Sonneman@blm.gov. Comments will be available for public review at the L Street address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday, excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: You may contact John A. Lewis, Division of Solid Minerals at (202) 912-7116 (Commercial or FTS). Persons who use a telecommunication device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) on 1-800-877-8339, 24 hours a day, seven days a week, to contact Mr. Lewis. You may also contact Mr. Lewis to obtain a copy, at no cost, of the regulations and forms that require this collection of information.

SUPPLEMENTARY INFORMATION: OMB regulations at 5 CFR part 1320, which

implement provisions of the Paperwork Reduction Act (44 U.S.C. 3501-3521), require that interested members of the public and affected agencies be provided an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d) and 1320.12(a)). This notice identifies information collections that are contained in 43 CFR parts 3400 through 3500, which cover leasing and the development of Federal coal. The BLM will request that the OMB approve this information collection activity for a 3-year term.

Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information. A summary of the public comments will accompany the BLM's submission of the information collection requests to OMB.

The following information is provided for the information collection:

Title: Coal Management (43 CFR 3400-3500).

Forms:

- Form 3400-12; Coal Lease.
- Form 3440-1; License to Mine.

OMB Control Number: 1004-0073.

Abstract: This notice pertains to information collections that cover the leasing and development of Federal coal. The BLM determines if the applicant to lease is qualified to hold a lease or develop Federal coal. The information collections covered by this notice are found at 43 CFR parts 3400 through 3500; and in the form listed above.

Frequency: On occasion.

Estimated Number and Description of Respondents: Approximately 1235 applicants to hold a coal lease or develop Federal coal.

Estimated Reporting and Recordkeeping "Hour" Burden: The currently approved annual reporting burden for this collection is 21,022 hours. The following chart details the individual components and respective hour burden estimates of this information collection request:

Regulation 43 CFR	Type of application	Estimated number of responses	Estimated hours per response
3410	Application for an exploration license	10	36
3410	Issuance and termination of an exploration license	5	12