

**SUMMARY:** This notice informs the public that the Office of Inspector General (OIG) intends to update the Special Advisory Bulletin on the Effect of Exclusion from Participation in Federal Health Care Programs (64 FR 52791; September 30, 1999) and solicits input from the public for OIG to consider in developing the updated bulletin.

**DATES:** To assure consideration, public comments must be delivered to the address provided below by no later than 5 p.m. on January 11, 2011.

**ADDRESSES:** In commenting, please refer to file code OIG-115-N. Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission.

You may submit comments in one of three ways (no duplicates, please):

- *Electronically.* You may submit electronic comments on specific recommendations and proposals through the Federal eRulemaking Portal at <http://www.regulations.gov>. (Attachments should be in Microsoft Word, if possible.)

- *By regular, express, or overnight mail.* You may send written comments to the following address: Office of Inspector General, Department of Health and Human Services, Attention: OIG-115-N, Room 5541, Cohen Building, 330 Independence Avenue, SW., Washington, DC 20201. Please allow sufficient time for mailed comments to be received before the close of the comment period.

- *By hand or courier.* If you prefer, you may deliver, by hand or courier, your written comments before the close of the comment period to Office of Inspector General, Department of Health and Human Services, Cohen Building, 330 Independence Avenue, SW., Washington, DC 20201. Because access to the interior of the Cohen Building is not readily available to persons without Federal Government identification, commenters are encouraged to schedule their delivery with one of our staff members at (202) 619-1343.

For information on viewing public comments, please see the Supplementary Information section.

**FOR FURTHER INFORMATION CONTACT:** Patrice Drew, Department of Health and Human Services, Office of Inspector General, Office of External Affairs, (202) 619-1368.

**SUPPLEMENTARY INFORMATION:**

*Submitting Comments:* We welcome comments from the public on this Special Advisory Bulletin on the Effect of Exclusion from Participation in Federal Health Care Programs. Please assist us by referencing the file code OIG-115-N.

*Inspection of Public Comments:* All comments received before the end of the comment period are available for viewing by the public. All comments will be posted on <http://www.regulations.gov> as soon as possible after they have been received.

Comments received timely will also be available for public inspection as they are received at Office of Inspector General, Department of Health and Human Services, Cohen Building, 330 Independence Avenue, SW., Washington, DC 20201, Monday through Friday from 8:30 a.m. to 4 p.m. To schedule an appointment to view public comments, phone (202) 401-2206.

**Background**

The Special Advisory Bulletin on the Effect of Exclusion from Participation in Federal Health Care Programs contains guidance which has proven to be extremely important to excluded individuals and to all of those in the health care industry who are concerned with compliance. The health care industry and health care professionals have now had more than a decade of experience with the ramifications of exclusion since OIG first published this bulletin in 1999. With time it has become even more apparent that exclusion has a significant impact, not only on those who have been excluded but also on entities that have employed or contracted with excluded persons and been faced with liability for overpayments and civil monetary penalties as a result. As OIG's compliance and enforcement activities in this area have increased, many health care providers have discovered that they employ excluded individuals and have self-disclosed to the OIG. Many health care providers have also sought to design compliance programs that will minimize the risk of submitting claims to a Federal health care program for items or services furnished, ordered, or prescribed by an excluded individual. In considering the content of the Special Advisory Bulletin, OIG is soliciting comments, recommendations, and other suggestions from concerned parties and organizations on how best to supplement the guidance provided in the Special Advisory Bulletin to address relevant issues and to provide useful guidance to the industry. For example, OIG seeks comments on areas in which clarification and further guidance on the effect of exclusion may be helpful.

Dated: November 5, 2010.

**Daniel R. Levinson,**  
*Inspector General.*

[FR Doc. 2010-28366 Filed 11-10-10; 8:45 am]

**BILLING CODE 4152-01-P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-5374-N-21]

**Buy American Exceptions Under the American Recovery and Reinvestment Act of 2009**

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

**ACTION:** Notice.

**SUMMARY:** In accordance with the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-05, approved February 17, 2009) (Recovery Act), and implementing guidance of the Office of Management and Budget (OMB), this notice advises that certain exceptions to the Buy American requirement of the Recovery Act have been determined applicable for work using Capital Fund Recovery Formula and Competition (CFRFC) grant funds. Specifically, an exception was granted to the Housing Authority of the County of Cook (HACC) for the purchase and installation of through-the-wall air conditioning units and Ground Fault Circuit Interrupter (GFCI) outlets for the Riverdale Senior Apartments project.

**FOR FURTHER INFORMATION CONTACT:** Dominique G. Blom, Deputy Assistant Secretary for Public Housing Investments, Office of Public Housing Investments, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 4130, Washington, DC, 20410-4000, telephone number 202-402-8500 (this is not a toll-free number). Persons with hearing- or speech-impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** Section 1605(a) of the Recovery Act provides that none of the funds appropriated or made available by the Recovery Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. Section 1605(b) provides that the Buy American requirement shall not apply in any case or category in which the head of a Federal department or agency

finds that: (1) Applying the Buy American requirement would be inconsistent with the public interest; (2) iron, steel, and the relevant manufactured goods are not produced in the U.S. in sufficient and reasonably available quantities or of satisfactory quality, or (3) inclusion of iron, steel, and manufactured goods will increase the cost of the overall project by more than 25 percent. Section 1605(c) provides that if the head of a Federal department or agency makes a determination pursuant to section 1605(b), the head of the department or agency shall publish a detailed written justification in the **Federal Register**.

In accordance with section 1605(c) of the Recovery Act and OMB's implementing guidance published on April 23, 2009 (74 FR 18449), this notice advises the public that, on October 20, 2010, upon request of the HACC, HUD granted an exception to applicability of the Buy American requirements with respect to work, using CFRFC grant funds, in connection with the Riverdale Senior Apartments project. The exception was granted by HUD on the basis that the relevant manufactured goods (GFCI outlets and through-the-wall air conditioning units) are not produced in the U.S. in sufficient and reasonably available quantities or of satisfactory quality.

Dated: November 4, 2010.

**Deborah Hernandez,**

*General Deputy Assistant Secretary for Public and Indian Housing.*

[FR Doc. 2010-28417 Filed 11-10-10; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5454-N-01]

### Emergency Homeowners' Loan Program: Notice of Allocation of Funding for Substantially Similar State Programs

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

**ACTION:** Notice.

**SUMMARY:** The Emergency Homeowners' Loan program, originally authorized by a 1975 statute, was reauthorized and revised by the Dodd-Frank Wall Street Reform and Consumer Protection Act, which also made \$1 billion in funding available for this program. This program, as recently revised, authorizes the Secretary to allow funds to be administered by a state that has an existing program that provides

substantially similar assistance to homeowners, as determined by the Secretary.

This notice sets out the key features of HUD's emergency assistance program for homeowners, and solicits applications from states that have programs offering assistance substantially similar to this program.

**DATES: *Deadline Date:*** The submission deadline date is December 13, 2010 (the "Deadline Date"). Information must be submitted to [EHLStateFundingProgram@hud.gov](mailto:EHLStateFundingProgram@hud.gov), no later than 11:59 a.m. on the Deadline Date.

**FOR FURTHER INFORMATION CONTACT:** Office of Housing Counseling, Office of Housing, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410; telephone number 202-708-0317 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

*Overview Information:*

*A. Federal Agency Name:* Department of Housing and Urban Development, Office of Emergency Homeowners' Loan Assistance.

*B. Funding Opportunity Title:* Emergency Homeowners' Loan program: Funding of Comparable State Programs.

*C. Announcement Type:* Initial Announcement.

*D. Funding Opportunity Number:* The **Federal Register** number for this notice is FR-5454-N-01.

*E. Dates:* The Deadline Date is *December 13, 2010*. Information must be submitted to [EHLStateFundingProgram@hud.gov](mailto:EHLStateFundingProgram@hud.gov), no later than 11:59 a.m. on the Deadline Date.

*F. Additional Overview Information:*

*1. Available Funds.* Funds are available to administer existing state programs comparable to the Emergency Homeowners' Loan program.

*2. Eligible Applicants.* States that are included on the attached Schedule A are eligible to apply for funding under this notice provided that they are administering existing programs comparable to the Emergency Homeowners' Loan program.

### Full Text of Announcement

#### *I. Funding Opportunity Description*

*A. Program Description.* The Emergency Housing Act of 1975 (12 U.S.C. 2701), signed into law on July 2, 1975, conferred on HUD, through title I of this statute, entitled the "Emergency Homeowners' Relief Act," standby authority to insure or make loans to

homeowners to defray mortgage expenses so as to prevent widespread mortgage foreclosures and distress sales of homes resulting from the temporary loss of employment and income. The Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111-203, approved July 21, 2010) revised and reauthorized this 1975 statute, and provided \$1 billion to HUD to implement the program authorized by the Emergency Homeowners' Relief Act, referred to by HUD in 2010 as the Emergency Homeowners' Loan program.

*B. Authority.* Title I (Emergency Homeowners' Relief Act) of the Emergency Housing Act of 1975, as amended (12 U.S.C. 2701).

#### *II. Award Information*

*A. Available Funds.* Through this notice, \$1 billion is made available to states in accordance with the state allocations provided in Schedule A, and HUD solicits applications from the states in Schedule A having comparable state programs.<sup>1</sup> The HUD allocation formula in Schedule A targets funds to states based on their population and share of unemployed homeowners with a mortgage. The amounts listed on Schedule A include reasonable administrative costs to administer the assistance made available through the Emergency Homeowners' Loan program. HUD's Emergency Homeowners' Loan program is intended to complement the Department of the Treasury's Hardest Hit Fund by providing assistance to homeowners—who are at risk of foreclosure and have experienced a substantial reduction in income due to involuntary unemployment, underemployment, or a medical condition—in states that are not included in the Hardest Hit target states. Through its Hardest Hit Fund, the Department of the Treasury is providing targeted support to 18 states, and the District of Columbia, struggling with the highest unemployment rates. Together, these two sources of funds form a national effort to help unemployed and underemployed homeowners meet their mortgage obligations.

*B. Type of Assistance instrument.* Funds will be awarded through a cooperative agreement.

<sup>1</sup> To the extent that a state does not submit information about an existing program that provides substantially similar assistance to homeowners or such submission does not meet the requirements outlined below, the state's allocation described in Schedule A will be administered in that state by the Department of Housing and Urban Development in accordance with HUD's Emergency Homeowners' Loan program.