

(2) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to 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.

HUD encourages interested parties to submit comment in response to these questions.

### C. Authority

Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Dated: November 4, 2014.

**Colette Pollard,**

*Department Reports Management Officer,  
Office of the Chief Information Officer.*

[FR Doc. 2014-26648 Filed 11-7-14; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5752-N-89]

### 30-Day Notice of Proposed Information Collection: Mortgagor's Certificate of Actual Cost

**AGENCY:** Office of the Chief Information Officer, HUD.

**ACTION:** Notice.

**SUMMARY:** HUD has submitted the proposed information collection requirement described below to the Office of Management and Budget (OMB) for review, in accordance with the Paperwork Reduction Act. The purpose of this notice is to allow for an additional 30 days of public comment.

**DATES:** *Comments Due Date:* December 10, 2014.

**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: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-5806. Email: [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410; email at [ColettePollard@hud.gov](mailto:ColettePollard@hud.gov) or telephone 202-402-3400. Persons with hearing or

speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at (800) 877-8339. This is not a toll-free number.

Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that HUD has submitted to OMB a request for approval of the information collection described in Section A.

The **Federal Register** notice that solicited public comment on the information collection for a period of 60 days was published on July 2, 2014.

### A. Overview of Information Collection

*Title of Information Collection:* Mortgagor's Certificate of Actual Cost.  
*OMB Approval Number:* 2502-0112.

*Type of Request:* Extension of currently approved collection.

*Form Number:* HUD-92330.

*Description of the need for the information and proposed use:* HUD uses the form to obtain data from a mortgagor relative to the actual cost of a project. HUD uses the cost information to determine the maximum insurable mortgage for final endorsement of an insured mortgage. Actual cost is defined in section 227(c) of the National Housing Act. In addition Form HUD-92330 must be accompanied by an audited balance sheet certified by an accountant unless the project has less than 40 units, or if it is a refinancing or a purchase of an existing project under 207/223f or 232/223f.

*Respondents:* Insured Mortgagees.  
*Estimated Number of Respondents:* 2151.

*Estimated Number of Responses:* 2151.

*Frequency of Response:* 1.  
*Average Hours per Response:* 8.  
*Total Estimated Burdens:* 17,208.

### B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:

(1) 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) The accuracy of the agency's estimate of the burden of the proposed collection of information;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) Ways to 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.

HUD encourages interested parties to submit comment in response to these questions.

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35.

Date: November 4, 2014.

**Colette Pollard,**

*Department Reports Management Officer,  
Office of the Chief Information Officer.*

[FR Doc. 2014-26649 Filed 11-7-14; 8:45 am]

**BILLING CODE 4210-67-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5755-N-01]

### 60-Day Notice of Proposed Information Collection: Comment Request; Ginnie Mae Mortgage-Backed Securities Guide 5500.3, Revision 1 (Forms and Electronic Data Submissions)

**AGENCY:** Office of the President of Government National Mortgage Association (Ginnie Mae), 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:* February 9, 2015.

**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: Colette Pollard, Q, Administrator Support Specialist, Department of Housing and Urban Development, 451 7th Street SW., Room 4160, Washington, DC 20410; email [Colette.Pollard@hud.gov](mailto:Colette.Pollard@hud.gov); telephone (202) 708-0306, ext. 3400. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

**FOR FURTHER INFORMATION CONTACT:** Debra Murphy, Ginnie Mae, 451 7th Street SW., Room B-133, Washington, DC 20410; email—[Debra.L.Murphy@hud.gov](mailto:Debra.L.Murphy@hud.gov); telephone—(202) 475-4923; fax—(202) 485-0225 (this is not a toll-free number); Merlene Hawkins, Ginnie Mae, 451 7th Street SW., Room B-133, Washington, DC 20410; email—[Merlene.Hawkins@hud.gov](mailto:Merlene.Hawkins@hud.gov); telephone—(202) 475-4916; fax—(202) 485-0225

(this is not a toll-free number); or the Ginnie Mae Web site at [www.ginniemae.gov](http://www.ginniemae.gov) for other available information.

**SUPPLEMENTARY INFORMATION:** The Department will submit the proposed information collection to OMB for review 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 affected 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 hours 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:* Ginnie Mae Mortgage-Backed Securities Guide 5500.3, Revision 1 (Forms and Electronic Data Submissions).

*OMB Control Number, if applicable:* 2503-0033.

*Description of the need for the information and proposed use:*

Ginnie Mae's Mortgage-Backed Securities Guide 5500.3, Revision 1 ("Guide") provides instructions and guidance to participants in the Ginnie Mae Mortgage-Backed Securities ("MBS") programs ("Ginnie Mae I and Ginnie Mae II"). Under the Ginnie Mae I program, securities are backed by single-family or multifamily loans. Under the Ginnie Mae II program securities are only backed by single-family loans. Both the Ginnie Mae I and II MBS are modified pass-through securities. The Ginnie Mae II multiple Issuer MBS is structured so that small issuers, who do not meet the minimum number of loans and dollar amount requirements of the Ginnie Mae I MBS, can participate in the secondary mortgage market. In addition, the Ginnie Mae II MBS permits the securitization of adjustable rate mortgages ("ARMs").

*Description of Proposed New Requirements:*

Due to the acceleration of non-depository issuers entering in the Ginnie Mae program, regulatory changes and changes to the insuring/guarantying agencies programs, Ginnie Mae is expanding its data collection and disclosure processes.

*ARM Pools:*

In order to verify that loans backing Ginnie Mae ARM pools meet the new 45 day look back period, Ginnie Mae will be collecting two new data elements. One new data element will be completed on the HUD Form 11705 at issuance. This will be a look-back period data element which will be a drop down selection of either 30 days or 45 days. The second new data will be completed on the HUD Form 11706 for ARMS pools only at this time. This will be the loan origination date (name will be changed to Note Date at a later time).

*MISMO:*

Ginnie Mae is implementing a new pool delivery data set using MISMO standard data definitions with respect to Single Family Issuances. This will include the addition of 16 new data points, of which three will be required, three will be conditionally required and the remaining eleven will be optional. The data points are as follows:

**Required New Data Points:**

Construction Method Typ., MH), Amortization Type & Note Date (name changed from loan origination date and will be for all pools).

**Conditionally Required New Data Points:**

Down Payment Amount, Loan Modification Effective Date & Suffix Name

**Optional New Data Points:**

Construction Method Type (other than MH), Property Valuation Amount, Property Valuation Effective Date, Purchase Price Amount, Guaranty Amount (if VA), Guaranty Percent (if VA), Middle Name, Full Name, Curtailment Data Points (Monetary Event Applied Date, Monetary Event Gross Principal Amount & Monetary Event Type).

*Loan Level:*

Ginnie Mae is proposing the collection of additional data elements at the loan level to supplement the monthly reporting collection of data. The additional data elements are being added to provide Ginnie Mae greater

oversight of its program participants and will be collected as part of the monthly reporting submission. The proposed additional new data elements are as follows:

Bankruptcy Action Type, Bankruptcy Case Identifier, Bankruptcy Chapter Type, Bar Date, Bar Date, Borrower Bankruptcy Indicator, Borrower Classification Type, Borrower Total Mortgaged Properties Count, Counseling Initiated Indicator, Credit Score Date, Document Custodian ID, Insurance Claim Coverage Type, Investor UPB, Adjustment to Investor UPB, Prospective Note Rate, Prospective P&I (FIC), Effective Date of Rate Change, Lien Holder Type, Net Note Rate, Servicer Transfer Effective Date, Servicer Type, Loan P&I Institution ID and Account Number, Loan Ti(Institution ID and Account Number, Sub-Servicer ID, Sub & Servicer Rights Type and Total Subordinate Financing Amount.

*New Issuer Applications:*

Ginnie has automated its new issuer the application process used to approval. The new automated process requires applicants to complete two online courses through Ginnie Mae Online University.

**HMBS:**

Ginnie Mae will be expanding its data collection at issuance in order to enhance data disclosures.

The addition of the new data elements are the reason for the increase of burden hours. Please see the below link for more information regarding the additional data elements. [http://www.ginniemae.gov/products/programs/Pages/Federal\\_Register\\_Notice.aspx](http://www.ginniemae.gov/products/programs/Pages/Federal_Register_Notice.aspx)

There are 15 forms and appendices in our collection which are volume driven rather than participant driven: These have increased as our portfolio has grown.

Included in the Guide are the appendices, forms, and documents necessary for Ginnie Mae to properly administer its MBS programs.

*Agency form numbers:* 11700, 11701, 11702, 11704, 11705, 11706, 11707, 11708, 11709, 11709-A, 11710A, 1710-B, 1710-C, 11710D, 11710E, 11711-A, 11711-B, 11714, 11714-SN, 11720, 11715, 11732, 11785.

While most of the calculations are based on number of respondents multiplied by the frequency of response, there are several items whose calculations are based on volume.

| Form                           | Appendix No. | Title                                                                                | Number of respondents | Frequency of responses per year | Total annual responses | Hours per response | Total annual hours |
|--------------------------------|--------------|--------------------------------------------------------------------------------------|-----------------------|---------------------------------|------------------------|--------------------|--------------------|
| 11700 .....                    | 11-1         | Letter of Transmittal .....                                                          | 329                   | 4                               | 1200                   | 0.033              | 43.4               |
| 11701 .....                    | 1-1          | Application for Approval Ginnie Mae Mortgage-Backed Securities Issuer.               | 100                   | 1                               | 100                    | .3                 | 300.0              |
| 11702 .....                    | 1-2          | Resolution of Board of Directors and Certificate of Authorized Signatures.           | 454                   | 1                               | 454                    | 0.08               | 36.3               |
| 11703- .....                   | 1-7          | Master Agreement for Participation Accounting ..                                     | 14                    | 1                               | 14                     | 0.08               | 1.1                |
| 11704 .....                    | 11-2         | Commitment to Guaranty Mortgage-Backed Securities.                                   | 329                   | 4                               | 1316                   | 0.033              | 43.4               |
| 11707 .....                    | 111-1        | Master Servicing Agreement .....                                                     | 468                   | 1                               | 468                    | 0.033              | 15.4               |
| 11709 .....                    | 111-2        | Master Agreement for Servicer's Principal and Interest Custodial Account.            | 468                   | 1                               | 468                    | 0.033              | 15.4               |
| 11715 .....                    | 111-4        | Master Custodial Agreement .....                                                     | 468                   | 1                               | 468                    | 0.033              | 15.4               |
| 11720 .....                    | 111-3        | Master Agreement for Servicer's Escrow Custodial Account.                            | 468                   | 1                               | 468                    | 0.033              | 15.4               |
| 11732 .....                    | 111-22       | Custodian's Certification for Construction Securities.                               | 55                    | 1                               | 55                     | 0.016              | 0.9                |
|                                | IX-1         | Financial Statements and Audit Reports .....                                         | 468                   | 1                               | 468                    | 1                  | 468.0              |
|                                |              | Mortgage Bankers Financial Reporting Form .....                                      | 315                   | 4                               | 1260                   | 0.5                | 630.0              |
| 11709-A .....                  | 1-6          | ACH Debit Authorization .....                                                        | 468                   | 1                               | 468                    | 0.033              | 15.4               |
| 11710 D .....                  | VI-5         | Issuer's Monthly Summary Reports .....                                               | 315                   | 12                              | 3780                   | 0.13               | 491.4              |
| 11710A, 1710B, 1710C & 11710E. | VI-12        | Issuer's Monthly Accounting Report and Liquidation Schedule.                         | 315                   | 1                               | 315                    | 0.13               | 41.0               |
| 11710-DH .....                 | VI-21        | HMBS Issuer's Monthly Summary Report .....                                           | 14                    | 12                              | 168                    | 0.13               | 21.8               |
|                                | 111-13       | Electronic Data Interchange System Agreement                                         | 100                   | 1                               | 100                    | 1                  | 100.0              |
|                                | 111-14       | Enrollment Administrator Signatories for Issuers and Document Custodians.            | 100                   | 1                               | 100                    | 1                  | 100.0              |
|                                | 1-4          | Cross Default Agreement .....                                                        | 10                    | 1                               | 10                     | 0.05               | 0.5                |
|                                | VI-18        | WHFIT Reporting .....                                                                | 329                   | 4                               | 1316                   | 0.13               | 171.0              |
|                                | 111-29       | Enterprise Portal (GMEP) .....                                                       | 100                   | 1                               | 100                    | 1                  | 100.0              |
|                                |              | Registration Forms .....                                                             |                       |                                 |                        |                    |                    |
|                                | VIII-1       | Ginnie Mae Acknowledgement Agreement and Accompanying Documents Pledge of Servicing. | 10                    | 1                               | 10                     | 1                  | 10                 |
|                                | VI-19        | Monthly Pool and Loan Level Report (RFS) .....                                       | 300                   | 12                              | 3600                   | 0.13               | 468.0              |

The burden for the items listed below is based on volume and/or number of requests.

|                         |                  |                                                                                                |                     |                  |            |                  |           |
|-------------------------|------------------|------------------------------------------------------------------------------------------------|---------------------|------------------|------------|------------------|-----------|
| 11705 .....             | 111-6            | Schedule of Subscribers and Ginnie Mae Guaranty Agreement.                                     | 315                 | 12               | 42000      | 0.05             | 2100.0    |
| 11706 .....             | 111-7            | Schedule of Pooled Mortgages .....                                                             | 315                 | 12               | 42000      | 0.08             | 97440.0   |
| 11705H .....            | 111-28           | Schedule of Subscribers and Ginnie Mae Guaranty Agreement—HMBS Pooling-Import File Layout.     | 14                  | 12               | 960        | 0.05             | 48        |
| 11708 .....             | V-5              | Document Release .....                                                                         | 329                 | 1                | 329        | 0.05             | 16.5      |
|                         | XI-6, XI-8, XI-9 | Soldiers' and Sailors' Quarterly Reimbursement Request and SSCRA Loan Eligibility Information. | 32                  | 4                | 8000       | 0.033            | 1056.0    |
| 11711A and 11711B ..... | 111-5            | Release of Security Interest and Certification and Agreement.                                  | 329                 | 1                | 678000     | 0.05             | 33900.0   |
| 11714 and 11714SN ..... | VI-10, VI-11     | Issuer's Monthly Remittance Advice and Issuer's Monthly Serial Note Remittance Advice.         | 329                 | 12               | 56400      | 0.016            | 10828.8   |
|                         | VI-2             | Letter for Loan Repurchase .....                                                               | 315                 | 12               | 600        | 0.033            | 237.6     |
|                         | V11-1            | Collection of Remaining Principal Balances .....                                               | 315                 | 12               | 4800000    | 0.033            | 158400.0  |
|                         | 111-21           | Certification Requirements for the Pooling of Multifamily Mature Loan Program.                 | 298                 | 1                | 29811      | 0.05             | 14.9      |
|                         | VI-9             | Request for Reimbursement of Mortgage Insurance Claim Costs for Multifamily.                   | 21                  | 1                | 21         | 0.25             | 5.3       |
|                         | VIII-3           | Assignment Agreements .....                                                                    | 67                  | 1                | 67         | 0.13             | 8.7       |
|                         | 111-9            | Authorization to Accept Facsimile Signed Correction Request Forms.                             | 329                 | 12               | 128        | 0.016            | 2.0       |
|                         | VI-17            | HMBS Issuer Specification for MBSAA .....                                                      | ( <sup>1</sup> ) 14 | 12               | 38,400     | 0.13             | 4992.0    |
| Total .....             |                  |                                                                                                |                     | ( <sup>2</sup> ) | 10,481,385 | ( <sup>2</sup> ) | 2,617,654 |

<sup>1</sup> Pooling & Report.

<sup>2</sup> Varies.

**Authority:** Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: October 23, 2014.

**Mary K. Kinney,**

*Executive Vice President, Government National Mortgage Association.*

[FR Doc. 2014-26647 Filed 11-7-14; 8:45 am]

**BILLING CODE 4210-67-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-505 and 731-TA-1231, 1232, 1235, and 1237 (Final)]

### Grain-Oriented Electrical Steel From China, Czech Republic, Korea, and Russia

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission ("Commission") determines, pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) and (19 U.S.C. 1673d(b)) ("the Act"), that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports from China, Czech Republic, Korea, and Russia of grain-oriented electrical steel, provided for in subheadings 7225.11 and 7226.11 of the Harmonized Tariff Schedule of the United States, that are sold in the United States at less than fair value ("LTFV") and that are subsidized by the government of China.<sup>2</sup>

#### Background

The Commission instituted these investigations effective September 18, 2013, following receipt of a petition filed with the Commission and Commerce by AK Steel Corp., West Chester, Ohio; Allegheny Ludlum, LLC, Pittsburgh, Pennsylvania; and the United Steelworkers, Pittsburgh, Pennsylvania. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of grain-oriented electrical steel from China were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and that imports of grain-oriented electrical steel from China, Czech Republic, Korea, and Russia were

being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notices in the **Federal Register** of June 4, 2014 (79 FR 32310) and August 20, 2014 (79 FR 49339). The hearing was held in Washington, DC, on July 24, 2014, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission completed and filed its determinations in these investigations on November 4, 2014. The views of the Commission are contained in USITC Publication 4500 (November 2014), entitled *Grain-Oriented Electrical Steel From China, Czech Republic, Korea, and Russia: Investigation Nos. 701-TA-505 and 731-TA-1231, 1232, 1235, and 1237 (Final)*.

Issued: November 4, 2014.

By order of the Commission.

**Lisa R. Barton,**

*Secretary to the Commission.*

[FR Doc. 2014-26585 Filed 11-7-14; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-935]

### Certain Personal Transporters, Components Thereof, and Manuals Therefor Institution of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on September 9, 2014, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Segway Inc. of Bedford, New Hampshire and DEKA Products Limited Partnership of Manchester, New Hampshire. A supplement to the complaint was filed on September 19, 2014. An amended complaint was filed on October 6, 2014. The amended complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain personal transporters, components thereof, and manuals therefor by reason of infringement of

certain claims of U.S. Patent No. 6,789,640 ("the '640 patent"); U.S. Patent No. 7,275,607 ("the '607 patent"); U.S. Patent No. 8,830,048 ("the '048 patent"); U.S. Design Patent No. D551,722 ("the '722 patent"); U.S. Design Patent No. D551,592 ("the '592 patent"); and Copyright Registration No. TX 7-800-563; and that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue a general exclusion order, or in the alternative a limited exclusion, and cease and desist orders.

**ADDRESSES:** The amended complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S.

International Trade Commission, 500 E Street SW., Room 112, Washington, DC 20436, telephone (202) 205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

**Authority:** The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2014).

**Scope of Investigation:** Having considered the amended complaint, the U.S. International Trade Commission, on November 4, 2014, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine:

(a) Whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain personal transporters, components thereof, and manuals therefor by reason of infringement of

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioner Rhonda K. Schmidlein dissented.