

## 17.c. Housing Development Programs

Activity Categories .....	17.c. <i>Housing Development Programs</i> —Programs that use MTW funds to acquire, renovate and/or build affordable units for low-income families that are not public housing units. Eligible activities may include: Gap financing for non-PHA development of affordable housing or tax credit partnerships.
Statutes and Regulations Waived.	<i>Local, Non-Traditional Activities</i> : MTW funds awarded to an MTW agency under sections 8(o), 9(d), and 9(e) of the 1937 Act can be utilized per statute and regulation for the eligible activities listed at Sections 8(o), 9(d)(1), and 9(e)(1) of the 1937 Act. Any authorized use of these funds outside of the allowable uses listed in the 1937 Act constitutes a local, non-traditional activity.
Safe Harbor(s) .....	17.c. <ul style="list-style-type: none"> <li>• Agency must comply with Section 30 of the 1937 Housing Act.</li> <li>• The agency is subject to Notice PIH 2011–45 or any successor notice and/or guidance.</li> <li>• Agency may spend up to 10% of its MTW budget on local, non-traditional activities. All other applicable MTW requirements apply.</li> </ul>

<sup>1</sup> In the HCV tenant-based program, the housing assistance payment (HAP) is the lower of: (1) The payment standard minus the family's TTP, or (2) the gross rent minus the TTP. The TTP is the minimum amount the family will pay as the family share. If the gross rent exceeds the payment standard, the family will pay TTP and the difference between the gross rent and the payment standard as the family share. In the HCV project-based program, the family always pays TTP minus any utility allowance (UA) as the tenant rent.

**\* Impact Analysis**

The MTW agency must analyze and put into the writing the various impacts of the MTW activity. The MTW agency must prepare this analysis (1) prior to implementation of the MTW activity; (2) at minimum, on an annual basis during the implementation of the MTW activity; and (3) at the time the MTW activity is closed out.

This analysis must consider the following eight factors:

1. Impact on the agency's finances (*e.g.*, how much will the activity cost, any change in the agency's per family contribution);
2. Impact on affordability of housing costs for affected families (*e.g.*, any change in how much affected families will pay towards their housing costs);
3. Impact on the agency's waitlist(s) (*e.g.*, any change in the amount of time families are on the waitlist);
4. Impact on the agency's termination rate of families (*e.g.*, the rate at which families non-voluntarily lose assistance from the agency);
5. Impact on the agency's current occupancy level in public housing and utilization rate in the HCV program;
6. Impact on the agency's ability to meet the MTW statutory requirements;
7. Impact on the community (*e.g.*, any change in the number of families transitioning to self-sufficiency, and any change in the employment rate after the implementation of activities targeted towards working families); and
8. Across the other factors above, the impact on protected classes (and any associated disparate impact).

The MTW agency must have the initial impact analysis, which analyzes potential

<sup>19</sup> Agencies seeking to create a short-term program that goes beyond Section 8 or Section 9 as modified by MTW may propose an activity under the Local Non-Traditional Activities Rental Subsidy Program Waiver.

<sup>20</sup> As agencies are considering potential waivers to the FSS program, they are encouraged to consult the Promising Practices Guidebook and Online Training that can be found at <https://www.hudexchange.info/programs/fss/#1-introduction>. In addition, the HUD FSS team is available to review and provide feedback on proposed waivers. Please contact [fss@hud.gov](mailto:fss@hud.gov).

impacts of the MTW activity, available during the applicable public review period prior to implementation of the MTW activity. The agency must supply the annual impact analysis and/or the final impact analysis of the closed-out activity (if applicable), which analyzes actual impact of the MTW activity, at HUD's request. This information must be retained by the agency for the duration of the agency's participation in the MTW demonstration program and available for public review and inspection at the agency's principal office during normal business hours.

**\*\* Elderly/Disabled Families**

The MTW activity must not apply to elderly families and disabled families as defined in 24 CFR 5.403 or the MTW agency's approved definition under its MTW program.

**\*\*\* Hardship Policy**

The MTW agency must adopt written policies for determining when a requirement or provision of the MTW activity constitutes a financial or other hardship for the family.

The agency shall make the determination of whether a financial or other hardship exists within a reasonable time after the family request. If the agency determines that a financial or other hardship exists, the PHA must immediately provide an exemption from the MTW activity at a reasonable level and duration, according to the agency's written policies. Residents must be notified of the agency's hardship policy.

The agency's written policies for determining what constitutes financial hardship must include the following situations:

- The family has experienced a decrease in income because of changed circumstances, including loss or reduction of employment, death in the family, or reduction in or loss of earnings or other assistance;
  - The family has experienced an increase in expenses, because of changed circumstances, for medical costs, child care, transportation, education, or similar items; and
  - Such other situations and factors determined by the agency to be appropriate.
- The agency's written policies shall include a grievance procedure that a family may

request for second level review of denied hardship requests.

The agency shall keep records of all hardship requests received and the results of these requests, and supply them at HUD's request. This information must be retained by the agency for the duration of the agency's participation in the MTW program and available for public review and inspection at the agency's principal office during normal business hours.

The protections for victims of domestic violence, dating violence, sexual assault, or stalking in 24 CFR part 5, subpart L, apply. The protections for persons requesting a reasonable accommodation under 24 CFR part 8 also apply.

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**DEPARTMENT OF THE INTERIOR****Geological Survey**

[GX18LC00BM3FD00; OMB Control Number 1028–0079/Renewal]

**Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; North American Breeding Bird Survey**

**AGENCY:** U.S. Geological Survey, Interior.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Geological Survey (USGS) are proposing to renew an information collection.

**DATES:** Interested persons are invited to submit comments on or before November 13, 2018.

**ADDRESSES:** Send written comments on this information collection request (ICR) to the Office of Management and Budget's Desk Officer for the

Department of the Interior by email at [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov); or via facsimile to (202) 395-5806. Please provide a copy of your comments to USGS, Information Collections Clearance Officer, 12201 Sunrise Valley Drive, MS 159, Reston, VA 20192; or by email to [gs-info\\_collections@usgs.gov](mailto:gs-info_collections@usgs.gov). Please reference OMB Control Number 1028-0079 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Keith Pardieck by email at [kpardieck@usgs.gov](mailto:kpardieck@usgs.gov) or by telephone at 301-497-5843. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

**SUPPLEMENTARY INFORMATION:** We, the USGS, in accordance with the Paperwork Reduction Act of 1995, provide the general public and other Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

A **Federal Register** notice with a 60-day public comment period soliciting comments on this collection of information was published on June 21, 2018 (FR 83, Number 120, Pages 28860-28861). We did receive one comment but the comment did not address the collection of information on breeding birds.

We are again soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) Is the collection necessary to the proper functions of the USGS; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the USGS enhance the quality, utility, and clarity of the information to be collected; and (5) how might the USGS minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to

withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

*Abstract:* Respondents supply the U.S. Geological Survey with avian population data for more than 600 North American bird species. The survey data, resulting population trend estimates, and relative abundance estimates will be made available via the internet and through special publications, for use by Government agencies, industry, education programs, and the general public. We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2), and under regulations at 30 CFR 250.197, "Data and information to be made available to the public or for limited inspection." Responses are voluntary. No questions of a "sensitive" nature are asked.

*Title of Collection:* North American Breeding Bird Survey.

*OMB Control Number:* 1028-0079.

*Form Number:* None.

*Type of Review:* Extension of a currently approved collection.

*Respondents/Affected Public:* General public skilled in bird identification.

*Total Estimated Number of Annual Respondents:* 1,600.

*Total Estimated Number of Annual Responses:* 2,600.

*Estimated Completion Time per Response:* 11 hours.

*Total Estimated Number of Annual Burden Hours:* 28,600.

*Respondent's Obligation:* Voluntary.

*Frequency of Collection:* Annually.

*Total Estimated Annual Non-hour Burden Cost:* \$141,700. Mileage costs are on average \$54.50 per response, based on approximate 100-mile round trip for data collection per response and 2018 federal mileage rate of \$0.545 per mile.

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*).

**John French,**

*Patuxent Wildlife Research Center Director.*

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**BILLING CODE 4338-11-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1044]

### Certain Graphics Systems, Components Thereof, and Consumer Products Containing the Same; Commission Determination To Institute a Modification and Rescission Proceeding; Modification and Rescission of Certain Remedial Orders; and Termination of the Proceeding

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to institute a modification and rescission proceeding. The Commission has further determined to grant a joint petition to modify in part a limited exclusion order ("LEO") as to Respondent VIZIO, Inc. ("VIZIO") and to rescind the cease and desist order ("CDO") against VIZIO, based on a settlement agreement. The Commission has issued a modified LEO. The modification and rescission proceeding is terminated.

**FOR FURTHER INFORMATION CONTACT:** Houda Morad, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-4716. Copies of non-confidential documents filed in connection with this investigation are or will be 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, Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted Investigation No. 337-TA-1044 on March 22, 2017, based on a complaint filed by Complainants Advanced Micro Devices, Inc. of Sunnyvale, California and ATI Technologies ULC of Canada (collectively, "AMD" or "Complainants"). See 82 FR 14748