This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Therefore, under the Federal Food, Drug, and Comestic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), § 558.625 is amended by revising paragraph (b)(28) to read as follows:

§ 558.625 Tylosin.

* * * * *

(b) * * *

(28) To 034139: 0.8 gram and 4 grams per pound; paragraph (f)(1)(vi)(*a*) of this section; 10 grams per pound, paragraph (f)(1)(i), (iii), (iv), and (vi) of this section.

* * * * *

Effective date. August 17, 1982.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: August 10, 1982.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 82-22336 Filed 8-16-82; 8:45 a.m.]

BILLING CODE 4160-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 200

[Docket No. R-82-1004]

Change to HUD 4930.2 Intermediate Minimum Property Standard (IMPS) Supplement for Solar Heating and Domestic Hot Water Systems

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

ACTION: Interim rule; incorporation by reference.

SUMMARY: This rule is made to provide an updating, clarification and improvement of requirements contained in HUD Handbook 4930.2, IMPS Supplement concerning solar heating and domestic hot water systems.

DATE: Comments due: October 18, 1982.

EFFECTIVE DATE: October 5, 1982.

The incorporation by reference of the publication listed in this document is approved by the Director of the Federal Register as of October 5, 1982.

ADDRESS: Interested persons are invited to submit comments regarding this Rule to the Office of General Counsel, Rules Docket Clerk, Room 10278, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410. Comments should refer to the above docket number and title. A copy of each comment submitted will be available for public inspection and copying during regular business hours at the above address. The interim rule may be changed on the basis of comments received.

FOR FURTHER INFORMATION CONTACT: Mervin W. Dizenfeld, Construction Standards Division, Office of Manufactured Housing and Construction Standards, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410, telephone (202) 755-6590. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: HUD Minimum Property Standards (MPS) are published in the MPS for One- and Two-Family Dwellings 4900.1, MPS for Multifamily Housing 4910.1, and MPS for Care-Type Housing 4920.1. The IMPS Supplement 4930.2 is prepared as a supplement to the other MPS and deals only with aspects of planning and design that are different from conventional housing by reason of the solar systems under consideration. To the greatest extent possible they are based on current state-of-the-art practice and on nationally recognized standards, including the MPS and the HUD "Interim Performance Criteria for Solar Heating and Combined Heating/Cooling Systems and Dwellings."

In adopting and implementing these MPS, HUD and its predecessor agencies have relied upon general statutory authority. This authority exists for multifamily rental projects as well as single-family home mortgages. Under Section 203(a) of the National Housing Act of 1934 (Pub. L. No. 73-479, 12 U.S.C. 1701 *et seq.*, 148 Stat. 1246), HUD is authorized to insure certain mortgages for single family homes "upon such terms as the Secretary may prescribe." Section 203(c) requires the Secretary to find "that the project with respect to which the mortgage is executed is economically sound." This economic soundness criterion applies also to newly constructed mutifamily rental units insured under Section 207. The National Housing Act requires that the property or project insured under Section 221 "shall comply with such standards and conditions as the Secretary may prescribe to establish the acceptability of such property for mortgage insurance." Further, the Housing Act of 1949 requires that HUD exercise its authority in such a manner as would assist the production of housing of sound standards of design, construction, livability, and size for adequate family life; as well as the reduction of the costs of housing without sacrifice of such sound standards; the use of new designs, materials, techniques and standardized dimensions and methods assembly; and finally, the development of well planned residential neighborhoods.

Programs providing housing for low-income families have different requirements but also provide general authority for the MPS. The Housing Act of 1937, as amended, requires that contributions made to public housing authorities must be set with reference to "various types and sizes" of units "suitable" for the assisted families, taking into account safety, health, economy, energy conservation, neighborhood architectural standards, and other factors. Units constructed and assisted under Section 8 of the National Housing Act also must be "suitable" for the families assisted and meet the "decent, safe and sanitary" criteria. Through the Housing and Community Development Act of 1974, Congress also added a new Section 526 to the National Housing Act, specifying the MPS as the mechanism through which the Secretary is to promote energy conservation in housing. That provision reads, in part: "To the maximum extent feasible the Secretary of Housing and Urban Development shall promote the use of energy saving techniques through minimum property standards established by him for newly constructed residential housing subject to mortgages insured under this Act."

Thus, HUD is statutorily charged with the promotion of housing of sound design and construction adequate for family life. The MPS have been an expression of this responsibility and are an administrative device for achieving these ends.

The MPS apply to all new residential construction under Departmental programs. While these are the only minimum standards for insured housing, assisted housing must sometimes comply with other program standards as well. The type of structure determines whether the housing is covered by the MPS for One- and Two-Family Dwellings, Multifamily Housing, or Care-Type Housing. Row houses and attached dwellings are covered under the MPS for One- and Two-Family Dwellings.

The IMPS Supplement 4930.2. describes the aspects of planning and design that are different from conventional housing by reason of the solar system under consideration. These standards apply to both one- and two-family dwellings and multifamily housing. This revision to the IMPS Supplement 4930.2 provides an updating, clarification and improvement of requirements. The changes are primarily technical, resulting from information gained through the application of the original standard for solar installations. The use and application of these revised standards is now expected to create any significant departure from current practice, since the industry is not more sophisticated and has refined its methodology in the five years since HUD published the original standards. This revision is intended to provide improved guidance and state-of-the-art requirements to achieve more satisfactory final results in solar installations for space heating and domestic hot water systems.

In devising and promulgating these standards we have been cognizant of the Presidential Task Force on Regulatory Relief's recommendation for a comprehensive review of all MPS for the purpose of allowing alternative government programs and private market forces to achieve many of the objectives of the MPS. We are also aware of the National Institute of Building Sciences (NIBS) recommendations for HUD to initiate a comprehensive and rational process to phase out the MPS in favor of reliance on state and/or local authority to regulate the health and safety aspects of HUD insured housing and on free market forces to establish acceptable performance levels for livability and marketability. Also, we have taken into consideration the HUD Task Force on Housing Cost's recommendations for removal of unjustifiably costly technical and design requirements from the MPS.

However, it is our opinion that these revised IMPS contain the minimum information needed for the proper functioning of solar heating and domestic hot water systems. There does not presently exist a suitable alternative to these IMPS as revised. At such time as satisfactory model codes or industry standards are available for solar heating and domestic hot water systems, we shall consider further revision or possible phase out of these IMPS.

Notice of all substantive changes in the MPS are required by 24 CFR 200.933 to be published in the **Federal Register** using the same procedure as for the publication of regulations. The proposed changes to the MPS 4930.2 are available for examination in all HUD Field Offices and in Headquarters Room 6170, Office of Manufactured Housing and Construction Standards, Construction Standards Division, at the above address during regular business hours. The subject matter of this rulemaking action relates to loans and is therefore exempt from the notice and public comment requirements of Section 553 of the Administrative Procedure Act. As a matter of policy, the Department submits many rulemaking actions dealing with such subject matter to public comment, either before or after effectiveness of the action, notwithstanding the statutory exemption.

The Secretary has determined that notice and public procedure thereon are impracticable and contrary to the public interest and that good cause exists for making this rule effective immediately after publication because of the nature of the changes and the urgent need for them. The materials and techniques involved in these changes influence safety, durability, cost reduction and fossil fuel energy conservation in the use of solar energy. Need for these improvements makes imperative the earliest possible promulgation of this rule. Therefore, this rule is being published as an interim rule to become effective before publication in final form. However, the Department is providing a 60 day period for public comment. All relevant comments and suggestions will be considered in the development of a final rule on this subject.

A finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50, which implement Section 102(2)(C) of the National Environmental Policy Act of 1969. The Finding of No Significant Impact is available for public inspection and copying during regular business hours in the Office of the Rules Docket Clerk at the above address.

This Rule does not constitute a "major rule" as that term is defined in Section 1(b) of the Executive Order 12291 on Federal Regulation issued by the President on February 17, 1981. Analysis of the rule indicates that it does not: (1) Have an annual effect on the economy of $100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, state or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Pursuant to the provisions of 5 U.S.C. 605(b) (the Regulatory Flexibility Act), the Undersigned hereby certifies that this rule would not have a significant economic impact on a substantial number of small entities.

This rule was listed as Item (C)45 (H-6-80) under the Office of Housing in the Department's Semiannual Agenda of Regulations published on August 17, 1981 (46 FR 41708) pursuant to Executive Order 12291 and the Regulatory Flexibility Act.

List of Subjects in 24 CFR Part 200

Administrative practice and procedure, Claims, Equal employment opportunity, Fair housing, Housing standards, Loan programs—housing and community development, Mortgage insurance, Organization and functions (Government agencies), Reporting and recordkeeping requirements, Minimum Property Standards, Incorporation by reference.

PART 200—INTRODUCTION

Accordingly, 24 CFR Part 200, Subpart S, is amended by revising § 200.929(b)(4) to read as follows:

§ 200.929 Description and identification of Minimum Property Standards.

* * * * *

(b) *Identification.* Minimum Property Standards have been published in four volumes: * * *

(4) Intermediate Minimum Property Standards (IMPS) Supplement for Solar Heating and Domestic Hot Water Systems, 4930.2, as revised by revision No. 1.

This volume supplements the volumes listed in (b)(1), (b)(2) and (b)(3) of this section and deals only with aspects of planning and design that are different from conventional housing by reason of the solar systems under consideration.

(Sec. 7(d) of the Department of HUD Act (42 U.S.C. 3535(d)); Title II of the National Housing Act, 12. U.S.C. 1707, et. seq.)

Dated: July 26, 1982.

Philip Abrams,

General Deputy Assistant Secretary for Housing-Deputy Federal Housing Commissioner.

[FR Doc. 82-22354 Filed 8-16-82; 8:45 am]

BILLING CODE 4210-27-M

Office of Assistant Secretary for Housing—Federal Housing Commissioner (Federal Housing Administration)

24 CFR Parts 203, 205, 207, 213, 220, 221, 232, 234, 235, 236, 241, 242, and 244

[Docket No. R-82-1018]

Mortgage Insurance Loans; Changes in Interest Rates

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

ACTION: Final rule.

SUMMARY: This change in the regulations decreases the HUD/FHA interest rates on insured loans. This action by HUD is designed to bring the maximum interest rates into line with other competitive market rates and help assure an adequate supply of and demand for FHA financing.

EFFECTIVE DATE: August 9, 1982.

FOR FURTHER INFORMATION CONTACT: John N. Dickie, Director, Financial Analysis Division, Office of Financial Management, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410 (202-426-4667).

SUPPLEMENTARY INFORMATION: The following amendments have been made to this chapter to decrease the maximum interest rate which may be charged on loans insured by this Department. The maximum interest rate on HUD/FHA insured home mortgage insurance programs has been lowered from 15.50 percent to 15.00 percent for level payment (including operative builder) and graduated payment home loan programs (GPM). For insured multifamily project mortgage loan programs, the maximum interest rate has been lowered from 16.50 percent to 16.00 percent. The maximum interest rate for multifamily construction and Title X land development loans has been lowered from 19.00 percent to 17.00 percent.

The Secretary has determined that such changes are immediately necessary to meet the needs of the market and to prevent speculation in anticipation of a change, in accordance with his authority contained in 12 U.S.C. 1709-1, as amended. The Secretary has, therefore, determined that advance notice and public comment procedures are unnecessary and that good cause exists for making this amendment effective immediately.

This is a procedural and administrative determination as set forth in the statutes and as such does not require a determination of environmental applicability.

Mortgage insurance.

Accordingly, Chapter II is amended as follows:

List of Subjects in 24 CFR Parts 203, 205, 207, 213, 220, 221, 232, 234, 235, 236, 241, 242, and 244

PART 203—MUTUAL MORTGAGE INSURANCE AND REHABILITATION LOANS

Subpart A—Eligibility Requirements

1. Section 203.20 paragraph (a) is revised to read as follows:

§ 203.20 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 15.00 percent per annum, except that where an application for commitment was received by the Secretary before August 9, 1982, the mortgage may bear interest at the maximum rate in effect at the time of application.

* * * * *

2. Section 203.45 paragraph (b) is revised to read as follows:

§ 203.45 Eligibility of graduated payment mortgages.

* * * * *

(b) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 15.00 percent per annum, except that where an application for commitment was received by the Secretary before August 9, 1982, the mortgage may bear interest at the maximum rate in effect at the time of application.

* * * * *

3. Section 203.46 paragraph (c) is revised to read as follows:

§ 203.46 Eligibility of modified graduated payment mortgages.

* * * * *

(c) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 15.00 percent per annum, except that where an application for commitment was received by the Secretary before August 9, 1982, the mortgage may bear interest at the maximum rate in effect at the time of application.

* * * * *

PART 205—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

4. Section 205.50 is revised to read as follows:

§ 205.50 Maximum interest rate.

Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 17.00 percent per annum. Applications for conditional or firm commitments received on or after August 9, 1982 will be processed at the 17.00 percent rate, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

5. Section 207.7 paragraph (a) is revised to read as follows:

§ 207.7 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982 will be processed at the rates specified above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Projects

6. Section 213.10 paragraph (a) is revised to read as follows:

§ 213.10 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982 will be processed at the rates specified above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

Subpart C—Eligibility Requirements—Individual Properties Released From Project Mortgage

7. Section 213.511 paragraph (a) is revised to read as follows:

§ 213.511 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 15.00 percent per annum, except that where an application for commitment was received by the Secretary before August 9, 1982, the mortgage may bear interest at the maximum rate in effect at the time of application.

* * * * *

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Subpart C—Eligibility Requirements—Projects

8. Section 220.576 paragraph (a) is revised to read as follows:

§ 220.576 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982, will be processed at the rates specified above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

9. Section 221.518 paragraph (a) is revised to read as follows:

§ 221.518 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982 will be processed at the rates specified above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

10. Section 232.29 paragraph (a) is revised to read as follows:

§ 232.29 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982 will be processed at the rates specifed above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

Subpart C—Eligibility Requirement—Supplemental Loans To Finance Purchase and Installation of Fire Safety Equipment

11. Section 232.560 paragraph (a) is revised to read as follows:

§ 232.560 Maximum interest rate.

(a) On or after August 9, 1982, the loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 16.00

percent per annum, with the exception of applications submitted pursuant to feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Individually Owned Units

12. Section 234.29 paragraph (a) is revised to read as follows:

§ 234.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 15.00 percent per annum, except that where an application for commitment was received by the Secretary before August 9, 1982, the mortgage may bear interest at the maximum rate in effect at the time of application.

* * * * *

13. Section 234.75 paragraph (b) is revised to read as follows:

§ 234.75 Eligibility of graduated payment mortgages.

* * * * *

(b) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 15.00 percent per annum, except that where an application for commitment was received by the Secretary before August 9, 1982, the mortgage may bear interest at the maximum rate in effect at the time of application.

* * * * *

14. Section 234.76 paragraph (c) is revised to read as follows:

§ 234.76 Eligibility of modified graduated payment mortgages.

* * * * *

(c) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 15.00 percent per annum, except that where an application for commitment was received by the Secretary before August 9, 1982, the mortgage may bear interest at the maximum rate in effect at the time of application.

* * * * *

PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION

Subpart D—Eligibility Requirements—Rehabilitation Sales Projects

15. Section 235.540 paragraph (a) is revised to read as follows:

§ 235.540 Maximum interest rate.

(a) On or after August 9, 1982, the loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 16.00 percent per annum, with the exception of applications submitted pursuant to feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previoulsy agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS FOR RENTAL PROJECTS

Subpart A—Eligibility Requirements for Mortgage Insurance

16. Section 236.15 paragraph (a) is revised to read as follows:

§ 236.15 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982, will be processed at the rates specified above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

PART 241—SUPPLEMENTARY FINANCING FOR INSURED PROJECT MORTGAGES

Subpart A—Eligibility Requirements

17. Section 241.75 is revised to read as follows:

§ 241.75 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982, will be processed at the rates specified above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

PART 242—MORTGAGE INSURANCE FOR HOSPITALS

Subpart A—Eligibility Requirements

18. Section 242.33 paragraph (a) is revised to read as follows:

§ 242.33 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982, will be processed at the rates specified above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximum rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

Subpart A—Eligibility Requirements

19. Section 244.45 paragraph (a) is revised to read as follows:

§ 244.45 Maximum interest rate.

(a) Effective on or after August 9, 1982, the mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed:

(1) 16.00 percent per annum with respect to permanent financing;

(2) 17.00 percent per annum with respect to construction financing prior to and including the cutoff date for cost certification.

Applications for conditional or firm commitments received on or after August 9, 1982, will be processed at the rates specified above, with the exception of applications submitted pursuant to unexpired site appraisal and market analysis (SAMA) or feasibility letters, or outstanding conditional or firm commitments, issued prior to the effective date of the new rate. In these instances, applications will be processed at a rate not exceeding the applicable previous maximium rates, if the higher rate was previously agreed upon by the parties. Notwithstanding these exceptions, the application will be processed at the new lower rate if requested by the mortgagee.

* * * * *

(Section 3(a), 82, Stat. 113; 12 U.S.C. 1709-1; Section 7 of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d))

Issued at Washington, D.C., August 6, 1982.

Philip Abrams,

General Deputy Assistant Secretary for Housing-Deputy Federal Housing Commissioner.

[FR Doc. 82-22187 Filed 8-16-82; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

[DoD Regulation 6010.8-R, Amdt. No. 16]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Amendment on Beneficiary Signature Requirement

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This rule amends the comprehensive Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) Regulation, DoD 6010.8–R (32 CFR 199), to allow a spouse, parent or guardian to sign the CHAMPUS claim form for a beneficiary who is 18 years or older and establishes the circumstances under which an exception to the requirement for original signatures on CHAMPUS claim forms can be granted. The original requirement frequently resulted in delays in claims payment. Relaxation of this beneficiary signature requirement would reduce the number of claims returned to the beneficiary and speed payment.

EFFECTIVE DATE: August 17, 1982.

ADDRESS: Office of Civilian Health and Medical Program of the Uniformed Services (OCHAMPUS), Policy Division, Aurora, Colorado 80045.

FOR FURTHER INFORMATION CONTACT: Charles M. Gallegos, Chief, Policy Branch, OCHAMPUS, telephone (303) 361–8608.

SUPPLEMENTARY INFORMATION: In FR Doc. 82-7353, appearing in the Federal Register on March 18, 1982 (47 FR 11707), the Office of the Secretary of Defense published a proposed amendment to rule regarding a revision to the language of the CHAMPUS Regulation to relax the beneficiary signature requirement. No comments were received. Only minor changes have been made which do not necessitate reissuance as a proposal. It has been expanded to include noninstitutional providers as well as institutional providers.

Section 199.13 of this Part requires a beneficiary who is 18 years or older to sign the claim form.

This requirement is based, in part, on the following:

1. A beneficiary, 18 years or older, can best confirm that the claimed medical care was personally received.

2. According to the Privacy Act of 1974, only the beneficiary may authorize release of his or her medical care information.

We receive many claims signed by a spouse, parent or guardian for a beneficiary who is 18 years or older.

This results in claims being returned for beneficiary signature. This amendment would allow these claims to be processed if no additional information, or release of medical information, is required.

A second purpose of this amendment involves participating physicians who have only limited or no contact with the beneficiary. Radiologists, pathologists, neurologists, and cardiologists who bill for laboratory and diagnostic tests and test interpretations, and anesthesiologists, have difficulty getting beneficiary signatures on their claims. For these claims, this amendment permits the beneficiary signature on the institutional claim to satisfy the signature requirement.

In addition, many providers use automated billing procedures, both computer generated claim forms, and in some instances, electronic transmission of claims. Currently these providers must handle CHAMPUS claims separately to get the beneficiary's signature. This amendment would eliminate separate handling of CHAMPUS claims and would allow the establishment of CHAMPUS approved signature-on-file and alternate claims submission procedures. The beneficiary's signature will still be required on a CHAMPUS claim form in all instances where additional information is necessary to process the claim or release of medical information has been requested.

List of Subjects in 32 CFR Part 199

Claims, Handicapped, Health insurance, Military personnel.

Accordingly, 32 CFR, Chapter I is amended reading as follows:

PART 199—IMPLEMENTATION OF THE CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES

Section 199.13 is amended by revising the introductory text of paragraph (c)(1) and paragraph (c)(1)(iii) to read as follows and adding a new paragraph (c)(1)(v):