

comments were received on the proposed rule, the January 19, 2001 final rule adopts the proposed regulatory amendments without change.

The section 221(d)(2) program is rarely used by homebuyers, primarily due to its low mortgage limits. Moreover, the section 221(d)(2) program provides few homeownership opportunities not already made available by other HUD mortgage insurance programs. For these reasons, HUD decided to discontinue the section 221(d)(2) program and issued the January 19, 2001 final rule.

The January 19, 2001 final rule provides for the rule to take effect on February 20, 2001. On January 20, 2001, the White House issued a memorandum to the heads and acting heads of all Executive Departments and Agencies regarding regulatory review. The January 20, 2001 memorandum instructs the agencies to temporarily postpone the effective dates of their regulations that have been published in the **Federal Register** but have not yet taken effect by 60 days. Consistent with the directive of the January 20, 2001 White House memorandum, the purpose of this document is to give notice that the effective date of the January 19, 2001 final rule has been changed to April 20, 2001.

Accordingly, HUD's final rule published on January 19, 2001 at 66 FR 5912 (Docket No. FR-4588-F-02, FR Doc. 01-1534) will take effect on April 20, 2001.

Dated: January 24, 2001.

**Mel Martinez,**  
Secretary.

[FR Doc. 01-2562 Filed 1-29-01; 8:45 am]

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### 24 CFR Part 1003

[Docket No. FR-4612-F-03]

RIN 2577-AC22

#### Revision to the Application Process for Community Development Block Grants for Indian Tribes and Alaska Native Villages; Delay of Effective Date

**AGENCY:** Office of the Secretary, HUD.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** This document advises the public that the final rule published on January 17, 2001, which amends HUD's regulations for Community Development Block Grants for Indian Tribes and Alaska Native Villages (the

"ICDBG program"), will take effect on April 16, 2001. The amendments made by the final rule will permit the incorporation of the ICDBG grant application and selection procedures into HUD's SuperNOFA process. As provided in the "Supplementary Information" section of this final rule, this delay in the effective date is made in response to a White House memorandum of January 20, 2001. Given the imminence of the effective date of this rule, seeking prior public comment in accordance with HUD's regulations on rulemaking would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations.

**DATES:** The effective date of the final rule amending 24 CFR part 1003 published at 66 FR 4578 (January 17, 2001) is delayed from February 16, 2001 until April 16, 2001.

#### FOR FURTHER INFORMATION CONTACT:

Jacqueline Kruszek, Office of Grants Management, Office of Native American Programs, Department of Housing and Urban Development, Suite 3390, 1999 Broadway, Denver, CO 80202; telephone 1-800-561-5913 (this is a toll-free number). Hearing or speech-impaired persons may access this telephone number via TTY by calling the Federal Information Relay Service at 1-800-877-8339. Ms. Kruszek may also be contacted via e-mail at: [Jacqueline\\_A.\\_Kruszek@hud.gov](mailto:Jacqueline_A._Kruszek@hud.gov).

**SUPPLEMENTARY INFORMATION:** On January 17, 2001 (66 FR 4578), HUD published a final rule to amend its regulations for Community Development Block Grants for Indian Tribes and Alaska Native Villages (the "ICDBG program"). The final rule follows publication of a November 6, 2000 proposed rule, and takes into consideration the public comments received on the proposed rule. The principal reason for the changes is to allow the integration of the ICDBG program application process into HUD's Super Notice of Funding Availability (SuperNOFA) approach. The SuperNOFA process, in which the great majority of HUD's competitive funds are announced in one document, is designed to simplify the application process, bring consistency and uniformity to the application and selection process, and accelerate the availability of funding.

The January 17, 2001 final rule provides for the rule to take effect on February 16, 2001. On January 20, 2001, the White House issued a memorandum to the heads and acting heads of all Executive Departments and Agencies

regarding regulatory review. The January 20, 2001 memorandum instructs the agencies to temporarily postpone the effective dates of their regulations that have been published in the **Federal Register** but have not yet taken effect by 60 days. Consistent with the directive of the January 20, 2001 White House memorandum, the purpose of this document is to give notice that the effective date of the January 17, 2001 final rule has been changed to April 16, 2001.

Accordingly, HUD's final rule published on January 17, 2001 at 66 FR 4578 (Docket No. FR-4612-F-02, FR Doc. 01-1206) will take effect on April 16, 2001.

Dated: January 24, 2001.

**Mel Martinez,**  
Secretary.

[FR Doc. 01-2561 Filed 1-29-01; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket Nos. 96-222, 91-221 & 87-8; FCC 00-406]

#### Reconsideration of National Television Ownership

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; denial.

**SUMMARY:** This document denies a petition seeking reconsideration in part of the *Report and Order* released in this proceeding on August 6, 1999. It reaffirms the Commission's decision to count a market only once when calculating an entity's national ownership reach.

**FOR FURTHER INFORMATION CONTACT:** Jane Gross; Policy and Rules Division, Mass Media Bureau, at (202) 418-2130, TTY (202) 418-2989.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Memorandum Opinion and Order* ("MO&O"), in MM Docket Nos. 96-222, 91-221 & 87-8; FCC 00-406. Adopted November 13, 2000, and released January 19, 2001. The full text of this MO&O is available for inspection and copying during regular business hours in the FCC Reference Center, 445 Twelfth Street, SW, Room CY-A257, Washington DC, and also may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 445 Twelfth Street, SW, Room CY-B402, Washington DC. The complete text is also available under the file name fcc00406.pdf on the

Commission's Internet site at [www.fcc.gov](http://www.fcc.gov).

### Paperwork Reduction Act

This document contains no new or modified information collection requirements.

### Synopsis of Memorandum Opinion and Order

1. In this MO&O, we deny a petition seeking reconsideration in part of the *Report and Order* ("R&O"), 64 FR 50647, September 17, 1999. In the R&O, we modified the national television ownership rule to clarify how to calculate a broadcast television station group owner's aggregate national audience reach for purposes of determining compliance with the 35% limit on such reach. The national ownership cap itself was at issue in the 1998 Biennial Review of Broadcast Ownership Rules. In our recently released Report in that proceeding we decided to retain the current 35% limit on a broadcast television station group owner's aggregate national audience reach.

2. In the R&O, we concluded that the public interest would be served by counting a market only once when calculating an entity's national ownership reach, even if that entity has an attributable interest in more than one television station in that market. Specifically, we narrowed the general "satellite exemption" to our ownership rules to exempt from the national ownership rule only satellite television stations in the same market as their parents; decided not to incorporate same-market local marketing agreements (LMAs) into the calculation of the brokering station's national audience reach; and replaced the Commission's

use of Arbitron's Areas of Dominant Influence (ADIs) to define geographic television markets with the use of Nielsen's Designated Market Areas (DMAs). Consequently, owners of television stations that have an attributable interest in another TV station in the same market, or that operate a satellite station in the same market, do not have to double count those markets in calculating their national aggregate television audience reach. However, a station owner with an attributable interest in a station in a separate market (including satellite stations and LMAs) would have to count that additional audience as part of its national aggregate audience.

3. The Office of Communication, Inc. of United Church of Christ *et al.* (UCC *et al.*) seek reconsideration of the Commission's decision to count a market only once when calculating an entity's national ownership reach. UCC *et al.* argue that the Commission should instead attribute between 50% and 100% of the DMA households to an entity's second station in a market for purposes of calculating the national audience reach. Although they argue this specifically in the context of TV duopolies, they also contend that intramarket satellites and LMAs should be attributed similarly.

4. We reaffirm our decision to count a market only once when calculating an entity's national ownership reach. We discussed this decision in detail in the context of satellites and LMAs, and also noted that the concept is equally applicable to any situation in which an entity has an attributable interest in more than one TV station in a television market. We stated that when two stations in a market are commonly

owned by virtue of the local television ownership rule (*i.e.*, a duopoly), that market's audience reach will be counted only once when calculating the group owner's national aggregate audience reach. We explained that, regardless of a station's actual viewership, a licensee is attributed with all of the viewership in the entire DMA. Therefore, increasing actual viewership by adding a second station does not affect the audience reach calculation, as that calculation already includes all the viewers in that DMA.

5. UCC *et al.* have not raised any arguments that persuade us to revisit this decision. Indeed, many of UCC *et al.*'s criticisms appear to be directed not at the national cap itself, but at limiting consolidation in local markets. The issue of how much consolidation should be permitted in local markets is addressed in our local ownership proceeding.

### Ordering Clauses

6. Pursuant to the authority contained in sections 4(i), 303(r), and 405 of the Communications Act of 1934, as amended, and section 1.429(i) of the Commission's rules, 47 CFR 1.429(i), it is ordered that the Petition for Reconsideration in this proceeding is *denied*.

7. This proceeding is hereby *terminated*.

### List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

[FR Doc. 01-2542 Filed 1-29-01; 8:45 am]

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