



Monday
May 8, 1995

Part LV

**Federal Housing
Finance Board**

Semiannual Regulatory Agenda

FEDERAL HOUSING FINANCE BOARD (FHFB)

FEDERAL HOUSING FINANCE BOARD
12 CFR Ch. IX
Agenda of Federal Regulations
AGENCY: Federal Housing Finance Board.

ACTION: Publication of agenda items.

SUMMARY: The Federal Housing Finance Board (Finance Board) hereby publishes items for the Unified Agenda of Federal Regulations. These items reflect the

status of the regulatory agenda of the Finance Board as of April 1, 1995. The Finance Board is an independent agency in the executive branch of Government and is the regulator of the Federal Home Loan Bank System and the Financing Corporation. The Finance Board has an ongoing need to adopt various regulations dealing with its internal administration and the Federal Home Loan Bank System.

ADDRESSES: Executive Secretariat, Federal Housing Finance Board, 1777 F

Street NW., Washington, DC 20006, (202) 408-2837.

FOR FURTHER INFORMATION CONTACT: Brandon B. Straus, Attorney-Advisor, Office of Legal and External Affairs, Room 326, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006, (202) 408-2589.

By the Federal Housing Finance Board.

Elaine L. Baker,
Executive Secretary.

FEDERAL HOUSING FINANCE BOARD (FHFB)
Prerule Stage

4825. COMMUNITY INVESTMENT PROGRAM
Priority: Regulatory Plan

Legal Authority: 12 USC 1422a; 12 USC 1422b; 12 USC 1430(i)

CFR Citation: 12 CFR 961

Legal Deadline: None

Abstract: Pursuant to section 721 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, Public Law 101-73, 103 Stat. 423, the Federal Home Loan Banks (FHLBanks) must establish a Community Investment Program (CIP) which will provide funds through FHLBank advances (loans) to a FHLBank's member institutions at interest rates equal to interest rates on FHLBank consolidated bonds or notes having comparable maturity dates with the advances. These advances will be used by the member institutions to provide funding for community-oriented development projects or housing. These regulations will continue the commitment of the FHLBanks to community development lending.

Statement of Need: The CIP has operated for 5 years without any clarifying regulations. During this time, operational issues have arisen. A

regulation or guidelines may be necessary to address these issues in order to establish a more specific framework for the operation of the CIP.

Summary of the Legal Basis: Section 2B(a)(1) of the Federal Home Loan Bank Act (Bank Act) authorizes the Federal Housing Finance Board (Finance Board) to promulgate regulations necessary to carry out the provisions of the Bank Act. See 12 U.S.C. 1422b(a)(1). Section 10(i) of the Bank Act requires the FHLBanks to establish a CIP, pursuant to the general statutory criteria set forth in section 10(i). The Finance Board therefore has the authority, under its general authority to issue regulations implementing the Bank Act, to issue clarifying regulatory standards governing the CIP.

Alternatives: Because consideration of additional CIP guidance is in a very preliminary stage, including the issue of whether such guidance will be established by regulation or guidelines, the Finance Board has not yet analyzed the alternative approaches to the issues expected to be addressed in this initiative.

Anticipated Costs and Benefits: Because the Finance Board has not yet

analyzed the alternative approaches to the issues expected to be addressed in the CIP regulation or guidelines, the Finance Board is not yet able to identify the expected costs and benefits of any such CIP regulation or guidelines.

Risks: The CIP regulation or guidelines will not address issues of financial risk to the FHLBanks. The advances made by the FHLBanks through the CIP, like all FHLBank advances, are governed by the Finance Board's Advances regulation, which addresses the safety and soundness issues involved in making advances. Since advances made through the CIP are overcollateralized, there is a low magnitude of risk of loss to the FHLBanks in making such advances.

Timetable: Next Action Undetermined

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sylvia Martinez, Director, Office of Housing Finance, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006, 202 408-2825

RIN: 3069-AA05

FEDERAL HOUSING FINANCE BOARD (FHFB)
Proposed Rule Stage

4826. PAPERWORK REDUCTION ACT—COLLECTION OF INFORMATION CONTROL NUMBERS
Legal Authority: 44 USC 3506

CFR Citation: 12 CFR 908

Legal Deadline: None

Abstract: The Finance Board will adopt a new part 908 to its general regulations that will display its current information control numbers issued by

the Office of Management and Budget for the Finance Board's forms that require the collection of data.

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Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/95	
NPRM Comment Period End	06/00/95	

Small Entities Affected: Businesses**Government Levels Affected:** None

Agency Contact: David A. Guy,
Associate General Counsel, Federal
Housing Finance Board, 1777 F Street
NW., Washington, DC 20006, **202 408-
2536**

RIN: 3069-AA25**4827. PRACTICE BEFORE THE BOARD OF DIRECTORS****Legal Authority:** 12 USC 1422b; 5 USC 504; 5 USC 554 to 557**CFR Citation:** 12 CFR 914**Legal Deadline:** None

Abstract: The Finance Board is proposing to adopt a regulation setting forth the rules for adjudicatory proceedings before the Finance Board.

Timetable:

Action	Date	FR Cite
NPRM	04/00/95	
NPRM Comment Period End	06/00/95	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: David A. Guy,
Associate General Counsel, Federal
Housing Finance Board, 1777 F Street
NW., Washington, DC 20006, **202 408-
2536**

RIN: 3069-AA31**4828. PRICING OF COMMUNITY INVESTMENT PROGRAM ADVANCES****Legal Authority:** 12 USC 1422b; 12 USC 1430**CFR Citation:** 12 CFR 935**Legal Deadline:** None

Abstract: The Finance Board is proposing to amend its regulations to establish guidelines for pricing Community Investment Program advances.

Timetable:

Action	Date	FR Cite
NPRM	04/00/95	
NPRM Comment Period End	06/00/95	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: James H. Gray Jr.,
Associate General Counsel, Federal
Housing Finance Board, 1777 F Street
NW., Washington, DC 20006, **202 408-
2552**

RIN: 3069-AA32**4829. MODIFICATION OF COMMUNITY SUPPORT REGULATION****Legal Authority:** 12 USC 1430(g)**CFR Citation:** 12 CFR 936**Legal Deadline:** None

Abstract: The Finance Board issued an advance notice of proposed rulemaking requesting public comment to assist the Finance Board in amending its Community Support regulations to provide standards for the community support requirements for insurance company and credit union members of the Federal Home Loan Bank System.

Timetable:

Action	Date	FR Cite
ANPRM	09/02/93	58 FR 46469
ANPRM Comment Period End	12/31/93	58 FR 58305
NPRM	04/00/95	
NPRM Comment Period End	06/00/95	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: Brandon B. Straus,
Attorney-Advisor, Federal Housing
Finance Board, 1777 F Street NW.,
Washington, DC 20006, **202 408-2589**

RIN: 3069-AA35

FEDERAL HOUSING FINANCE BOARD (FHFB)

Final Rule Stage

4830. BANK REQUEST FOR INFORMATION**Legal Authority:** 12 USC 1422a; 12 USC 1422b; 12 USC 1442**CFR Citation:** 12 CFR 934.15**Legal Deadline:** None

Abstract: Section 719 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, Pub. L. 101-73, 103 Stat. 422, amended section 22 of the Federal Home Loan Bank Act (12 USC 1442) and mandates that the Federal Deposit Insurance Corporation, Board of Governors of the Federal Reserve System, Office of Thrift Supervision, Comptroller of the Currency, National Credit Union Administration, and the Treasury Department share examination reports or other records or data, in confidence, with the Federal Home Loan Banks at

their request. The agency is proposing to promulgate regulations which will establish a procedure regarding the confidentiality of these examination reports and other records or data while in the possession of a Federal Home Loan Bank.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/07/90	55 FR 50545
Final Action	04/00/95	

Small Entities Affected: None**Government Levels Affected:** None

Agency Contact: David A. Guy,
Associate General Counsel, Federal
Housing Finance Board, 1777 F Street
NW., Washington, DC 20006, **202 408-
2536**

RIN: 3069-AA06**4831. ADVANCES TO NONMEMBER MORTGAGEES****Legal Authority:** 12 USC 1422a(a)(3); 12 USC 1422b(a)(1); 12 USC 1430b**CFR Citation:** 12 CFR 935**Legal Deadline:** None

Abstract: The Federal Housing Finance Board adopted an interim regulation amending its regulation on Federal Home Loan Bank advances to establish revised and new requirements governing advances to nonmember mortgagees and to implement provisions of the Housing and Community Development Act of 1992 regarding special advances to qualified nonmember mortgagees that are state housing finance agencies.

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Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/20/93	58 FR 29474
Final Action	04/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: James H. Gray Jr., Associate General Counsel, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006, **202 408-2552**

RIN: 3069-AA27

4832. AFFORDABLE HOUSING PROGRAM

Priority: Regulatory Plan

Legal Authority: 12 USC 1422b(a)(1); 12 USC 1430(j)

CFR Citation: 12 CFR 960

Legal Deadline: None

Abstract: The Federal Housing Finance Board (Finance Board) issued a proposed rule revising its regulation governing the Affordable Housing Program (AHP) in order to simplify and clarify the AHP's requirements for the Federal Home Loan Banks (FHLBanks) and their members.

Statement of Need: The Finance Board is revising its AHP Regulation in order to address operational issues that have arisen during the 5 years the program has been in existence. The proposed AHP amendments will help enhance the AHP's compatibility with various State and Federal housing programs that provide funds in conjunction with AHP funds. In addition, the amendments would make the AHP more responsive to local low-income housing needs in each of the 12 FHLBank districts and increase efficiency in administration of the program.

Summary of the Legal Basis: Section 10(j) of the Federal Home Loan Bank Act requires the Finance Board to promulgate regulations governing the AHP. See 12 U.S.C. 1430(j).

Alternatives: During the development of the proposed AHP amendments, the Finance Board considered various alternative approaches to dealing with the operational issues that have arisen over the 5 years of the AHP's existence. In addition, the Finance Board will consider all alternatives suggested by the public during the notice-and-

comment process. The Finance Board expects to address these alternatives in its final AHP regulation.

Anticipated Costs and Benefits: At this time, it is not possible to quantify the expected costs and benefits of the revised AHP regulation. In general, the Finance Board expects the revised AHP regulation to reduce the FHLBanks' administrative costs of operating the AHP.

Risks: The revised AHP regulation does not address issues of financial risk to the FHLBanks. The advances made by the FHLBanks through the AHP, like all FHLBank advances, are governed by the Finance Board's Advances regulation, which addresses the safety and soundness issues involved in making advances. Since advances made through the AHP are overcollateralized, there is a low magnitude of risk of loss to the FHLBanks in making such advances.

Timetable:

Action	Date	FR Cite
NPRM	01/10/94	59 FR 1323
NPRM Comment	03/11/94	59 FR 1323
Period End		
Final Action	04/00/95	
Final Action Effective	05/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Diane E. Dorius, Deputy Director, Office of Housing Finance, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006, **202 408-2576**

RIN: 3069-AA28

4833. CLAIMS REGULATION

Legal Authority: 12 USC 1422b; 12 USC 1438(b); 12 USC 1833e; 31 USC 3711(e); 31 USC 3721

CFR Citation: 12 CFR 902

Legal Deadline: None

Abstract: The Finance Board is proposing to issue a regulation governing the procedures and standards for the administrative collection, compromise, and termination of agency collection, and the referral of claims to the General Accounting Office of the Department of Justice for litigation of civil claims. The regulation also establishes the Finance Board's procedures and standards governing claims filed against the Finance Board

by employees for loss or damage to personal property.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: David A. Guy, Associate General Counsel, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006, **202 408-2536**

RIN: 3069-AA30

4834. MODIFICATION OF DEFINITION OF DEPOSITS IN BANKS OR TRUST COMPANIES

Legal Authority: 12 USC 1422b; 12 USC 1431(g)

CFR Citation: 12 CFR 931.5

Legal Deadline: None

Abstract: The Finance Board issued a proposed rule amending the definition of "deposits in banks or trust companies" in section 931.5 of its regulations in order to include sales of Federal funds to banks in the category of investments that are eligible to fulfill the Federal Home Loan Banks' liquidity requirement contained in section 11(g) of the Federal Home Loan Bank Act.

Timetable:

Action	Date	FR Cite
NPRM	09/29/93	58 FR 50867
NPRM Comment	11/29/93	58 FR 50867
Period End		
Final Action	04/00/95	
Final Action Effective	05/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Brandon B. Straus, Attorney-Advisor, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006, **202 408-2589**

RIN: 3069-AA33

4835. AFFORDABLE HOUSING MAXIMUM SUBSIDY LIMITATIONS

Legal Authority: 12 USC 1422b; 12 USC 1430(j)

CFR Citation: 12 CFR 960.9

Legal Deadline: None

Abstract: The Finance Board has adopted an interim rule which amends its Affordable Housing Program (AHP)

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Final Rule Stage

regulation by revising the maximum subsidy requirements applicable to projects receiving subsidized advances or other assistance from the Federal Home Loan Banks under the AHP.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/07/93	58 FR 17968
Final Action	05/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Sharon B. Like, Attorney-Advisor, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006, **202 408-2930**

RIN: 3069-AA34

4836. AMENDMENT OF AFFORDABLE HOUSING PROGRAM AND COMMUNITY SUPPORT REQUIREMENTS REGULATIONS

Legal Authority: 12 USC 1422a; 12 USC 1422b; 12 USC 1429; 12 USC 1430(a); 12 USC 1430(g); 12 USC 1430(j)

CFR Citation: 12 CFR 936; 12 CFR 960

Legal Deadline: None

Abstract: The Federal Housing Finance Board issued a proposed rule amending the definitions of "very low-income household" and "low- or moderate-income household" in its Affordable Housing Program (AHP) and Community Support Requirements (CSR) regulations. The proposed rule also adds a definition of "adjustment for family size" to the AHP and CSR

regulations as well as removes the definition of "median income" from the AHP and CSR regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/05/93	58 FR 58988
NPRM Comment Period End	01/04/94	58 FR 58988
Final Action	05/00/95	
Final Action Effective	06/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Brandon B. Straus, Attorney-Advisor, Federal Housing Finance Board, 1777 F Street NW., Washington, DC 20006, **202 408-2589**

RIN: 3069-AA38

[FR Doc. 95-5214 Filed 05-05-95; 8:45 am]

BILLING CODE 6725-01-F