



Monday
April 26, 1999

Part IX

**Department of
Housing and Urban
Development**

Semiannual Regulatory Agenda

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Subtitles A and B

[Docket No. FR-4481-N-01]

Semiannual Agenda of Regulations

AGENCY: Department of Housing and Urban Development.

ACTION: Semiannual regulatory agenda.

SUMMARY: In accordance with section 4(b) of Executive Order 12866 "Regulatory Planning and Review," the Department is publishing its agenda of (1) regulations already issued or expected to be issued and (2) currently effective rules that are under review. Additionally, in accordance with section 602 of the Regulatory Flexibility Act, the Department also has prepared an agenda of regulations expected to be proposed or promulgated, which are likely to have a significant economic impact on a substantial number of small entities. As permitted by Executive Order 12866 and the Regulatory Flexibility Act, the two agendas are combined for publication.

FOR FURTHER INFORMATION CONTACT: Camille E. Acevedo, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 10276, 451 Seventh Street SW., Washington, DC 20410, (202) 708-3055. (This is not a toll-free number.) A telecommunications device for hearing- and speech-impaired individuals (TTY) is available at 1-800-877-8339 (Federal Information Relay Service).

SUPPLEMENTARY INFORMATION: Executive Order 12866 "Regulatory Planning and Review," published on October 4, 1993 (58 FR 51735), requires each agency to publish semiannually an agenda of (1) regulations that the agency has issued or expects to issue and (2) currently effective regulations that are under agency review. Consistent with the principles set forth in Executive Order 12866 to reduce and streamline regulations and in response to President Clinton's memorandum to Federal agencies to examine all regulations and eliminate those that are obsolete, the Department continues to examine those rules proposed to be issued under these principles.

The Regulatory Flexibility Act (5 U.S.C. 601-612) requires each agency to publish semiannually a regulatory

agenda of rules expected to be proposed or promulgated that are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12866 and the Regulatory Flexibility Act each permits incorporation of the agenda required with any other prescribed agenda. The agenda set out below combines the information required by Executive Order 12866 and the Regulatory Flexibility Act. In addition, the agenda contains certain information not required by either the Executive order or by the Act, which the Department considers useful, both better to inform the public and to enhance the Department's own inventory control over its body of regulations.

Section 610 of the Regulatory Flexibility Act requires each agency to publish annually a list of the rules that have a significant economic impact upon a substantial number of small entities and that are to be reviewed in accordance with section 610 during the succeeding 12 months. All rules under development, published in each HUD agenda, are reviewed in accordance with the principles of section 610 of the Regulatory Flexibility Act. The Department specifically invites comments from the public on any rule listed in this agenda that the public may believe will have a significant economic impact on a substantial number of small entities.

The Department also is subject to certain rulemaking requirements set forth in the Department of Housing and Urban Development Act (42 U.S.C. 3531 *et seq.*). Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight of HUD (the Senate Committee on Banking, Housing, and Urban Affairs and the House Committee on Banking and Financial Services) a semiannual agenda of all rules or regulations which are under development or review by the Department. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days after transmittal of the agenda. If, within that period, either committee notifies the Secretary that it intends to review any rule or regulation which appears on the agenda, the

Secretary must submit to both committees a copy of the rule or regulation, in the form it is intended to be proposed, at least 15 calendar days before it is published for comment. The semiannual agenda published today is the agenda transmitted to the committees in compliance with this requirement.

For purposes of Executive Order 12866, "regulation" or "rule" is defined as "an agency statement of general applicability and future effect, which the agency intends to have the force and effect of law, that is designed to implement, interpret, or prescribe law or policy or to describe the procedure or practice requirements of an agency," subject to certain exceptions. The agenda published below focuses on regulatory material contained or expected to be contained in the Code of Federal Regulations (CFR) (or incorporated therein by reference) following publication in the **Federal Register**. As appropriate, however, issuances in the nature of general statements of policy may be published in the **Federal Register** but not for codification in the CFR.

The agenda items are divided first by program office. Within each program office, the agenda items are divided into four groups: (i) Prerulemaking actions, (ii) publication or other implementations of notices of proposed rulemaking, (iii) publications or other implementations of final rules, and (iv) completed actions. Within each grouping, rules are listed in chronological order by the part number of the CFR affected. Where a rule affects multiple parts of the CFR, the rule is listed by the first affected part number.

The agenda reflects that some rules have been withdrawn by the Department since issuance of the previous agenda. On further examination of the subject matters of these rules, the Department may determine that certain rules listed as withdrawn under this agenda are necessary, and if that determination is made, the rules will be included in a succeeding semiannual agenda.

Items listed in this agenda are from the following offices within the Department: Office of the Secretary; Office of Housing; Office of Public and Indian Housing; Office of Community Planning and Development; Office of Fair Housing and Equal Opportunity;

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Office of Administration; Office of Policy Development and Research; and the Government National Mortgage Association.

The Department invites all interested members of the public to comment on the rules listed in this spring 1999 agenda to assist the Department in

improving its regulatory products and procedures.

Dated: February 18, 1999.

Gail W. Laster,
General Counsel.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1272	24 CFR 3 Common Rule: Nondiscrimination in Educational Activities (FR-4301)	2501-AC42
1273	24 CFR 5 Sanctions for Underreporting of Income in the Assisted Housing Programs (FR-4334)	2501-AC55
1274	24 CFR 5 Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing; Administrative Process for Assessment of Insured and Assisted Properties (FR-4452)	2501-AC58
1275	24 CFR 15 Revisions to HUD's Freedom of Information Act (FOIA) Regulations (FR-4292)	2501-AC51
1276	24 CFR 17 Procedures for the Collection of Claims by the Government (FR-4318)	2501-AC48
1277	24 CFR 24 Limited Denial of Participation in HUD Programs; Clarifying Amendments (FR-3975)	2501-AC08
1278	24 CFR 30 Amendments to HUD's Civil Money Penalty Regulations (FR-4399)	2501-AC56
1279	24 CFR 42 Revisions to Regulations Implementing Uniform Relocation Act and Other Relocation Requirements in HUD Programs (FR-4122)	2501-AC31
1280	24 CFR 56 Flood Insurance and HUD-Assisted Buildings Located Within Special Flood Hazard Areas (FR-4273)	2501-AC40
1281	24 CFR 58 Regulations Governing the Environmental Review Procedures for Entities Assuming HUD's Environmental Responsibilities; Miscellaneous Amendments (FR-4326)	2501-AC52
1282	24 CFR 81 Secretary of HUD's Regulation of Fannie Mae and Freddie Mac (FR-4297)	2501-AC41
1283	24 CFR 91 Clarifying Amendments to Consolidated Submission for Community Planning and Development Programs (FR-4333)	2501-AC54
1284	24 CFR 92 HOME Investment Partnerships Program (FR-4329)	2501-AC53

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1285	24 CFR 000 Adoption of Revised OMB Circular A-133; Administrative Requirements for Grantees To Reflect the Single Audit Act Amendments of 1996; Technical Amendments (FR-4296)	2501-AC43
1286	24 CFR 5, subpart E Revised Restriction on Assistance to Noncitizens (FR-4154)	2501-AC36
1287	24 CFR 8 Nondiscrimination Based on Disability; Multifamily Homeownership Projects (FR-4317)	2501-AC47
1288	24 CFR 25 Conforming Amendments to HUD's FHA-Single Family Housing and Multifamily Housing Enforcement Regulations (FR-4308)	2501-AC44
1289	24 CFR 35 Lead-Based Paint Poisoning Prevention in Certain Residential Structures (FR-3482)	2501-AB57
1290	24 CFR 45 Administrative Requirements for Grantees To Reflect Single Audit Act Amendments (FR-4258)	2501-AC39
1291	24 CFR 55 Floodplain Management and Protection of Wetlands (FR-4142)	2501-AC33
1292	24 CFR 92 HOME Investment Partnerships Program—Additional Streamlining (FR-4111)	2501-AC30
1293	24 CFR 401 Multifamily Housing Mortgage and Housing Assistance Restructuring Program (Mark to Market) and Renewal of Expiring Section 8 Project-Based Assistance (FR-4298)	2501-AC57

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1294	24 CFR 6 Nondiscrimination in HUD Programs and Activities Receiving Assistance Under Title I of the Housing and Community Development Act of 1974 (FR-4092)	2501-AC28

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Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1295	24 CFR 200 Single Family Mortgage Insurance Clarification of Floodplain Requirements Applicable to New Construction (FR-4323)	2502-AH16
1296	24 CFR 200 Use of Materials Bulletins Used in the HUD Building Products and Certification Program (FR-4391)	2502-AH28
1297	24 CFR 200 Single Family Mortgage Insurance; Appraiser Roster Removal Procedures (FR-4429)	2502-AH29
1298	24 CFR 201 Strengthening the Title I Property Improvement Loan Insurance Program (FR-4246)	2502-AG95
1299	24 CFR 203 Single Family Appraisal Assessment (FR-4395)	2502-AH27
1300	24 CFR 203 Sources of Homebuyer Downpayment (FR-4469)	2502-AH38
1301	24 CFR 207 Partial Payment of Claims for Health Care Facilities, Hospitals and Group Practice Facilities (FR-4387)	2502-AH25
1302	24 CFR 236 Rehabilitation Grants for Certain Multifamily Projects (FR-4465)	2502-AH35
1303	24 CFR 245 Tenant Participation in Multifamily Housing Projects (FR-4403)	2502-AH32
1304	24 CFR 270 Use of Federal Surplus Property for Self-Help Housing (FR-4464)	2502-AH34
1305	24 CFR 290 Up-Front Grants in the Disposition of Multifamily Projects (FR-4310)	2502-AH12
1306	24 CFR 291 Disposition of HUD-Owned Single Family Assets in Revitalization Areas (FR-4471)	2502-AH40
1307	24 CFR 880 Section 8 Housing Assistance Payments Programs (New Construction, Substantial Rehabilitation, State Housing Agencies and Special Allocations) (FR-4479)	2502-AH41
1308	24 CFR 891 Duration of Capital Advance (FR-4466)	2502-AH36
1309	24 CFR 3282 Special Procedures Permitting Limited Completion of Manufactured Homes On-Site (FR-4216)	2502-AG92
1310	24 CFR 3500 Real Estate Procedures Settlement Act (RESPA): Escrow Account Statement Itemization of Charges (FR-4390)	2502-AH26

Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1311	24 CFR 200 Delegation of Insuring Authority To Direct Endorsement Mortgagees (FR-4169)	2502-AG87
1312	24 CFR 200 Use of Material Bulletins (FR-4265)	2502-AH02
1313	24 CFR 200 Update of the Model Energy Code (MEC) (FR-4272)	2502-AH03
1314	24 CFR 201 Title I Property Improvement and Manufactured Home Loan Insurance Programs (FR-4242)	2502-AG94
1315	24 CFR 203 Mortgage Insurance Premium Reduction in Central Cities (FR-4284)	2502-AH07
1316	24 CFR 203 Builder Warranty for High Ratio Single Family Mortgages (FR-4288)	2502-AH08
1317	24 CFR 203 Single Family Mortgage Insurance; Direct Endorsement and Automated Underwriting (FR-4311)	2502-AH15
1318	24 CFR 203 Single Family Mortgage Insurance Informed Consumer Choice Disclosure (FR-4411)	2502-AH30
1319	24 CFR 203 Single Family Claim Reform and Sale of Property (FR-4470)	2502-AH39
1320	24 CFR 206.45(e) Home Equity Conversion Mortgages; Right of First Refusal Permitted for Condominium Associations (FR-4267)	2502-AG93
1321	24 CFR 242 Risk-Sharing Hospital Mortgage Insurance Program (FR-3914)	2502-AG53
1322	24 CFR 291 Officer Next Door Program (FR-4277)	2502-AH37
1323	24 CFR 3280 Manufactured Home Construction and Safety Standards (FR-4376)	2502-AH23
1324	24 CFR 3500 RESPA: Disclosure of Fees Paid to Retail Lenders (Brokers) (FR-3780)	2502-AG40
1325	24 CFR 3500 Amendment to RESPA; Exemption for Employer Payments to Employees Who Make Like-Provider Referrals, and Other Amendments (FR-4173)	2502-AG88
1326	24 CFR 3500 RESPA Statements of Policy Regarding Certain Private Mortgage Insurance Arrangements (FR-4342)	2502-AH19

Office of Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1327	24 CFR 200 Electronic Submission of Required Data by Multifamily Mortgages (FR-4303)	2502-AH11
1328	24 CFR 203 Suspension of FHA Single Family Mortgage Insurance Program for Mortgages on Indian Reservations Insured Pursuant to Section 248 of the National Housing Act (FR-4251)	2502-AH00
1329	24 CFR 203 FHA Single Family Mortgage Insurance; Statutory Changes for Maximum Mortgage Limit and Downpayment Requirements (FR-4431)	2502-AH31

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Office of Housing—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
1330	24 CFR 206 Home Equity Conversion Mortgages; Consumer Protection Measures Against Excessive Fees (FR-4306)	2502-AH10
1331	24 CFR 291 Single Family Property Disposition (FR-4244)	2502-AG96
1332	24 CFR 891 Supportive Housing for the Elderly and Persons With Disabilities; Clarification of Exemption from Rent Control (FR-4346)	2502-AH21
1333	24 CFR 3280 Updating Manufactured Housing Reference Standards (FR-4337)	2502-AH17
1334	24 CFR 3282 Procedural and Enforcement Regulations for the Manufactured Home Construction and Safety Program (FR-4319)	2502-AH14
1335	24 CFR 3500 Real Estate Settlement Procedures Act (RESPA) Statement of Policy 1999-1 Regarding Lender Payments to Mortgage Brokers (FR-4450)	2502-AH33

Office of Community Planning and Development—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1336	24 CFR 570 Community Development Block Grant Program; National Objective and Streamlining Changes (FR-4144)	2506-AB90
1337	24 CFR 570 CDBG Slum/Blight National Objective Rule (FR-4260)	2506-AB94
1338	24 CFR 570 Community Development Block Grant Program: Eligibility and Record Keeping Prohibition on Use of Assistance for Employment Relocation Activities (FR-4468)	2506-AC01
1339	24 CFR 574 HOPWA Rental Assistance Options and Technical Changes (FR-4467)	2506-AC02

Office of Community Planning and Development—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1340	24 CFR 91 CDBG Program for States; Community Revitalization Strategy Requirements & Miscellaneous Technical Amendments (FR-4081)	2506-AB83
1341	24 CFR 570 Community Development Block Grant Program; Section 108 Application Requirements (FR-3298) ...	2506-AB43
1342	24 CFR 570 Section 108 Loan Guarantee Program (FR-4039)	2506-AB80
1343	24 CFR 570 Community Development Block Grant Programs for States; Program Income (FR-4067)	2506-AB82
1344	24 CFR 570 Community Development Block Grant Program; Clarification of the Nature of Required CDBG Expenditure Documentation (FR-4449)	2506-AC00
1345	24 CFR 576 Emergency Shelter Grants Program (FR-4330)	2506-AB99

Office of Community Planning and Development—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1346	00 CFR 000 Administrative Guidelines for CPD Programs; Section 102(d) Limitation on Combining Other Government Assistance With CPD Housing Assistance (FR-3135)	2506-AB74

Office of Community Planning and Development—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1347	24 CFR 570.200 Clarification of the Nature of Required CDBG Expenditure Documentation (FR-4261)	2506-AB95

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Government National Mortgage Association—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1348	24 CFR 300.3 Ginnie Mae—Finance—NAHASDA Implementation (FR-4215)	2503-AA11

Government National Mortgage Association—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1349	24 CFR 320 Ginnie Mae—Financial Reporting (FR-4331)	2503-AA12

Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1350	24 CFR 115 Certification and Funding of State and Local Fair Housing Enforcement Agencies (FR-4392)	2529-AA85

Office of Fair Housing and Equal Opportunity—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1351	24 CFR 91 Fair Housing Planning Performance Standard (FR-4133)	2529-AA81
1352	24 CFR 103 Fair Housing Complaint Processing—Plain Language Revision and Reorganization (FR-4433)	2529-AA86
1353	24 CFR 135 Economic Opportunities for Low- and Very-Low-Income Persons (FR-2898)	2529-AA49
1354	24 CFR 180 Civil Money Penalties for Fair Housing Act Violations (FR-4302)	2529-AA83

Office of Fair Housing and Equal Opportunity—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1355	24 CFR 100 Implementation of the Housing for Older Persons Act of 1995 (FR-4094)	2529-AA80

Office of Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1356	48 CFR 2409 HUD Acquisition Regulation (FR-4291)	2535-AA25

Office of Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1357	48 CFR 2401 HUD Acquisition Regulation—II (FR-4115)	2535-AA24

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Office of Public and Indian Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1358	24 CFR 5 Pet Ownership in Public Housing (FR-4437)	2577-AB94
1359	24 CFR 761 Public Housing Drug Elimination Program—Formula Allocation (FR-4451)	2577-AB95
1360	24 CFR 901 Resident Survey Information Disclosure Requirements—Privacy Act (FR-4393)	2577-AB84
1361	24 CFR 901 Quality Assurance Review of Independent Public Auditors by Real Estate Assessment Center Staff (FR-4394)	2577-AB85
1362	24 CFR 941 Capital Fund Allocation Formula (FR-4423)	2577-AB87
1363	24 CFR 943 Joint Venture and Consortia of Public Housing Agencies (FR-4474)	2577-AC00
1364	24 CFR 945 Designated Housing Program Amendments (FR-3964)	2577-AB57
1365	24 CFR 960 Public Housing Admission and Occupancy Reforms and Streamlining (FR-4084)	2577-AB67
1366	24 CFR 968 Formula Funding for Comprehensive Improvement Assistance (CIAP) Agencies (FR-4462)	2577-AB97
1367	24 CFR 972 Conversion of Public Housing to Vouchers (Tenant-Based Assistance) (FR-4476)	2577-AC02
1368	24 CFR 973 Required Conversion of Distressed Public Housing to Tenant-Based Assistance (FR-4475)	2577-AC01
1369	24 CFR 982 Section 8 Homeownership (FR-4427)	2577-AB90
1370	24 CFR 985 Section 8 Management Assessment Program (SEMAP) New Performance Indicators (FR-4388)	2577-AB83
1371	24 CFR 990 Operating Fund Allocation Formula (FR-4425)	2577-AB88
1372	24 CFR 1000 Dwelling Construction and Equipment Costs for Indian Housing (FR-4478)	2577-AC04

Office of Public and Indian Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1373	24 CFR 791 Review of Applications for Housing Assistance and Allocations of Housing Assistance Funds (FR-4477)	2577-AC03
1374	24 CFR 882 Housing Opportunity Program Extension Act of 1996 Implementation Provisions and Section 8 Certificate, Voucher, & Moderate Rehabilitation Admission & Occupancy Policies Revisions (FR-4159)	2577-AB72
1375	24 CFR 882 Section 8 Moderate Rehabilitation Program Executing or Terminating Leases on Moderate Rehabilitation Units (FR-4472)	2577-AB98
1376	24 CFR 882 Moderate Rehabilitation Comparability (FR-4473)	2577-AB99
1377	24 CFR 903 Public Housing Agency Plan (FR-4426)	2577-AB89
1378	24 CFR 941 Public Housing Development Regulations (FR-3569)	2577-AB37
1379	24 CFR 941 Public Housing Mixed-Finance Partnership Development—Streamlining (FR-4113)	2577-AB69
1380	24 CFR 971 Assessment of the Reasonable Revitalization Potential of Certain Public Housing Required by Law (FR-4120)	2577-AB79
1381	24 CFR 982 Section 8 Tenant Based Assistance: Statutory Merger (FR-4428)	2577-AB91
1382	24 CFR 982 Renewal of Section 8 Tenant-Based Assistance Contracts (FR-4459)	2577-AB96
1383	24 CFR 1005 Loan Guarantee for Indian Housing; Direct Guarantee Processing (FR-4241)	2577-AB78

Office of Public and Indian Housing—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1384	00 CFR 000 Administrative Guidelines for PIH Regarding Section 102(d) Limitations on Combining Other Government Assistance ("Subsidy Layering") (FR-3100)	2577-AB53

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1385	24 CFR 5, subpart F Ceiling Rents for Public Housing (FR-3880)	2577-AB75
1386	24 CFR 901 Public Housing Assessment System (FR-4313)	2577-AB81
1387	24 CFR 968 Replacement Housing Factor in Modernization Funding (FR-4125)	2577-AB71
1388	24 CFR 982 Tenant-Based Assistance Renewals (FR-4418)	2577-AB86

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Office of Public and Indian Housing—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
1389	24 CFR 985 Section 8 Rental Voucher and Certificate Programs—Section 8 Management Assessment Program (SEMAP) (FR-3986)	2577-AB60
1390	24 CFR 990 Public Housing Performance Funding System: Incentives (FR-4072)	2577-AB65
1391	24 CFR 1000 Due Date of First Annual Performance Report Under the Native American Housing Assistance and Self-Determination Act of 1996 (FR-4419)	2577-AB93

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of the Secretary (HUDSEC)

Proposed Rule Stage

**1272. COMMON RULE:
NONDISCRIMINATION IN
EDUCATIONAL ACTIVITIES (FR-4301)**

Priority: Other Significant

Legal Authority: 20 USC 1681 to 1683; 20 USC 1685 to 1688

CFR Citation: 24 CFR 3

Legal Deadline: None

Abstract: This is HUD's component of a common rule coordinated by the Department of Justice to implement amendments made to title IX of the Education Amendments of 1972 to prohibit discrimination on the basis of sex in all federally funded educational activities.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	
NPRM Comment	08/00/99	
Period End		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Agency Contact: Betsy Ryan, Office of Enforcement, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 619-8041

RIN: 2501-AC42

**1273. SANCTIONS FOR
UNDERREPORTING OF INCOME IN
THE ASSISTED HOUSING PROGRAMS
(FR-4334)**

Priority: Other Significant

Legal Authority: 42 USC 3543; 42 USC 3544; 42 USC 11901 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule proposes to amend HUD's regulations for disclosure and verification of income information submitted by participants in its assisted housing programs to include sanctions for inaccurate reporting. For participants whose rental payment is dependent on their income, any underpayment of rent by them generally results in overpayment of housing assistance by HUD. This rule is being undertaken to assure that there are adequate measures in place to assure that participants in these programs will fully report their income and to reduce overpayments by HUD from scarce taxpayer dollars. It would require housing agencies or owners to take action against program participants who pay income-based rents when the agencies/owners find a discrepancy between the amount of annual income reported by the participant and by another reliable source, if the discrepancy exceeds a threshold amount.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Patricia Arnaudo, Senior Housing Program Manager, Office of Public and Assisted Housing Delivery, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0744

RIN: 2501-AC55

**1274. • UNIFORM PHYSICAL
CONDITION STANDARDS AND
PHYSICAL INSPECTION
REQUIREMENTS FOR CERTAIN HUD
HOUSING; ADMINISTRATIVE
PROCESS FOR ASSESSMENT OF
INSURED AND ASSISTED
PROPERTIES (FR-4452)**

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: On September 1, 1998, HUD published a final rule that established uniform physical condition standards for public housing and housing that is insured and/or assisted under certain HUD programs. These standards are intended to ensure that the housing is decent, safe, sanitary and in good repair. The September 1, 1998 final rule also established uniform physical inspection procedures by which HUD determines compliance with the physical condition standards. For certain multifamily housing, the September 1, 1998 final rule represented the first step towards comprehensive assessment of the physical condition of multifamily housing. This proposed rule proceeds to the next stage which is to establish for multifamily housing an administrative process by which (1) HUD will notify owners, mortgagees or contract administrators of HUD's assessment of the physical condition of their multifamily housing; (2) the owners, mortgagees or contract administrators will be provided an opportunity to review and comment on HUD's physical condition assessment of the multifamily housing; and (3) HUD will take action in cases where the housing is found not to be in

HUD—HUDSEC

Proposed Rule Stage

compliance with the physical condition standards.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kenneth Hannon, Supervisor Portfolio Manager, Western District, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0547

RIN: 2501-AC58

1275. REVISIONS TO HUD'S FREEDOM OF INFORMATION ACT (FOIA) REGULATIONS (FR-4292)

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552; 42 USC 3535(d)

CFR Citation: 24 CFR 15

Legal Deadline: None

Abstract: This rule would revise HUD's FOIA regulations to include the Electronic Freedom of Information Act requirements and to simplify them. It would also make changes to reflect the Department's reorganization of the handling of production and disclosure of documents.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: William Barth, Managing Attorney for FOIA, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-3866

RIN: 2501-AC51

1276. PROCEDURES FOR THE COLLECTION OF CLAIMS BY THE GOVERNMENT (FR-4318)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 31 USC 3701

CFR Citation: 24 CFR 17

Legal Deadline: None

Abstract: This rule would amend the Department's procedures for the collection of claims by (1) moving the designation of the Department's Claims Officer from the Office of Administration to the Office of the Chief Financial Officer, and (2) revising the regulations at 24 CFR part 17 pertaining to administrative offset, tax refund offset, and salary offset.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Wallace Garner, Director, Finance Planning & Analysis Div., Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-0654

RIN: 2501-AC48

1277. LIMITED DENIAL OF PARTICIPATION IN HUD PROGRAMS; CLARIFYING AMENDMENTS (FR-3975)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 24

Legal Deadline: None

Abstract: This rule would streamline and clarify the causes for a limited denial of participation (LDP) in most HUD programs; conform the provisions with Governmentwide regulations; clarify calculation of a time period; and make other technical corrections.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Dane Narode, Deputy Chief Counsel for Administrative

Proceedings, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-2350

RIN: 2501-AC08

1278. AMENDMENTS TO HUD'S CIVIL MONEY PENALTY REGULATIONS (FR-4399)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701q to 1; 12 USC 1703; 12 USC 1723i; 12 USC 1735f to 14; 12 USC 1735f to 15; 15 USC 1717a; 28 USC 2461 note; 42 USC 1437z to 1; 42 USC 3535(d)

CFR Citation: 24 CFR 30

Legal Deadline: None

Abstract: The Multifamily Assisted Housing Reform and Affordability Act of 1997 (Title V of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998; Pub. L. 105-65, approved October 27, 1997) (the Act) made several amendments to strengthen HUD's enforcement authority. This rule addresses those amendments that require rulemaking for implementation, as follows. The Act expands the list of persons and types of violations subject to a civil money penalty under HUD's multifamily insured housing programs. The Act also amends the United States Housing Act of 1937 (the statutory authority for HUD's public and assisted housing programs) to provide for the imposition of civil money penalties for noncompliance with section 8 Housing Assistance Payment contracts. In accordance with the Act, HUD is implementing these statutory amendments through issuance of a proposed rule. The rule would incorporate these amendments in HUD's civil money penalty regulations located at 24 CFR part 30.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Dane Narode, Deputy Chief Counsel for Administrative Proceedings, Department of Housing and Urban Development, Office of the General Counsel

HUD—HUDSEC

Proposed Rule Stage

Phone: 202 708-2350

RIN: 2501-AC56

1279. REVISIONS TO REGULATIONS IMPLEMENTING UNIFORM RELOCATION ACT AND OTHER RELOCATION REQUIREMENTS IN HUD PROGRAMS (FR-4122)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 4601; 42 USC 5304; 42 USC 12705(b)

CFR Citation: 24 CFR 42; 24 CFR 92; 24 CFR 215; 24 CFR 219; 24 CFR 221; 24 CFR 236; 24 CFR 290; 24 CFR 882; 24 CFR 511; 24 CFR 570; 24 CFR 574; 24 CFR 576; 24 CFR 582; 24 CFR 583; 24 CFR 585; ...

Legal Deadline: None

Abstract: In an effort to comply with the President's regulatory reform initiatives, HUD proposes streamlining its regulations for displacement, relocation assistance, and real property acquisition, by consolidating into part 42 similar provisions appearing throughout title 24 of the Code of Federal Regulations and by eliminating provisions that repeat statutory language or are otherwise unnecessary. HUD also proposes to include in part 42 technical corrections to certain regulations implementing Section 104(d) of Housing and Community Development Act of 1974. Finally, HUD proposes to issue regulations in part 42 that would implement Section 922 of the Housing and Community Development Act of 1992 which prohibits lump sum payments for relocation compensation, and Public Law 105-117 which prohibits payment of relocation benefits to illegal aliens.

Timetable:

Action	Date	FR Cite
ANPRM	10/11/96	61 FR 53341
ANPRM Comment Period End	12/10/96	
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Marcia Dodge, Director, Office of Affordable Housing Programs, Department of Housing and Urban Development, Office of Community Planning and Development Phone: 202 708-2685

RIN: 2501-AC31

1280. FLOOD INSURANCE AND HUD-ASSISTED BUILDINGS LOCATED WITHIN SPECIAL FLOOD HAZARD AREAS (FR-4273)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 56; 24 CFR 511.16(d); 24 CFR 570.605; 24 CFR 570.640; 24 CFR 572.425(f); 24 CFR 574.640; 24 CFR 583.330(a); 24 CFR 761.40(b); 24 CFR 882.407(c)(2); 24 CFR 886.313(c)(8); 24 CFR 891.155(c); 24 CFR 941.202(j); 24 CFR 968.110(d); 24 CFR 983.7(a)(6)

Legal Deadline: None

Abstract: This rulemaking is part of the Reinventing Government effort to remove redundancy throughout title 24 of CFR for flood insurance requirements as currently cited in the affected HUD program regulations. The rule would streamline, consolidate, and codify into a single CFR part all the flood insurance and disaster assistance requirements described separately in each of the individual HUD program regulations of title 24 of the CFR. The flood insurance and disaster assistance requirements are general and cross-cutting and applicable to all HUD programs that provide financial assistance for buildings located within Special Flood Hazard Areas. As presently described in each of the affected individual HUD program regulations, the text is redundant, sometimes outdated or incomplete, uninformative, and less than user-friendly.

Timetable:

Action	Date	FR Cite
NPRM	10/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Walter Prybyla, Deputy Director for Policy Environmental Review Division, Department of Housing and Urban Development, Office of Community Planning and Development Phone: 202 708-1201

RIN: 2501-AC40

1281. REGULATIONS GOVERNING THE ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD'S ENVIRONMENTAL RESPONSIBILITIES; MISCELLANEOUS AMENDMENTS (FR-4326)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1707; 42 USC 3535(d)

CFR Citation: 24 CFR 58

Legal Deadline: None

Abstract: This rule proposes revisions to 24 CFR part 58 that could not be made as part of the technical corrections final rule (see RIN 2501-AC32; FR-4138) because that rule did not provide for prior public comment. Among other matters, this rule would revise notice requirements when funds are needed for an emergency. In addition, the rule would list other HUD programs for which specific statutory authority now exists for recipients of these programs or other responsible entities to assume environmental responsibilities under this part. The specific statutory authorities to be cited are: (1) Indian Housing Block Grant Program under the Native American Housing Assistance and Self-Determination Act of 1996 as required by Section 105(b)(2); (2) HOPE VI Revitalization Program (1999 Appropriations Act which covers previous HOPE VI appropriations not committed); and (3) Loan Guarantees for Indian Housing under Section 184 of the Housing and Community Development Act of 1992.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Richard Broun, Director, Office of Community Viability, Department of Housing and Urban Development, Office of Community Planning and Development

HUD—HUDSEC

Proposed Rule Stage

Phone: 202 708-2894

RIN: 2501-AC52

1282. SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC (FR-4297)

Priority: Other Significant

Legal Authority: PL 101-73; 12 USC 4501 to 4641

CFR Citation: 24 CFR 81

Legal Deadline: None

Abstract: Through a notice published on 12/30/97, HUD sought comments from the public regarding a possible future proposed rule on non-mortgage investments to amend HUD's regulations at 24 CFR part 81 governing the Federal Home Loan Mortgage Corporation (Freddie Mac) and Federal National Mortgage Corporation (Fannie Mae) (both are known as Government Sponsored Enterprises or GSEs). Under their respective Charters, the GSEs have broad authority to invest their funds. At the same time, the Secretary has general regulatory power over the GSEs to ensure that the purposes of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, the Federal National Mortgage Association Charter Act, and the Federal Home Loan Mortgage Corporation Act are accomplished. HUD's current GSE regulations do not contain specific provisions concerning non-mortgage investments by the GSEs. Based on comments received and its analysis, HUD may issue a proposed rule on this subject.

Timetable:

Action	Date	FR Cite
ANPRM	12/30/97	62 FR 68060
ANPRM Comment	03/30/98	
Period End		
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Janet Tasker, Director, Office of Government Sponsored Enterprise Oversight, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2224

RIN: 2501-AC41

1283. CLARIFYING AMENDMENTS TO CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS (FR-4333)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 91

Legal Deadline: None

Abstract: This rule would amend 24 CFR part 91 to address comments and issues raised by members of the public on the Consolidated Plan regulations in part 91. Because certain comments require further proposed rulemaking, they could not be addressed in the technical corrections to the final rule.

Timetable:

Action	Date	FR Cite
NPRM	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Salvatore Sclafani, Acting Director, Policy Division, Office of Executive Services, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1283

RIN: 2501-AC54

1284. HOME INVESTMENT PARTNERSHIPS PROGRAM (FR-4329)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 12701 to 12839; 42 USC 3535(d)

CFR Citation: 24 CFR 92

Legal Deadline: None

Abstract: This rulemaking will propose certain revisions to the HOME Program regulations in an effort to improve and simplify program administration.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mary Kolesar, Director, Program Policy Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-2470

RIN: 2501-AC53

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of the Secretary (HUDSEC)**

Final Rule Stage

1285. ADOPTION OF REVISED OMB CIRCULAR A-133; ADMINISTRATIVE REQUIREMENTS FOR GRANTEEES TO REFLECT THE SINGLE AUDIT ACT AMENDMENTS OF 1996; TECHNICAL AMENDMENTS (FR-4296)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 000

Legal Deadline: None

Abstract: On June 30, 1997, OMB published revised Circular A-133 to implement the Single Audit Act

Amendments of 1996. The Act sets forth requirements for obtaining consistency and uniformity among Federal agencies for the audit of States, local governments, and non-profit organizations expending Federal awards. HUD adopted the revised circular in November 1997. This final rule makes technical amendments throughout title 24 of the Code of Federal Regulations to correct references outdated as a result of the revised circular.

Timetable:

Action	Date	FR Cite
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Heist, Director, Financial Audits Division, Department of Housing and Urban Development, Office of the Inspector General
Phone: 202 708-0383

RIN: 2501-AC43

HUD—HUDSEC

Final Rule Stage

1286. REVISED RESTRICTION ON ASSISTANCE TO NONCITIZENS (FR-4154)**Priority:** Other Significant**Legal Authority:** 42 USC 1436a; 42 USC 3535(d)**CFR Citation:** 24 CFR 5, subpart E**Legal Deadline:** None

Abstract: Section 214 of the Housing and Community Development Act of 1980 prohibits HUD from making certain financial assistance available to persons other than United States citizens, nationals, or certain categories of eligible noncitizens. On November 29, 1996 (62 FR 60535), HUD published an interim rule revising HUD's regulations governing assistance to noncitizens to incorporate the statutory amendments made to section 214 by the Use of Assisted Housing by Aliens Act of 1996 ("Immigration Reform Act"). This rule finalizes the policies and procedures described in the November 29, 1996 interim rule and addresses the public comments received on the interim rule. The final rule also updates HUD's noncitizens regulations to incorporate the amendments made by section 592 of the Quality Housing and Work Responsibility Act of 1998 ("QHWRA").

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/29/96	61 FR 60535
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Patricia Arnaudo, Senior Housing Program Manager, Office of Public and Assisted Housing Delivery, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0744

RIN: 2501-AC36**1287. NONDISCRIMINATION BASED ON DISABILITY; MULTIFAMILY HOMEOWNERSHIP PROJECTS (FR-4317)****Priority:** Other Significant**Legal Authority:** 29 USC 794**CFR Citation:** 24 CFR 8**Legal Deadline:** None

Abstract: This rule will clarify the applicability of HUD's requirements under section 504 of the Rehabilitation Act of 1973 to multifamily homeownership projects. It will also replace the term "handicap" with "disability" to conform to the Rehabilitation Amendments of 1992.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Cheryl Kent, Director, Program Compliance and Disability Rights Support Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-2333

RIN: 2501-AC47**1288. CONFORMING AMENDMENTS TO HUD'S FHA-SINGLE FAMILY HOUSING AND MULTIFAMILY HOUSING ENFORCEMENT REGULATIONS (FR-4308)****Priority:** Substantive, Nonsignificant

Legal Authority: 12 USC 1701q to 1701q1; 12 USC 1703; 12 USC 1708(c) to 1708(d); 12 USC 1709(s); 12 USC 1715b; 12 USC 1723i; 12 USC 1735f to 1735f14; 12 USC 1735f to 1735f15; 15 USC 1717a; 28 USC 2461 note; 42 USC 3535(d)

CFR Citation: 24 CFR 25; 24 CFR 30**Legal Deadline:** None

Abstract: The Multifamily Assisted Housing Reform and Affordability Act of 1997 (title V of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998; Pub. L. 105-65, approved October 27, 1997) (Multifamily Housing Reform Act) made several amendments to strengthen the enforcement provisions of the National Housing Act (12 U.S.C. 1701 et seq.). Certain of these amendments become effective upon enactment of the statute and this rule adopts those amendments as follows. The Multifamily Housing Reform Act provides that a suspension issued by the HUD Mortgage Review Board is effective upon issuance, if there is sufficient evidence that immediate action is required to protect the

financial interests of HUD or the public. Currently, such a suspension is effective only after HUD's issuance of 30-day written notice to the mortgagee. The Multifamily Housing Reform Act also expanded the list of persons subject to a civil money penalty for violations of Federal Housing Administration (FHA) program requirements. This rule updates HUD's FHA enforcement regulations at 24 CFR parts 25 and 30 to incorporate the amendments made by the Multifamily Housing Reform Act.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Dane Narode, Deputy Chief Counsel for Administrative Proceedings, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-2350

RIN: 2501-AC44**1289. LEAD-BASED PAINT POISONING PREVENTION IN CERTAIN RESIDENTIAL STRUCTURES (FR-3482)****Priority:** Economically Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 4822; 42 USC 3535(d)**CFR Citation:** 24 CFR 35**Legal Deadline:**

Final, Statutory, January 1, 1995.

Abstract: The Office of Lead Hazard Control was established by Congress within the Office of the Secretary of HUD. The Office provides overall direction to HUD's lead-based paint activities.

Currently, 24 CFR part 35 addresses the Department's requirements on lead hazards in housing. Additional requirements are specified for each housing program in the CFR part pertaining to each program. Sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of

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Final Rule Stage

1992, which is title X of the Housing and Community Development Act of 1992 (title X) require substantial revisions to HUD's current regulations for the evaluation and control of lead-based paint hazards in federally assisted and federally owned housing. The legislation evidences a concern with developing a national strategy to build the infrastructure necessary to eliminate lead-based paint hazards in all pre-1978 housing that may be occupied by young children. Because of the scope of the problem, the strategy will be implemented on a priority basis and, in part, is to be based on guidelines issued by the Department on August 25, 1995, on the conduct of federally supported work involving risk assessments inspections, interim controls and abatement of lead-based paint hazards ("Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing"). The revisions required by title X will affect HUD's housing programs and the housing programs of other Federal agencies.

HUD is consolidating in a revised part 35 of title 24 of the Code of Federal Regulations the multitude of lead-based paint regulations found throughout HUD programs and will make them consistent, creating a single point of reference for the Department's lead-based paint requirements. Proposed regulations were published for public comment on June 7, 1996.

Timetable:

Action	Date	FR Cite
NPRM	06/07/96	61 FR 29170
NPRM Comment Period End	09/05/96	
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Governmental Jurisdictions, Organizations

Government Levels Affected: State, Local, Federal

Agency Contact: David E. Jacobs, Director, Office of Lead Hazard Control, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 755-1785

RIN: 2501-AB57

1290. ADMINISTRATIVE REQUIREMENTS FOR GRANTEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS (FR-4258)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); PL 104-156

CFR Citation: 24 CFR 45

Legal Deadline: None

Abstract: This rule adopts the final revision of OMB Circular A-133 "Audits of States, Local Governments, and Non-Profit Organizations" to establish uniform audit requirements for non-Federal entities that administer Federal awards and to implement the Single Audit Act Amendments of 1996. OMB Circular A-128 "Audits of States and Local Governments" is rescinded as a result of the consolidation of audit requirements under Circular A-133.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/18/97	62 FR 61616
Interim Final Rule Effective	12/18/97	
Interim Final Rule Comment Period End	01/20/98	
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Heist, Director Financial Audits Division, Department of Housing and Urban Development, Office of the Inspector General
Phone: 202 708-0383

RIN: 2501-AC39

1291. FLOODPLAIN MANAGEMENT AND PROTECTION OF WETLANDS (FR-4142)

Priority: Other Significant

Legal Authority: 42 USC 3535(d); EO 11990

CFR Citation: 24 CFR 55

Legal Deadline: None

Abstract: This rule adopts procedures to implement Executive Order 11990 "Protection of Wetlands." This rule

amends part 55 to implement the procedures for wetlands protection in accordance with Executive Order 11990. The rule makes several other changes including expanding the number of HUD programs that are subject to the four-step decision-making process for ensuring compliance with part 55.

Timetable:

Action	Date	FR Cite
NPRM	06/02/98	63 FR 30046
NPRM Comment Period End	08/03/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Walter Prybyla, Deputy Director for Policy Environmental Review Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1201

RIN: 2501-AC33

1292. HOME INVESTMENT PARTNERSHIPS PROGRAM—ADDITIONAL STREAMLINING (FR-4111)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d); 42 USC 12701 to 12839

CFR Citation: 24 CFR 92

Legal Deadline: None

Abstract: This rule corrects oversights in the final rule; makes changes to reflect the self-implementing provisions of recent legislation; and streamlines the consortia requalification process. In addition, this rule makes final a provision published as an interim rule on August 22, 1997, with respect to rents for over-income tenants in HOME-assisted units that "float."

Timetable:

Action	Date	FR Cite
NPRM	12/11/96	61 FR 65298
NPRM Comment Period End	02/10/97	
Final Rule	08/22/97	62 FR 44838
Final Rule Effective	09/22/97	
Comment Period End	10/21/97	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

HUD—HUDSEC

Final Rule Stage

Government Levels Affected: None

Agency Contact: Mary Kolesar, Director, Program Policy Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-2470

RIN: 2501-AC30

1293. MULTIFAMILY HOUSING MORTGAGE AND HOUSING ASSISTANCE RESTRUCTURING PROGRAM (MARK TO MARKET) AND RENEWAL OF EXPIRING SECTION 8 PROJECT-BASED ASSISTANCE (FR-4298)

Priority: Other Significant

Legal Authority: 12 USC 1715z-1; 42 USC 1436f note.

CFR Citation: 24 CFR 401; 24 CFR 402

Legal Deadline:

Final, Statutory, October 27, 1998, Final rule issued by the later of 10/27/98 or 3 months following the appointment of a Director of OMHAR.

Abstract: This rule follows an interim rule that implemented recently enacted legislation that created a Mark-to-Market Program through which section 8 rents for multifamily projects with HUD-insured or HUD-held mortgages will be reduced in order to preserve low-income rental housing affordability while reducing the long-term costs of project-based rental assistance and minimizing the adverse effect on the FHA insurance funds. The interim rule also implemented legislation for renewal of section 8 project-based assistance contracts for projects outside of the Mark-to-Market Program. This final rule takes into consideration the public comments received on the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/11/98	63 FR 48926
Interim Final Rule Effective	10/13/98	
Interim Final Rule Comment Period End	10/26/98	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

Agency Contact: Dan Sullivan, Housing Project Manager, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-3856

RIN: 2501-AC57

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of the Secretary (HUDSEC)**

Completed Actions

1294. NONDISCRIMINATION IN HUD PROGRAMS AND ACTIVITIES RECEIVING ASSISTANCE UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (FR-4092)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 6; 24 CFR 8; 24 CFR 570

Completed:

Reason	Date	FR Cite
Final Action	01/25/99	64 FR 3796

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Agency Contact: Betsy Ryan
Phone: 202 619-8041

RIN: 2501-AC28

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)**

Proposed Rule Stage

1295. SINGLE FAMILY MORTGAGE INSURANCE CLARIFICATION OF FLOODPLAIN REQUIREMENTS APPLICABLE TO NEW CONSTRUCTION (FR-4323)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701 to 1715z18; 42 USC 3535(d)

CFR Citation: 24 CFR 200; 24 CFR 203; 24 CFR 234

Legal Deadline: None

Abstract: This proposed rule would amend HUD's Single Family Mortgage Insurance Minimum Property Standards concerning flood hazard exposure. The rule would clarify that it is the location of the dwelling and any related structures/equipment that determines

whether the flood hazard exposure and National Flood Insurance purchase requirements apply. If the property improvements are located within the 100-year floodplain, the proposed rule would permit mortgagees to submit an Elevation Certificate in place of a final Letter of Map Amendment or a final Letter of MAP Revision. The proposed rule would also remove obsolete provisions concerning subdivisions and improved area processing, and would make a number of clarifying revisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mark W. Holman, Chief, Mortgage Underwriting and Insurance Branch, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH16

1296. USE OF MATERIALS BULLETINS USED IN THE HUD BUILDING PRODUCTS AND CERTIFICATION PROGRAM (FR-4391)

Priority: Routine and Frequent

Legal Authority: 12 USC 1701 to 1715z to 18; 42 USC 3535(d)

CFR Citation: 24 CFR 200

HUD—OH

Proposed Rule Stage

Legal Deadline: None

Abstract: This proposed rule would adopt several Use of Materials Bulletins and references related to national voluntary consensus standards in accordance with OMB Circular No. A-119. The proposed rule would also supplement the HUD Building Product Standards and Certification Program by requiring that additional information be included on the label, tag, or mark that each manufacturer affixes to the certified product. The labeling of these products is in the public interest because it will allow consumers to readily identify those products that comply with existing voluntary consensus standards. In addition, the proposed rule would eliminate the need for manufacturers of these building products to seek HUD acceptance for individual products. Under the proposed rule, HUD would accept these products on a generic basis for use in properties covered under the HUD mortgage insurance programs. This would result in the streamlining of existing HUD requirements. The proposed rule would also specify the frequency with which products must be tested in order to be acceptable to HUD.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David C. Nimmer, Deputy Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AH28

1297. • SINGLE FAMILY MORTGAGE INSURANCE; APPRAISER ROSTER REMOVAL PROCEDURES (FR-4429)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701 to 1715z-18; 42 USC 3535(d)

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: This proposed rule would establish the procedure by which an appraiser may be removed from HUD's Appraiser Roster. The Roster identifies

those appraisers who are eligible to perform Federal Housing Administration (FHA) single family appraisals. Lenders must select an appraiser from the Roster for property appraisals involving the FHA single family mortgage insurance program. This proposed rule is part of HUD's Homebuyer Protection Plan, which is designed to ensure that homebuyers seeking FHA-insured mortgages receive accurate and complete appraisals of homes they are interested in purchasing.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AH29

1298. STRENGTHENING THE TITLE I PROPERTY IMPROVEMENT LOAN INSURANCE PROGRAM (FR-4246)

Priority: Other Significant

Legal Authority: 12 USC 1703; 42 USC 1436a; 42 USC 3535(d)

CFR Citation: 24 CFR 201

Legal Deadline: None

Abstract: This rule proposes to amend HUD's regulations for the title I Property Improvement Loan Insurance Program. This rule would require that at least some of the loan proceeds must be used for correcting code violations, health and safety defects accessibility improvements, or energy improvements. This rule would also require the lender to certify that no party that is debarred or subject to a limited denial of participation will be involved in connection with the loan; that the property has been inspected and the proposed work meets the eligibility requirements; and that a post-completion inspection and verification of completion of the work has occurred. This rule would also establish time limits for completing improvements and streamline requirements, where appropriate. HUD

anticipates that this rule will be finalized in conjunction with FR-3718.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AG95

1299. SINGLE FAMILY APPRAISAL ASSESSMENT (FR-4395)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1708; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This proposed rule would set standards and the process under which HUD will assess the accuracy of appraisals performed by the single family industry. HUD seeks to increase the efficiency of receipt of appraisals and to monitor the appraisals' accuracy through standardization and superior quality control of the end product. Appraisals are performed for approximately 1,000,000 home purchases annually.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Wanda Funk, Real Estate Assessment Center, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 755-7540

RIN: 2502-AH27

1300. • SOURCES OF HOMEBUYER DOWNPAYMENT (FR-4469)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1709

CFR Citation: 24 CFR 203

Legal Deadline: None

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Abstract: Section 203(b)(9) of the National Housing Act requires mortgagors to pay on account of the property at least 3 percent of the cost of acquisition in order for the mortgage to be eligible for insurance by FHA. The implementing regulations at 24 CFR 203.19 generally require that borrowers pay as downpayment in cash or its equivalent at least 3 percent of the acquisition cost. However, both the statute and the regulations are silent about permissible and/or impermissible sources of the downpayment (except for legislation in 1996 to permit family members to provide gifts and loans to other family members). This rule will clarify acceptable sources of homebuyer downpayment on FHA-insured mortgages.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing Phone: 202 708-2700

RIN: 2502-AH38

1301. PARTIAL PAYMENT OF CLAIMS FOR HEALTH CARE FACILITIES, HOSPITALS AND GROUP PRACTICE FACILITIES (FR-4387)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1735f to 19

CFR Citation: 24 CFR 207; 24 CFR 232; 24 CFR 242; 24 CFR 244

Legal Deadline: None

Abstract: This rule would implement a statutory amendment which extended HUD's authority to make partial payments of claims on insured mortgages covering health care facilities, hospitals and group practice facilities.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Donald Kaplan, Deputy Director for Office of Insured Health Facilities, Department of Housing and Urban Development, Office of Housing Phone: 202 708-0599

RIN: 2502-AH25

1302. • REHABILITATION GRANTS FOR CERTAIN MULTIFAMILY PROJECTS (FR-4465)

Priority: Other Significant

Legal Authority: PL 105-65, sec. 531

CFR Citation: 24 CFR 236

Legal Deadline: None

Abstract: This rule implements a new statutory program of grants to owners of certain multifamily housing projects in need of rehabilitation that cannot be funded from project income. The grants are funded from recaptured or uncommitted funds originally intended for interest reduction payments (IRP) by HUD.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Willie Spearmon, Director, Office of Business Products, Room 6134, Department of Housing and Urban Development, Office of Housing Phone: 202 708-3000

RIN: 2502-AH35

1303. • TENANT PARTICIPATION IN MULTIFAMILY HOUSING PROJECTS (FR-4403)

Priority: Other Significant

Legal Authority: 12 USC 1715z-1b; 42 USC 3535(d)

CFR Citation: 24 CFR 245

Legal Deadline: None

Abstract: This proposed rule would amend HUD's regulations for tenant participation in multifamily housing projects. Specifically, the proposed rule would expand the number of categories of multifamily housing projects in which tenants have the right to establish and operate tenant organizations. The proposed rule would clarify the reasonable activities that the owner of a multifamily housing project,

covered under this proposed rule, must allow tenants and tenant organizers to engage in while organizing their co-tenants and operating a tenant organization. The proposed rule would also clarify the requirements for establishing and operating a tenant organization.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Willie Spearmon, Director, Office of Business Products, Room 6134, Department of Housing and Urban Development, Office of Housing Phone: 202 708-3000

RIN: 2502-AH32

1304. • USE OF FEDERAL SURPLUS PROPERTY FOR SELF-HELP HOUSING (FR-4464)

Priority: Other Significant

Legal Authority: PL 105-50m 111 Stat. 1167

CFR Citation: 24 CFR 270

Legal Deadline: None

Abstract: This rule will establish a program to transfer surplus Federal property to a governmental entity or a nonprofit organization to develop as self-help housing for low-income individuals or families. HUD will operate the transfer program in cooperation with the General Services Administration which has an ongoing program of transferring surplus Federal property for public benefit.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Burdock, Special Assistant to the Assistant Secretary for Housing, Department of Housing and Urban Development, Office of Housing Phone: 202 708-1490

RIN: 2502-AH34

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1305. UP-FRONT GRANTS IN THE DISPOSITION OF MULTIFAMILY PROJECTS (FR-4310)**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1701z-11; 12 USC 1701z-12; 12 USC 1713; 12 USC 1715b; 12 USC 1715z-1b; 42 USC 3535(d)**CFR Citation:** 24 CFR 290**Legal Deadline:** None**Abstract:** This proposed rule would codify requirements governing the use of up-front grants in the disposition of HUD-owned multifamily properties. Specifically, it addresses eligibility for up-front grants and establishes limits on up-front grant amounts.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Marc Harris, Office of Portfolio Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0216**RIN:** 2502-AH12**1306. • DISPOSITION OF HUD-OWNED SINGLE FAMILY ASSETS IN REVITALIZATION AREAS (FR-4471)****Priority:** Other Significant**Legal Authority:** 12 USC 1701 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 291**Legal Deadline:**

Final, Statutory, October 21, 2000.

Abstract: This proposed rule would implement section 602 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Pub. L. 105-276, 112 Stat. 2461, approved October 21, 1998). Section 602 directs HUD to carry out a program under which HUD-owned homes and mortgages are made available in a manner that promotes expanded homeownership opportunities in designated revitalization areas. Under section 602, the Secretary will designate revitalization areas, in consultation with affected units of general local government and interested nonprofit

organizations. Section 602 provides that the Secretary shall provide a preference in the sale of HUD-owned homes and mortgages to nonprofit organizations or to the unit of general local government having jurisdiction in the revitalization area.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Joseph McCloskey, Director, Single Family Asset Management Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672**RIN:** 2502-AH40**1307. • SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS (NEW CONSTRUCTION, SUBSTANTIAL REHABILITATION, STATE HOUSING AGENCIES AND SPECIAL ALLOCATIONS) (FR-4479)****Priority:** Routine and Frequent**Legal Authority:** PL 105-276, secs. 549, 575, 576, 577**CFR Citation:** 24 CFR 880; 24 CFR 881; 24 CFR 883; 24 CFR 886**Legal Deadline:** None**Abstract:** This rule will start the rulemaking process to implement the following sections of the Quality Housing and Work Responsibility Act of 1998: sections 549, 575, 576 and 577. These sections provide, among other things, for a 5-year contract renewal subject to funding availability; "one-strike" provisions; and notification of contract expiration or termination.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Willie Spearmon, Director, Office of Business Products, Room 6134, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000**RIN:** 2502-AH41**1308. • DURATION OF CAPITAL ADVANCE (FR-4466)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1701q; 42 USC 1437f; 42 USC 535(d)**CFR Citation:** 24 CFR 891**Legal Deadline:** None**Abstract:** Several years ago, the Department decided to reduce the duration of the Section 202/811 fund reservation to 24 months for Sponsors selected in Fiscal Year 1996 and later years as one measure to facilitate the more timely development of Section 202/811 projects. Now that the 24-month period has expired for the first affected Sponsors, HUD is finding that the majority of these Sponsors are taking longer than 24 months to get their projects under construction. Thus, limiting the duration of the fund reservation is not achieving the desired result. The purpose of the regulatory change is to extend the fund reservations of Section 202 and Section 811 projects up to 36 months.**Timetable:**

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:**

Undetermined

Agency Contact: Willie Spearmon, Director, Office of Business Products, Room 6134, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000**RIN:** 2502-AH36**1309. SPECIAL PROCEDURES PERMITTING LIMITED COMPLETION OF MANUFACTURED HOMES ON-SITE (FR-4216)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 42 USC 5424; 42 USC 3535(d)**CFR Citation:** 24 CFR 3282**Legal Deadline:** None**Abstract:** This rule proposes a new process, under which manufacturers

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and State and private inspection agencies could agree to permit limited site work, under certain conditions, to complete production of manufactured homes, without prior approval by the Secretary. This new process would supplement the current process for approving alternative construction methods.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David C. Nimmer, Deputy Director, Office of Consumer & Regulatory Affairs, Department of

Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AG92

1310. REAL ESTATE PROCEDURES SETTLEMENT ACT (RESPA): ESCROW ACCOUNT STATEMENT ITEMIZATION OF CHARGES (FR-4390)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 2609; 42 USC 3535(d)

CFR Citation: 24 CFR 3500

Legal Deadline: None

Abstract: This rule would clarify that municipal or local taxes would be separately itemized from charges for

late fee penalties in the annual escrow account statements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Rebecca Holtz, Director, ILS/RESA Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0502

RIN: 2502-AH26

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)**

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1311. DELEGATION OF INSURING AUTHORITY TO DIRECT ENDORSEMENT MORTGAGEES (FR-4169)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d); PL 104-204

CFR Citation: 24 CFR 200; 24 CFR 202; 24 CFR 203; 24 CFR 206

Legal Deadline: None

Abstract: This rule implements the Lender Insurance program, which reflects the Secretary's new authority to delegate the issuance of Mortgage Insurance Certificates (MICs) to mortgagees that are approved under the Direct Endorsement program. This rule will provide that eligible mortgagees that participate in the Lender Insurance program will be responsible for conducting a pre-endorsement review during the origination of their single family mortgage loans, and they will be responsible for endorsing the mortgages for insurance. HUD intends that delegating this insurance authority through the Lender program will be consistent with HUD's efforts to reinvent the Federal Housing

Administration (FHA) by creating a more efficient and less burdensome process for providing single family mortgage insurance.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/02/97	62 FR 30222
Interim Final Rule Effective	07/02/97	
Interim Final Rule Comment Period End	08/01/97	
Final Action	05/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Morris Carter, Acting Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3046

RIN: 2502-AG87

1312. USE OF MATERIAL BULLETINS (FR-4265)

Priority: Routine and Frequent

Legal Authority: 12 USC 1701 to 1715z-18; 42 USC 3535(d)

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: This rule, the second of its type in two years, will permit generic acceptances of additional building

products or systems. These acceptances are called Use of Material Bulletins (UMs) and they supersede separate approvals for individual products without having each manufacturer apply for a separate Materials Release on a specific product.

Timetable:

Action	Date	FR Cite
NPRM	02/10/98	63 FR 6798
NPRM Comment Period End	04/13/98	
Final Action	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David C. Nimmer, Deputy Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AH02

1313. UPDATE OF THE MODEL ENERGY CODE (MEC) (FR-4272)

Priority: Substantive, Nonsignificant

Legal Authority: PL 102-486 Energy Policy Act of 1992; 42 USC 12709 Cranston-Gonzalez National Affordable Housing Act

CFR Citation: 24 CFR 200

Legal Deadline: None

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Abstract: The Energy Policy Act of 1992 (EPA) modified section 109 of the National Affordable Housing Act so that HUD must require improved energy efficiency standards for new construction in certain HUD-insured and -assisted housing programs. HUD must adopt the updated MEC unless its requirements do not significantly increase energy efficiency or are not technologically feasible or economically justified.

Timetable:

Action	Date	FR Cite
NPRM	04/16/98	63 FR 32958
NPRM Comment Period End	08/17/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal

Agency Contact: David C. Nimmer, Deputy Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AH03

1314. TITLE I PROPERTY IMPROVEMENT AND MANUFACTURED HOME LOAN INSURANCE PROGRAMS (FR-4242)

Priority: Other Significant

Legal Authority: 12 USC 1703; 42 USC 1436a; 42 USC 3535 (d); 12 USC 1709; 12 USC 1715b

CFR Citation: 24 CFR 201; 24 CFR 202**Legal Deadline:** None

Abstract: This rule will amend HUD's regulations for the title I Property Improvement and Manufactured Home Loan Insurance Programs. In this rule, HUD will eliminate the portion of the program through which sellers, contractors, or suppliers of goods or services assist borrowers in preparing credit applications or otherwise obtaining title I property improvement loans from HUD-insured lenders. Property improvement loans will still, however, be available directly from lenders. This rule will attempt to end the abuses and excessive claims that HUD has experienced in the dealer loan portion of the title I Property Loan Program.

Timetable:

Action	Date	FR Cite
NPRM	07/03/97	62 FR 36194
NPRM Comment Period End	09/02/97	
Final Action	07/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Vance Morris, Director, Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AG94

1315. MORTGAGE INSURANCE PREMIUM REDUCTION IN CENTRAL CITIES (FR-4284)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1709; 12 USC 1715b

CFR Citation: 24 CFR 203**Legal Deadline:** None

Abstract: This rule will amend HUD's regulations in 24 CFR part 203 to reduce the Up-Front Mortgage Insurance Premium from 1.75 percent to 1.50 percent for qualified first-time homebuyers with counseling located in "central cities."

Housing and Urban Development and Independent Agencies Appropriations Act of 1997 mandated that the Up-Front Mortgage Insurance Premium not exceed 2.00 percent for first-time homebuyers. The further reduction from 1.75 to 1.50 is consistent with the Administration's homeownership strategy.

Timetable:

Action	Date	FR Cite
NPRM	05/04/98	63 FR 24736
NPRM Comment Period End	07/06/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Local

Agency Contact: Stephen Semelsberger, Single Family Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2121

RIN: 2502-AH07

1316. BUILDER WARRANTY FOR HIGH RATIO SINGLE FAMILY MORTGAGES (FR-4288)

Priority: Substantive, Nonsignificant**Legal Authority:** 12 USC 1709(b)**CFR Citation:** 24 CFR 203**Legal Deadline:** None

Abstract: This rule permits FHA insurance for a single family mortgage with a loan-to-value ratio over 90 percent for a new home if the builder provides an acceptable 1-year warranty.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/25/99	64 FR 14572
Interim Final Rule Effective	04/27/99	
Interim Final Rule Comment Period End	05/24/99	
Final Action	08/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Morris Carter, Acting Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3046

RIN: 2502-AH08

1317. SINGLE FAMILY MORTGAGE INSURANCE; DIRECT ENDORSEMENT AND AUTOMATED UNDERWRITING (FR-4311)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203**Legal Deadline:** None

Abstract: On May 29, 1998, the Department issued an interim rule which amended the regulations on Single Family Mortgage Insurance to allow the lender to accept the classification from an automated underwriting system approved by FHA that a borrower is an accepted risk. The prior regulatory provision required the

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Direct Endorsement underwriter to certify that the underwriter had personally reviewed the credit application and appraisal report.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/29/98	63 FR 29506
Final Action Effective	06/29/98	
Comment Period End	07/28/98	
Final Action	05/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Morris Carter, Acting Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3046

RIN: 2502-AH15

1318. • SINGLE FAMILY MORTGAGE INSURANCE INFORMED CONSUMER CHOICE DISCLOSURE (FR-4411)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1710; 12 USC 1715b; 12 USC 1715u; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: This rule would implement a statutory amendment to HUD's Single Family Mortgage Insurance Program. The statutory amendment requires HUD to develop, through rulemaking, an informed consumer choice disclosure form. Lenders would give this form to a borrower who is seeking an FHA insured mortgage. The disclosure notice would compare the costs and fees associated with the FHA insured loan to the costs of conventional loans offered by the lender and for which the borrower would qualify. The notice must also include a statement regarding when the borrower's obligation to pay mortgage insurance premiums terminates.

Timetable:

Action	Date	FR Cite
NPRM	02/16/99	64 FR 7726
NPRM Comment Period End	03/18/99	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AH30

1319. • SINGLE FAMILY CLAIM REFORM AND SALE OF PROPERTY (FR-4470)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 12 USC 1710; 12 USC 1735f-14; 42 USC 3535(d); PL 105-276

CFR Citation: 24 CFR 203

Legal Deadline:

Final, Statutory, October 21, 2000.

Abstract: The interim rule will eliminate redundant and obsolete provisions of the National Housing Act; provide a new authority to take assignment of notes and transfer these notes to third parties for servicing and foreclosure avoidance and will provide the authority to pay assignment claims for those cases. In addition, the rule will make loss mitigation mandatory for lenders (except for assignments), and will provide the authority for HUD to assess a new civil money penalty for a lender's failure to engage in loss mitigation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joseph McCloskey, Director, Single Family Asset Management Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672

RIN: 2502-AH39

1320. HOME EQUITY CONVERSION MORTGAGES; RIGHT OF FIRST REFUSAL PERMITTED FOR CONDOMINIUM ASSOCIATIONS (FR-4267)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1715b; 12 USC 1715z-20; 42 USC 3535(d)

CFR Citation: 24 CFR 206.45(e)

Legal Deadline: None

Abstract: This rule removes the current restriction on FHA mortgage insurance for the Home Equity Conversion Mortgage (HECM) program for a dwelling unit in a condominium project where the condominium association has a right of first refusal to purchase units that are offered for sale.

Timetable:

Action	Date	FR Cite
NPRM	04/09/98	63 FR 17654
NPRM Comment Period End	06/08/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Morris Carter, Acting Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3046

RIN: 2502-AG93

1321. RISK-SHARING HOSPITAL MORTGAGE INSURANCE PROGRAM (FR-3914)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 12 USC 1715z

CFR Citation: 24 CFR 242

Legal Deadline: None

Abstract: This rule implements a program under which the Secretary will be authorized to enter into risk-sharing agreements with mortgagees to facilitate the financing of hospitals. The concept of risk-sharing is one of the underpinnings of the Federal Housing Administration's (FHA's) reinvention

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efforts and is critical to our intensified focus on customer service. The hospital risk-sharing initiative is one component of a comprehensive risk-sharing strategy for all FHA program types to assure that FHA has a method of reducing its exposure and strengthening its financial and actuarial positions.

Timetable:

Action	Date	FR Cite
NPRM	12/04/96	61 FR 64414
NPRM Comment Period End	02/03/97	
Final Action	05/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Donald Kaplan, Deputy Director for Office of Insured Health Facilities, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0599

RIN: 2502-AG53

1322. • OFFICER NEXT DOOR PROGRAM (FR-4277)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701 et seq; 42 USC 1441; 42 USC 1441a; 42 USC 1551a; 42 USC 3535(d)

CFR Citation: 24 CFR 291

Legal Deadline: None

Abstract: This rule extends HUD's regulations concerning the disposition of HUD acquired single family properties to implement the Officer Next Door Sales Program (OND Program). The OND Program has been operating since August 11, 1997 as a temporary program and renewed on a yearly basis. This rule establishes the OND Program as a permanent program. The OND Program enables law enforcement officers to purchase, through a direct sale, HUD-acquired single family homes at a significant discount. Homes must be located in HUD-designated Revitalization Areas or HUD-approved except areas, and law enforcement officers must agree to occupy a home, purchased through the OND Program, as their sole residence for at least 3 years. Governmental entities and private nonprofit organizations may also purchase homes, through the OND Program, if they intend to resell these homes directly to law enforcement officers

under the terms and conditions of the OND Program.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Art Orton, Deputy Director, Asset Management Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1672

RIN: 2502-AH37

1323. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (FR-4376)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 5403; 42 USC 5424; 42 USC 3535(d)

CFR Citation: 24 CFR 3280

Legal Deadline: None

Abstract: This rule will amend the Federal Manufactured Home Construction and Safety Standards (FMHCSS) to update many of the standards that are incorporated by reference therein. These reference standards, which are developed by voluntary consensus or industry groups, provide necessary technical standards for the FMHCSS. These amendments will keep the FMHCSS current with the industries that use these reference standards by incorporating the latest edition of these standards and new relevant standards.

Timetable:

Action	Date	FR Cite
NPRM	10/30/98	63 FR 58570
NPRM Comment Period End	12/29/98	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: David C. Nimmer, Deputy Director, Office of Consumer & Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6401

RIN: 2502-AH23

1324. RESPA: DISCLOSURE OF FEES PAID TO RETAIL LENDERS (BROKERS) (FR-3780)

Priority: Economically Significant

Legal Authority: 12 USC 2601; 42 USC 3535(d)

CFR Citation: 24 CFR 3500

Legal Deadline: None

Abstract: A final rule will provide consumers with increased disclosure concerning the mortgage broker's function and fees and would provide mortgage brokers with greater clarity regarding application of the Real Estate Settlement Procedures Act (RESPA) to mortgage broker fees. Confusion about how RESPA applies to mortgage broker fees has led to litigation and numerous requests for clarification. The proposed rule was developed after receiving comments on a prior proposed rule and after parties to a negotiated rulemaking process, including consumer and industry groups, could not reach a consensus.

In order to benefit from greater clarity about permissibility of fees, mortgage brokers would be encouraged to provide information to the consumer early in a mortgage financing transaction. The information would include a statement regarding information about the mortgage broker's duties and compensation.

Timetable:

Action	Date	FR Cite
NPRM	09/13/95	60 FR 47650
Notice	10/25/95	60 FR 54794
NPRM Comment Period End	11/13/95	
Notice Comment Period End	11/24/95	
NPRM	10/16/97	62 FR 53912
NPRM Comment Period End	12/15/97	
Final Action	05/00/99	
Final Action Effective	06/00/99	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: State, Federal

Agency Contact: Rebecca Holtz, Director, ILS/RESA Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0502

RIN: 2502-AG40

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1325. AMENDMENT TO RESPA; EXEMPTION FOR EMPLOYER PAYMENTS TO EMPLOYEES WHO MAKE LIKE-PROVIDER REFERRALS, AND OTHER AMENDMENTS (FR-4173)

Priority: Other Significant

Legal Authority: 12 USC 2601 to 2617; 42 USC 3535(d); PL 104-208

CFR Citation: 24 CFR 3500

Legal Deadline: None

Abstract: The Department is considering a new exemption under Regulation X, its regulation implementing the Real Estate Settlement Procedures Act of 1974 (RESPA). The exemption would allow payments by an employer to its own bona fide employees for the referral of settlement service business to an affiliated settlement service provider, provided that the settlement service business that is referred is the category of settlement service as provided by the employer of the employee making the referral, the employee makes the affiliated business arrangement disclosure as provided in 24 CFR section 3500.15, and the employee making the referral does not perform any other category of settlement service in the same transaction. This rule also implements two amendments to RESPA in recent legislation. One concerns referrals of settlement service business

through telemarketing, in writing, or through electronic media. The other concerns mortgage servicing sales or transfers. The primary part of the rulemaking is withdrawn due, in part, to congressional action within the Omnibus Consolidated Appropriation Act, 1997. The rule will implement two amendments to RESPA.

Timetable:

Action	Date	FR Cite
NPRM	05/09/97	62 FR 25740
NPRM Comment Period End	07/08/97	
Final Action	11/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Rebecca Holtz, Director, ILS/RESA Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0502

RIN: 2502-AG88

1326. RESPA STATEMENTS OF POLICY REGARDING CERTAIN PRIVATE MORTGAGE INSURANCE ARRANGEMENTS (FR-4342)

Priority: Other Significant

Legal Authority: 12 USC 2601 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 3500

Legal Deadline: None

Abstract: These four statements of policy set forth the Department's interpretation under the Real Estate Settlement Procedures Act (RESPA) (12 U.S.C. 2601 et seq.) of the legality of certain arrangements involving private mortgage insurers and lenders, and are issued under the authority of RESPA and Regulation X (24 CFR 3500.4(a)(ii)). These statements of policy analyze the applicability of section 8 of RESPA to Lender Paid Mortgage Insurance, to captive reinsurance arrangements, to the Performance Notes program and to agency pool insurance.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Rebecca Holtz, Director, ILS/RESA Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0502

RIN: 2502-AH19

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Completed Actions

Office of Housing (OH)

1327. ELECTRONIC SUBMISSION OF REQUIRED DATA BY MULTIFAMILY MORTGAGES (FR-4303)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 24 CFR 200; 24 CFR 207

Completed:

Reason	Date	FR Cite
Final Action	01/29/99	64 FR 4768

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Willie Spearmon
Phone: 202 708-3000

RIN: 2502-AH11

1328. SUSPENSION OF FHA SINGLE FAMILY MORTGAGE INSURANCE PROGRAM FOR MORTGAGES ON INDIAN RESERVATIONS INSURED PURSUANT TO SECTION 248 OF THE NATIONAL HOUSING ACT (FR-4251)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Withdrawn	02/22/99	64 FR 8532

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Tribal

Agency Contact: Morris Carter
Phone: 202 708-3046

RIN: 2502-AH00

1329. • FHA SINGLE FAMILY MORTGAGE INSURANCE; STATUTORY CHANGES FOR MAXIMUM MORTGAGE LIMIT AND DOWNPAYMENT REQUIREMENTS (FR-4431)

Priority: Substantive, Nonsignificant

Legal Authority: PL 105-276, amended 12 USC 1709

CFR Citation: 24 CFR 203

Legal Deadline: None

Abstract: Public Law 105-276 (approved October 21, 1998) amended the provisions of the National Housing Act regarding the maximum amount of a mortgage eligible for FHA single family mortgage insurance, and the minimum downpayment required from the borrower. This final rule amended the current regulations to reflect the statutory changes.

HUD—OH

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action	03/25/99	64 FR 14568
Final Action Effective	04/26/99	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Vance Morris, Director, Home Mortgage Insurance Division, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AH31**1330. HOME EQUITY CONVERSION MORTGAGES; CONSUMER PROTECTION MEASURES AGAINST EXCESSIVE FEES (FR-4306)****Priority:** Other Significant**CFR Citation:** 24 CFR 206**Completed:**

Reason	Date	FR Cite
Final Action	01/19/99	64 FR 2984

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Sandy Allison
Phone: 202 708-2733

RIN: 2502-AH10**1331. SINGLE FAMILY PROPERTY DISPOSITION (FR-4244)****Priority:** Other Significant**CFR Citation:** 24 CFR 291**Completed:**

Reason	Date	FR Cite
Final Action	02/09/99	64 FR 6470

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Joseph McCloskey
Phone: 202 708-1672

RIN: 2502-AG96**1332. SUPPORTIVE HOUSING FOR THE ELDERLY AND PERSONS WITH DISABILITIES; CLARIFICATION OF EXEMPTION FROM RENT CONTROL (FR-4346)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 891**Completed:**

Reason	Date	FR Cite
Final Action	11/23/98	63 FR 64802

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Willie Spearmon
Phone: 202 708-3000

RIN: 2502-AH21**1333. UPDATING MANUFACTURED HOUSING REFERENCE STANDARDS (FR-4337)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 3280**Completed:**

Reason	Date	FR Cite
Withdrawn	02/12/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: David C. Nimmer
Phone: 202 708-6401

RIN: 2502-AH17**1334. PROCEDURAL AND ENFORCEMENT REGULATIONS FOR THE MANUFACTURED HOME CONSTRUCTION AND SAFETY PROGRAM (FR-4319)****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

CFR Citation: 24 CFR 3282**Completed:**

Reason	Date	FR Cite
Withdrawn	02/16/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: David C. Nimmer
Phone: 202 708-6401

RIN: 2502-AH14**1335. REAL ESTATE SETTLEMENT PROCEDURES ACT (RESPA) STATEMENT OF POLICY 1999-1 REGARDING LENDER PAYMENTS TO MORTGAGE BROKERS (FR-4450)****Priority:** Other Significant

Legal Authority: 12 USC 2601 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 3500**Legal Deadline:** None

Abstract: This statement of policy describes HUD's position on the legality of lender payments to mortgage brokers under the Real Estate Settlement Procedures Act (12 U.S.C. 2601 et seq) (RESPA). The Conference Report on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (H.R. Conf. No. 105-769, 105th Cong., 2d Sess. 260 (1998)) directs that HUD clarify its position on lender payments to mortgage brokers within 90 days after enactment of the Appropriations Act. As described in the statement of policy, it is HUD's position that a payment by a lender to a mortgage broker in connection with settlement services involving a federally-related mortgage loan may be legally permissible under section 8 of RESPA and HUD's implementing regulations at 24 CFR part 3500. However, the payment must be a bona fide payment for goods or facilities actually furnished or for services actually performed which are reasonably related to the value of the services provided.

Timetable:

Action	Date	FR Cite
Statement of Policy	03/01/99	64 FR 10080

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Kenneth Markison, Assistant General Counsel for GSE/RESPA, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-1552

RIN: 2502-AH33

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)

Proposed Rule Stage

**1336. COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM;
NATIONAL OBJECTIVE AND
STREAMLINING CHANGES (FR-4144)**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 5301 to 5321

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule would make a variety of changes and clarifications to the regulations for the Community Development Block Grant (CDBG) Entitlement program. This rule would, in part, codify statutory changes made by section 225 of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 and section 807(a) of the Housing and Community Development Act of 1992. This rule would also make further changes necessary to conform the CDBG and HOME programs, particularly in regard to national objective requirements, and make other changes to the national objectives regarding job retention for low- and moderate-income persons. This rule would further advise grantees and subrecipients regarding the need to net all applicable credits from costs to be paid with CDBG funds. An Office of Inspector General (OIG) audit found that applicable credits have not always been properly netted from costs before the costs were paid with CDBG funds. Other changes are needed to codify new eligible activities and to make it easier for grantees to carry out joint CDBG and HOME activities.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: Local

Agency Contact: Deirdre Maguire-Zinni, Director, Entitlement Communities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1577

RIN: 2506-AB90

**1337. CDBG SLUM/BLIGHT NATIONAL
OBJECTIVE RULE (FR-4260)**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535; 42 USC 5300 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule will be a key step in the implementation of the Department's Brownfields Initiative. (The Brownfields Initiative will stimulate economic development through the redevelopment of contaminated industrial properties.) It will increase Community Development Block Grant (CDBG) recipients' flexibility to undertake activities which meet the national objective of preventing or eliminating slums or blighting conditions. The criteria for meeting the slum/blight national objective will be revised to specifically recognize economic obsolescence of buildings and the presence of environmental contaminants as blighting influences on an area or property. This rule also will propose clarifications of the standards for meeting the slum/blight national objective criteria on a spot basis. This rule will also implement new statutory eligibility provisions regarding cleanup and redevelopment of brownfields.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: State, Local

Agency Contact: Steve Johnson, Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322

RIN: 2506-AB94

**1338. • COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM:
ELIGIBILITY AND RECORD KEEPING
PROHIBITION ON USE OF
ASSISTANCE FOR EMPLOYMENT
RELOCATION ACTIVITIES (FR-4468)**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 5305; 42 USC 3535(d)

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: Section 888 of Pub. L. 105-275 "Prohibition on Use of Assistance for Employment Relocation Activities" amended 42 USC 5305 to add a new paragraph (h) to prohibit the use of CDBG funds beginning in fiscal year 1999 or later to be used to assist directly in the relocation of any industrial or commercial plant, facility, or operation, from one area to another, if the relocation is likely to result in a significant loss of employment in the labor market area from which the relocation occurs. This proposed rule would amend the CDBG program's eligibility section at 24 CFR 570, subpart C, the CDBG States' program eligibility section at 24 CFR 570, subpart I, and the recordkeeping section at 24 CFR 570, subpart J.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Duncan, Deputy Director, Office of Block Grant Assistance, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-3587

RIN: 2506-AC01

**1339. • HOPWA RENTAL
ASSISTANCE OPTIONS AND
TECHNICAL CHANGES (FR-4467)**

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 12901 et seq

CFR Citation: 24 CFR 574

Legal Deadline: None

Abstract: The regulatory changes by this rule include revisions on rental assistance requirements in order to specify additional options available to

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Proposed Rule Stage

grantees in responding to client needs, such as use of shallow rent subsidies that are offered in connection with other rental assistance options and allowance for client selection of units that are above area FMRs. Other revisions will update and clarify the

regulation and address current requirements for performance reporting.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None
Agency Contact: David Vos, Director, Office of HIV/AIDS, Department of Housing and Urban Development, Office of Community Planning and Development
 Phone: 202 708-1934
RIN: 2506-AC02

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)

Final Rule Stage

1340. CDBG PROGRAM FOR STATES; COMMUNITY REVITALIZATION STRATEGY REQUIREMENTS & MISCELLANEOUS TECHNICAL AMENDMENTS (FR-4081)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 3601 to 3619; 42 USC 5300 to 5320; 42 USC 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912

CFR Citation: 24 CFR 91; 24 CFR 570

Legal Deadline: None

Abstract: This rule implements the Community Revitalization Strategies concept into the State CDBG program. This concept will provide States additional flexibility in meeting certain requirements regarding the program's national objectives and public benefit. This rule also makes several technical amendments to correct errors from previous rulemaking and to enhance and clarify the regulation. These amendments are consistent with recent changes to the Entitlement CDBG program. This rule will be merged with the "CDBG Program for States: Program Income" rule (FR-4067) when published as a final rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/22/96	61 FR 54914
Interim Final Rule Effective	11/21/96	
Interim Final Rule Comment Period End	02/16/97	
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Steve Johnson, Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
 Phone: 202 708-1322

RIN: 2506-AB83

1341. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; SECTION 108 APPLICATION REQUIREMENTS (FR-3298)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 5301 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule amends the application procedures of the section 108 Loan Guarantee program in order to conform those procedures to the Consolidated Plan submission process.

Timetable:

Action	Date	FR Cite
NPRM	11/12/93	58 FR 60088
NPRM Comment Period End	01/11/94	
Second NPRM	09/26/96	61 FR 50654
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Paul Webster, Director, Financial Management Div., Department of Housing and Urban Development, Office of Community Planning and Development

Phone: 202 708-1871

RIN: 2506-AB43

1342. SECTION 108 LOAN GUARANTEE PROGRAM (FR-4039)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 5300 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule removes misleading and unnecessary language from the regulations that govern security requirements for loans guaranteed under the section 108 Loan Guarantee Program.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Paul Webster, Director, Financial Management Div., Department of Housing and Urban Development, Office of Community Planning and Development
 Phone: 202 708-1871

RIN: 2506-AB80

1343. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS FOR STATES; PROGRAM INCOME (FR-4067)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing

HUD—CPD

Final Rule Stage

Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 5300 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule will make many small changes and clarifications to the regulations for the State CDBG Program. This rule will allow States to apply additional requirements to units of general local government that are not inconsistent with statutes and regulations. It will clarify the standards for spending funds outside the recipient's jurisdiction. It will clarify the conflict of interest provisions, and update the national objective of benefit to low- and moderate-income persons. It will also make conforming changes to update the regulations based on recent statutory amendments. This rule will be merged with the "CDBG Program for States: Community Revitalization Strategy Requirements" rule (FR-4081) when published as a final rule.

Timetable:

Action	Date	FR Cite
NPRM	03/11/97	62 FR 11284
NPRM Comment Period End	05/12/97	
Final Action	08/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Steve Johnson, Director, State and Small Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1322

RIN: 2506-AB82

1344. • COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; CLARIFICATION OF THE NATURE OF REQUIRED CDBG EXPENDITURE DOCUMENTATION (FR-4449)

Priority: Substantive, Nonsignificant
Legal Authority: 42 USC 3535(d); 42 USC 5300 to 5320

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule clarifies the level of expenditure documentation that is needed to meet the financial management requirement that grantees and subrecipients maintain adequate records to identify the use of funds provided for assisted activities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Local

Agency Contact: Deirdre Maguire-Zinni, Director, Entitlement

Communities Division, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1577

RIN: 2506-AC00

1345. EMERGENCY SHELTER GRANTS PROGRAM (FR-4330)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11371 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 576

Legal Deadline: None

Abstract: The regulatory changes to be made by this rule include technical corrections to the Emergency Shelter Grants (ESG) Program final rule published on October 2, 1996, and also revisions to CPD's implementation of IDIS, an automated payment and reporting system.

Timetable:

Action	Date	FR Cite
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: John Garrity, Director, Office of Special Needs Assistance Programs, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-4300

RIN: 2506-AB99

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)**

Long-Term Actions

1346. ADMINISTRATIVE GUIDELINES FOR CPD PROGRAMS; SECTION 102(D) LIMITATION ON COMBINING OTHER GOVERNMENT ASSISTANCE WITH CPD HOUSING ASSISTANCE (FR-3135)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d)

CFR Citation: 00 CFR 000

Legal Deadline: None

Abstract: This document sets forth the administrative guidelines the Office of Community Planning and Development will follow in determining on a case-

by-case basis, that the amount of assistance being provided by HUD for a specific housing project for which other government assistance is also being made available, is not more than is necessary to make the assisted activity feasible after taking into account the other government assistance. HUD is required to make these determinations, and to so certify, under section 102(d) of the Department of Housing and Urban Development Reform Act of 1989 for certain CPD programs.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert Duncan, Deputy Director, Office of Block Grant Assistance, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-3587

RIN: 2506-AB74

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)

Completed Actions

1347. CLARIFICATION OF THE NATURE OF REQUIRED CDBG EXPENDITURE DOCUMENTATION (FR-4261)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

CFR Citation: 24 CFR 570.200; 24 CFR 570.502; 24 CFR 570.506

Completed:

Reason	Date	FR Cite
Merged With RIN 2506-AC00 (FR-4449)	02/11/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local

Agency Contact: Deirdre Maguire-Zinni

Phone: 202 708-1577

RIN: 2506-AB95

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Government National Mortgage Association (GNMA)

Proposed Rule Stage

1348. GINNIE MAE—FINANCE—NAHASDA IMPLEMENTATION (FR-4215)

Priority: Substantive, Nonsignificant

Legal Authority: PL 104-330

CFR Citation: 24 CFR 300.3; 24 CFR 320; 24 CFR 330; 24 CFR 340

Legal Deadline: None

Abstract: Section 701(c) of the Native American Housing Assistance and Self-

Determination Act of 1996 permits Ginnie Mae to securitize loans guaranteed by the Secretary. This rule will make amendments to the Ginnie Mae regulations to reflect this change and to make certain technical amendments to the Ginnie Mae regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Nicholas Shelley, Acting Vice President for Policy Planning and Risk Management, Department of Housing and Urban Development, Government National Mortgage Association
Phone: 202 708-4141

RIN: 2503-AA11

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Government National Mortgage Association (GNMA)

Final Rule Stage

1349. GINNIE MAE—FINANCIAL REPORTING (FR-4331)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1721(g)(1); 42 USC 3535(d)

CFR Citation: 24 CFR 320

Legal Deadline: None

Abstract: This final rule follows an interim rule that eliminated the physical certificate backing for each Ginnie Mae-guaranteed security and

permits a true book entry system. The final rule will address any comments received on the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/24/98	63 FR 51249
Interim Final Rule Effective	10/26/98	
Interim Final Rule Comment Period End	11/23/98	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Thomas R. Weakland, Vice President for Program Administration, Department of Housing and Urban Development, Government National Mortgage Association
Phone: 202 708-2884

RIN: 2503-AA12

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Proposed Rule Stage

1350. CERTIFICATION AND FUNDING OF STATE AND LOCAL FAIR HOUSING ENFORCEMENT AGENCIES (FR-4392)

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3601 to 19; 42 USC 3535(d)

CFR Citation: 24 CFR 115

Legal Deadline: None

Abstract: This proposed rule will amend the regulation to allow for changes caused by departmental reform and FHEO reorganization, and improve program implementation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

HUD—FHEO

Proposed Rule Stage

Agency Contact: Ivy Davis, Director,
FHIP/FHAP Support Division,
Department of Housing and Urban

Development, Office of Fair Housing
and Equal Opportunity

Phone: 202 708-1992

RIN: 2529-AA85

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Final Rule Stage

**1351. FAIR HOUSING PLANNING
PERFORMANCE STANDARD (FR-4133)**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 3600 to 3620

CFR Citation: 24 CFR 91; 24 CFR 570

Legal Deadline: None

Abstract: This rule will assist communities in complying with the legal requirement to certify that they are affirmatively furthering fair housing. It will provide a standard for determining the accuracy of the certification so that communities will have a clear idea of what is expected of them and how HUD will review their certifications as well as measure performance for determining compliance with fair housing requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/28/98	63 FR 57882
NPRM Comment Period End	12/28/98	
NPRM Comment Period Extended	12/28/98	63 FR 71405
NPRM Comment Period End	02/26/99	
Final Action	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State,
Local

Agency Contact: Deirdre Maguire-Zinni, Director, Entitlement Communities Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-1577

William Dudley Gregorie, Acting Director, Office of Programs Operations and Standards, Department of Housing

and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-2288

RIN: 2529-AA81

**1352. • FAIR HOUSING COMPLAINT
PROCESSING—PLAIN LANGUAGE
REVISION AND REORGANIZATION
(FR-4433)**

Priority: Substantive, Nonsignificant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 3535(d); 42 USC 3600 to 3619

CFR Citation: 24 CFR 103

Legal Deadline: None

Abstract: This proposed rule would revise subpart B (Complaints) of the fair housing complaints processing regulations in two ways. First, the current regulations relating to the filing of complaints would be rewritten using plain language. Plain language is an approach to writing that promotes responsive, accessible, and understandable written communication. Second, sections relating to the investigation of complaints, currently in subpart B, would be moved to subpart D (Investigation Procedures). HUD is proposing these revisions in order to make the procedures for filing housing discrimination complaints more accessible to the public. The proposed rule would not alter the substance of the existing regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Peter Kaplan, Office of Investigations, Department of Housing and Urban Development,

Office of Fair Housing and Equal Opportunity

Phone: 202 708-0836

RIN: 2529-AA86

**1353. ECONOMIC OPPORTUNITIES
FOR LOW- AND VERY-LOW-INCOME
PERSONS (FR-2898)**

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1450; 42 USC 3301; 12 USC 1701u; 42 USC 3535(d)

CFR Citation: 24 CFR 135

Legal Deadline:

Final, Statutory, April 28, 1993.

Abstract: The regulations at 24 CFR 135 were revised substantially to incorporate the statutory amendments in the Housing and Community Development Act of 1992, to reflect certain changes in the design of the Department's programs that are subject to the section 3 regulations to clarify the obligations of individuals and entities subject to the requirements of section 3, and to simplify the Department's administration of section 3 requirements. The final rule may make further revisions in response to public comment.

Timetable:

Action	Date	FR Cite
NPRM	10/08/93	58 FR 52534
Notice	11/09/93	58 FR 59423
Notice Comment Period End	12/08/93	
Interim Final Rule	06/30/94	59 FR 33886
Interim Final Rule Effective	08/01/94	
Interim Final Rule Comment Period End	08/29/94	
Extension of Effective Period of Interim Rule	05/31/95	60 FR 28325
Extension Effective Final Action	06/30/96 06/00/99	

HUD—FHEO

Final Rule Stage

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Federal**Agency Contact:** John Waller, Program Manager, Office of Economic Development, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-3633**RIN:** 2529-AA49**1354. CIVIL MONEY PENALTIES FOR FAIR HOUSING ACT VIOLATIONS (FR-4302)****Priority:** Other Significant**Legal Authority:** 29 USC 794; 42 USC 2000d-1; 42 USC 3601 to 3619; 42 USC 5301 to 5320; 42 USC 6103; 42 USC 3535(d)**CFR Citation:** 24 CFR 180**Legal Deadline:** None**Abstract:** This rule finalizes the policies and procedures described in HUD's December 18, 1997 proposed rule. Specifically, the final rule interprets the Fair Housing Act to clarify that an Administrative Law Judge (ALJ) may assess more than one maximum civil penalty against a respondent in a given case, where the respondent has committed separate and distinct acts of discrimination. The final rule is also part of President Clinton's "Make 'Em Pay" initiative, which is designed to fight housing-related acts of hate violence and intimidation with increased enforcement and monetary penalties. The rule describes how ALJs apply in determining the amount of a civil penalty to assess against a respondent found to have committed a discriminatory housing practice.**Timetable:**

Action	Date	FR Cite
NPRM	12/18/97	62 FR 66488
NPRM Comment Period End	01/20/98	
Interim Final Rule	02/10/99	64 FR 6744
Interim Final Rule Effective	03/12/99	
Interim Final Rule Comment Period End	04/12/99	
Final Action	07/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Stephen Shaw, Trial Attorney, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-1042**RIN:** 2529-AA83

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Completed Actions

Office of Fair Housing and Equal Opportunity (FHEO)

1355. IMPLEMENTATION OF THE HOUSING FOR OLDER PERSONS ACT OF 1995 (FR-4094)**Priority:** Other Significant**CFR Citation:** 24 CFR 100**Completed:**

Reason	Date	FR Cite
Final Action	04/02/99	64 FR 16324
Final Action Effective	05/03/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Peter Kaplan
Phone: 202 708-0836**RIN:** 2529-AA80

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Proposed Rule Stage

Office of Administration (OA)

1356. HUD ACQUISITION REGULATION (FR-4291)**Priority:** Substantive, Nonsignificant**Legal Authority:** 40 USC 486(c); 42 USC 3535(d)**CFR Citation:** 48 CFR 2409; 48 CFR 2452**Legal Deadline:** None**Abstract:** This proposed rule would amend the HUD Acquisition Regulation

(HUDAR) to make conforming and streamlining changes.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Procurement:** This is a procurement-related action for which there is no

statutory requirement. There is no paperwork burden associated with this action.

Agency Contact: Edward L. Girovasi, Jr., Director, Policy & Evaluation Division, Office of Procurement & Contracts, Department of Housing and Urban Development, Office of Administration
Phone: 202 708-0294**RIN:** 2535-AA25

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Administration (OA)

Final Rule Stage

**1357. HUD ACQUISITION
REGULATION—II (FR-4115)**
Priority: Substantive, Nonsignificant

Legal Authority: 40 USC 486(c); 42 USC 3535(d); 41 USC 251

CFR Citation: 48 CFR 2401

Legal Deadline: None

Abstract: This rule will implement changes stemming from the "Federal Acquisition Reform Act of 1996" and

subsequent revisions to the Federal Acquisition Regulation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/99	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Procurement: This is a procurement-related action for which there is a

statutory requirement. There is a paperwork burden associated with this action.

Agency Contact: Edward L. Girovasi, Jr., Director, Policy & Evaluation Division, Office of Procurement & Contracts, Department of Housing and Urban Development, Office of Administration
 Phone: 202 708-0294

RIN: 2535-AA24

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Public and Indian Housing (PIH)

Proposed Rule Stage

**1358. ● PET OWNERSHIP IN PUBLIC
HOUSING (FR-4437)**
Priority: Other Significant

Legal Authority: 42 USC 1437 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: Section 526 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276, 112 Stat. 2461, approved October 21, 1998) ("QHWRA") added a new section 31 to the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) (the "1937 Act"). New section 31 of the 1937 Act provides that a public housing resident may have one or more common household pets in the resident's dwelling unit, subject to reasonable requirements established by the Public Housing Agency and in accordance with applicable State and local laws. This proposed rule would amend HUD's regulations regarding pet ownership in public and HUD-assisted housing (24 CFR part 5, subpart C) to implement the statutory amendments to the 1937 Act made by section 526 of QHWRA. In accordance with section 526(d) of QHWRA, HUD is implementing these statutory amendments using notice and comment rulemaking procedures.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Gloria Cousar, Deputy Assistant Secretary for Public and Assisted Housing Delivery, Department

 of Housing and Urban Development, Office of Public and Indian Housing
 Phone: 202 708-1380

RIN: 2577-AB94

**1359. ● PUBLIC HOUSING DRUG
ELIMINATION PROGRAM—FORMULA
ALLOCATION (FR-4451)**
Priority: Other Significant

Legal Authority: 42 USC 11901; 42 USC 3535(d)

CFR Citation: 24 CFR 761

Legal Deadline: None

Abstract: This proposed rule would provide for a formula allocation of Public Housing Drug Elimination Program funding. The proposed rule would provide a formula funding for eligible public housing agencies (PHAs) that meet ongoing performance criteria and certain need standards to be further described in the rule.

Timetable:

Action	Date	FR Cite
ANPRM	02/18/99	64 FR 8210
ANPRM Comment Period End	03/22/99	
NPRM	06/00/99	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: Sonia Burgos, Dir., Community Safety and Security Div., Office of Public and Assisted Housing Delivery, Department of Housing and Urban Development, Office of Public and Indian Housing
 Phone: 202 708-1197

RIN: 2577-AB95

**1360. RESIDENT SURVEY
INFORMATION DISCLOSURE
REQUIREMENTS—PRIVACY ACT (FR-
4393)**
Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a); 42 USC 3535(d)

CFR Citation: 24 CFR 901

Legal Deadline: None

Abstract: This proposed rule would amend HUD's Privacy Act regulations by describing under what circumstances HUD may release information obtained from a resident survey. This rule would also describe the privacy requirements for public or private entities that have access to this data.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Christine Jenkins, Real Estate Assessment Center, Department of Housing and Urban Development, Office of the Secretary
 Phone: 202 755-7540

RIN: 2577-AB84

**1361. QUALITY ASSURANCE REVIEW
OF INDEPENDENT PUBLIC AUDITORS
BY REAL ESTATE ASSESSMENT
CENTER STAFF (FR-4394)**
Priority: Substantive, Nonsignificant

Legal Authority: 31 USC ch 35; 42 USC 3535(d)

HUD—PIH

Proposed Rule Stage

CFR Citation: 24 CFR 901**Legal Deadline:** None

Abstract: This proposed rule would establish generally applicable requirements for HUD Quality Assurance reviews of parties that audit the books and records of HUD program recipients. The rule would address HUD inspections, HUD review of work paper prepared by Independent Public Auditors, and HUD enforcement of its right to such reviews.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Peter Bell, Real Estate Assessment Center, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 755-7540

RIN: 2577-AB85**1362. • CAPITAL FUND ALLOCATION FORMULA (FR-4423)****Priority:** Other Significant**Legal Authority:** 42 USC 1437g(d); 42 USC 1437g(f); 42 USC 3535(d)**CFR Citation:** 24 CFR 941; 24 CFR 968**Legal Deadline:**

Final, Statutory, October 1, 1999.

Abstract: This rule will replace the current rules on public housing development and modernization. The Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276, 112 Stat. 2461, approved October 21, 1998) replaces existing funding for capital needs of public housing with a single Capital Fund, to be allocated in accordance with a formula developed through the process of negotiated rulemaking, with proposed and final rules. Although recent appropriations acts have permitted PHAs to use modernization funding in connection with development of new construction, the framework capital funding has involved separate funds and separate procedures for these two functions. This rule is significant in that funding from a single source will be available to fund any development of public housing units, whether modernization or new construction.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: William Flood, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1640

RIN: 2577-AB87**1363. • JOINT VENTURE AND CONSORTIA OF PUBLIC HOUSING AGENCIES (FR-4474)****Priority:** Other Significant**Legal Authority:** 42 USC 1437k**CFR Citation:** 24 CFR 943**Legal Deadline:** None

Abstract: This rule will begin the process of implementing section 515 of the Quality Housing and Work Responsibility Act of 1998 (QHWRA) which will permit two or more PHAs to participate in a consortium to administer their housing programs, and permits a PHA, in accordance with its PHA Plan, to form a subsidiary or joint venture to administer programs or provide supportive or social services.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Gloria Cousar, Deputy Assistant Secretary for Public and Assisted Housing Delivery, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1380

RIN: 2577-AC00**1364. DESIGNATED HOUSING PROGRAM AMENDMENTS (FR-3964)****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1473e; 42 USC 3535(d)**CFR Citation:** 24 CFR 945**Legal Deadline:** None

Abstract: The proposed rule would amend HUD's Designated Housing Program regulations at 24 CFR part 945 to implement certain new requirements made to this program by the Housing Opportunity Program Extension Act of 1996 (Pub. L. 104-120, approved March 28, 1996). In addition to implementing these requirements the regulations would be streamlined to allow autonomy and flexibility.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Gloria Cousar, Deputy Assistant Secretary for Public and Assisted Housing Delivery, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1380

RIN: 2577-AB57**1365. PUBLIC HOUSING ADMISSION AND OCCUPANCY REFORMS AND STREAMLINING (FR-4084)****Priority:** Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437d; 42 USC 1437n; 42 USC 3535(d)**CFR Citation:** 24 CFR 960; 24 CFR 966**Legal Deadline:** None

Abstract: This rule builds on the previous rule published on May 9, 1997 (62 FR 25728) and proposes further amendments to HUD's admission, continued occupancy, termination, as well as lease and grievance regulations, to implement certain provisions of the Quality Housing and Work Responsibility Act of 1998 and the Housing Opportunity Program Extension Act of 1996, and to continue streamlining these program rules.

HUD—PIH

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/09/97	62 FR 25728
NPRM Comment Period End	07/08/97	
NPRM	07/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State,
Local

Agency Contact: Patricia Arnaudo,
Senior Housing Program Manager,
Office of Public and Assisted Housing
Delivery, Department of Housing and
Urban Development, Office of Public
and Indian Housing
Phone: 202 708-0744

RIN: 2577-AB67

**1366. • FORMULA FUNDING FOR
COMPREHENSIVE IMPROVEMENT
ASSISTANCE (CIAP) AGENCIES (FR-
4462)**

Priority: Other Significant

Legal Authority: 42 USC 1437d; 42
USC 1437l; 42 USC 3535(d)

CFR Citation: 24 CFR 968

Legal Deadline: None

Abstract: This proposed rule would
amend the regulations for the
Comprehensive Improvement
Assistance Program (CIAP) to permit
the noncompetitive distribution of
CIAP funds to all eligible public
housing authorities (PHAs) on a fair-
share basis. The purpose of this
amendment is to provide PHAs the
opportunity of a transition process for
using capital improvement funding in
accordance with new statutory
authority.

Timetable:

Action	Date	FR Cite
NPRM	04/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: William Flood,
Director, Office of Capital
Improvements, Department of Housing
and Urban Development, Office of
Public and Indian Housing
Phone: 202 708-1640

RIN: 2577-AB97

**1367. • CONVERSION OF PUBLIC
HOUSING TO VOUCHERS (TENANT-
BASED ASSISTANCE) (FR-4476)**

Priority: Other Significant

Unfunded Mandates: Undetermined

Legal Authority: 42 USC 1437f

CFR Citation: 24 CFR 972

Legal Deadline:

Final, Statutory, October 1, 1999.

Abstract: This rule will begin the
process to implement section 533 of the
Quality Housing and Work
Responsibility Act of 1998 (QHWRA)
(Pub. L. 105-276) which allows PHAs
to convert any public housing project
owned by the PHA to tenant-based
assistance if after conducting a
conversion assessment the PHA
determines that conversion will not be
more expensive than continued
operation of the project, will benefit
residents, and will not adversely affect
the availability of affordable housing in
the community. Every PHA must
conduct, and submit to HUD, a
conversion assessment no later than
two years after the effective date of the
Act.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Rod J. Solomon,
Deputy Assistant Secretary, Office of
Policy, Program and Legislative
Initiatives, Department of Housing and
Urban Development, Office of Public
and Indian Housing
Phone: 202 708-0713

RIN: 2577-AC02

**1368. • REQUIRED CONVERSION OF
DISTRESSED PUBLIC HOUSING TO
TENANT-BASED ASSISTANCE (FR-
4475)**

Priority: Other Significant

Legal Authority: 42 USC 1437 et seq;
42 USC 3535(d)

CFR Citation: 24 CFR 973

Legal Deadline:

Final, Statutory, September 30, 1999.

Abstract: This rule will begin the
process of implementing section 537 of
the Quality Housing and Work
Responsibility Act of 1998 (QHWRA)

(Pub. L. 105-276) which will require
each PHA, in consultation with
residents and local government, to
identify public housing projects that are
distressed and to develop a plan for
removal of such projects over a 5-year
period, which may be extended an
additional 5 years if HUD determines
such a deadline is impracticable. PHA's
must use HUD guidelines that have
been established after taking into
account the criteria established by the
National Commission on Severely
Distressed Public Housing, in
determining which projects are
distressed.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Rod J. Solomon,
Deputy Assistant Secretary, Office of
Policy, Program and Legislative
Initiatives, Department of Housing and
Urban Development, Office of Public
and Indian Housing
Phone: 202 708-0713

RIN: 2577-AC01

**1369. • SECTION 8 HOMEOWNERSHIP
(FR-4427)**

Priority: Other Significant

Legal Authority: 42 USC 1437f(y); 42
USC 3535(d)

CFR Citation: 24 CFR 982

Legal Deadline: None

Abstract: This interim rule amends the
regulations for the Section 8 tenant-
based voucher program at 24 CFR part
982. These amendments implement
Section 8(y) of the United States
Housing Act of 1937, as amended by
Section 555 of the Quality Housing and
Work Responsibility Act of 1998 (42
USC 1437f(y)). Section 8(y) authorizes
a public housing agency to provide
tenant-based assistance for an eligible
family that purchases a dwelling unit
that will be occupied by the family.

Timetable:

Action	Date	FR Cite
NPRM	06/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

HUD—PIH

Proposed Rule Stage

Government Levels Affected: None

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB90

1370. SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) NEW PERFORMANCE INDICATORS (FR-4388)

Priority: Other Significant

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 985

Legal Deadline: None

Abstract: Under the section 8 Management Assessment Program (SEMAP), HUD assesses whether local agencies operate the tenant-based rental assistance programs effectively. SEMAP currently measures housing agency performance under indicators representing 14 key program areas. This rule would add three new performance indicators to SEMAP: timeliness of housing assistance payments (HAPs) to owners; implementation of screening and termination policies for certain evictions, for drug-related criminal activity, and for disruptive alcohol abuses; and for deconcentration of assisted families.

Timetable:

Action	Date	FR Cite
NPRM	05/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB83

1371. ● OPERATING FUND ALLOCATION FORMULA (FR-4425)

Priority: Other Significant

Legal Authority: 42 USC 1437g(e); 42 USC 1437g(f); 42 USC 3535(d)

CFR Citation: 24 CFR 990

Legal Deadline:

Final, Statutory, October 1, 1999.

Abstract: This rule will replace the current rules that allocate public housing operating subsidy under the Performance Funding System. Section 518(e) of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276, 112 Stat. 2461, approved October 21, 1998) replaces existing funding for public housing operations with the Operating Fund, to be allocated in accordance with a formula developed through the process of negotiated rulemaking.

Timetable:

Action	Date	FR Cite
Notice	02/03/99	64 FR 5570
Notice Comment Period End	03/05/99	
NPRM	09/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Joan DeWitt, Director, Finance & Budget Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1872

RIN: 2577-AB88

1372. ● DWELLING CONSTRUCTION AND EQUIPMENT COSTS FOR INDIAN HOUSING (FR-4478)

Priority: Other Significant

Legal Authority: 25 USC 4101; 42 USC 3535(d)

CFR Citation: 24 CFR 1000

Legal Deadline: None

Abstract: Pursuant to the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996, HUD entered into negotiated rulemaking with Indian tribes to formulate a comprehensive regulation for the new Indian Housing Block Grant Program authorized by NAHASDA. Final regulations altered the method formerly used for determining the Total Development Costs (TDC) associated with developing housing projects to one which used Dwelling Construction and Equipment Costs (DCE). When tribes actually began using DCE in place of TDC, they discovered that the new DCE limits were inadequate. The proposed regulation will resolve this problem by providing alternative methods for determining development costs.

Timetable:

Action	Date	FR Cite
NPRM	07/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Bruce Knott, Director, Office of Housing and Comm. Development, Office of Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing, 1999 Broadway, Suite 3390, Denver, CO 90202
Phone: 303 675-1600

RIN: 2577-AC04

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Final Rule Stage

Office of Public and Indian Housing (PIH)

1373. ● REVIEW OF APPLICATIONS FOR HOUSING ASSISTANCE AND ALLOCATIONS OF HOUSING ASSISTANCE FUNDS (FR-4477)

Priority: Other Significant

Legal Authority: 42 USC 1439; 42 USC 3535(d)

CFR Citation: 24 CFR 791

Legal Deadline: None

Abstract: This rule would revise the current program regulations to implement the statutory language which eliminates the requirements for comment from local governments in

non-housing assistance payment communities on applications for Section 8 funding and eliminates the non-metropolitan funding set-asides, imposed by section 213 of the Housing and Community Development Act of 1974.

HUD—PIH

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AC03

1374. HOUSING OPPORTUNITY PROGRAM EXTENSION ACT OF 1996 IMPLEMENTATION PROVISIONS AND SECTION 8 CERTIFICATE, VOUCHER, & MODERATE REHABILITATION ADMISSION & OCCUPANCY POLICIES REVISIONS (FR-4159)

Priority: Other Significant

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 882; 24 CFR 982**Legal Deadline:** None

Abstract: This rule amends the admission and occupancy requirements for the Section 8 Rental Certificate, Rental Voucher, and Moderate Rehabilitation Programs as follows: makes certain applicants ineligible for admission if evicted from housing assisted under the United States Housing Act of 1937; terminates assistance to tenant-based certificate and voucher participants evicted for serious lease violations; screens out illegal drug users and alcohol abusers; and terminates assistance to illegal drug users and alcohol abusers.

Timetable:

Action	Date	FR Cite
NPRM	03/31/97	62 FR 15346
NPRM Comment Period End	05/30/97	
Final Action	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB72

1375. • SECTION 8 MODERATE REHABILITATION PROGRAM EXECUTING OR TERMINATING LEASES ON MODERATE REHABILITATION UNITS (FR-4472)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 882**Legal Deadline:** None

Abstract: Section 8(d)(1)(B)(i) of the United States Housing Act requires that the initial lease between the tenant and the owner be for at least one year or the term of the HAP contract, whichever is shorter. Current program regulations state that the initial term between an owner and a family must be for at least one year. The regulation is silent on the requisite lease term when the HAP contract term expires in less than one year. The purpose of this regulation revision is to implement the statutory language which requires that any initial lease term not extend beyond the term of the housing assistance payment contract.

This rule also will revise existing regulations to allow an owner and a public housing agency (PHA) to mutually agree to terminate a unit from the HAP contract if a unit becomes vacant and the term of the HAP contract is for less than one year.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB98

1376. • MODERATE REHABILITATION COMPARABILITY (FR-4473)

Priority: Other Significant

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 882**Legal Deadline:** None

Abstract: This rule would revise the current regulations in 24 CFR 882 on adjusting section 8 Moderate Rehabilitation Contracts rents. The rule would implement legislation which requires housing agencies (HA) to conduct comparability studies for moderate rehabilitation projects, to prevent the application of the annual adjustment factors from resulting in a material difference between rents charged for assisted units and similar unassisted units. The rule also would provide for special rent adjustments to cover the cost when an exemption from real property tax expires under certain circumstances, if appropriations are available. The rule also would add insurance to the categories of cost increases that may result in a special adjustment.

Timetable:

Action	Date	FR Cite
NPRM	10/02/95	60 FR 51658
NPRM Comment Period End	12/01/95	
Final Action	12/00/99	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB99

1377. • PUBLIC HOUSING AGENCY PLAN (FR-4426)

Priority: Other Significant

Legal Authority: 42 USC 1437cA; 42 USC 3535(d)

CFR Citation: 24 CFR 903**Legal Deadline:**

Other, Statutory, February 18, 1999, Interim Rule.

Final, Statutory, October 21, 1999, Final Rule.

Abstract: In accordance with section 511 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276, 112 Stat. 2461, approved October 21, 1998), this rule will establish the procedures and requirements for development, submission and implementation of the PHA plan, which will include such elements specified by other sections of the Act

HUD—PIH

Final Rule Stage

as an admission policy to promote deconcentration of low-income families, the plan for demolition/disposition of projects and restrictions on pets.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/18/99	64 FR 8170
Interim Final Rule Effective	03/22/99	
Interim Final Rule Comment Period End	04/19/99	
Final Action	10/00/99	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Local

Agency Contact: Rod J. Solomon, Deputy Assistant Secretary, Office of Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0713

RIN: 2577-AB89

1378. PUBLIC HOUSING DEVELOPMENT REGULATIONS (FR-3569)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1437c

CFR Citation: 24 CFR 941

Legal Deadline: None

Abstract: This rule finalizes a comprehensive revision of the public housing development and acquisition program regulation at 24 CFR 941. This rule will respond to comments received on three interim rules. The first of those rules redesigned the public housing development process to give housing authorities and localities maximum flexibility in developing public housing in their communities. The second of those rules (FR-3919, RIN 2577-AB54) provided procedures to permit housing agencies to enter a partnership with an entity to develop and own public housing properties in mixed-income developments using a mixed-financed development method. The third rule (FR-4113, RIN 2577-

AB69) streamlined and modified this mixed finance component.

Timetable:

Action	Date	FR Cite
Interim Final Rule (FR-3919)	05/02/96	61 FR 19708
Interim Final Rule Effective (FR 3919)	07/01/96	
Interim Final Rule (FR 3569)	07/22/96	61 FR 38014
Interim Final Rule Effective	08/21/96	
Interim Final Rule Comment Period End (FR 3569)	09/20/96	
Interim Final Rule (FR-4113)	06/00/99	
Final Action	09/00/99	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: State, Local

Agency Contact: William Flood, Director, Office of Capital Improvements, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1640

RIN: 2577-AB37

1379. PUBLIC HOUSING MIXED-FINANCE PARTNERSHIP DEVELOPMENT—STREAMLINING (FR-4113)

Priority: Other Significant

Reinventing Government: This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

Legal Authority: 42 USC 1427b; 42 USC 1437c; 42 USC 3535(d)

CFR Citation: 24 CFR 941

Legal Deadline: None

Abstract: This rule will streamline the provisions of the new subpart F of part 941, which provides for mixed-finance partnerships to develop public housing. The rule is needed due to new legislation and because questions have arisen during implementation of the existing regulations in subpart F. The clarification afforded by this removal of duplicative language will be highly beneficial.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: David Sowell, Director, Office of Public Housing Partnerships, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-8812

RIN: 2577-AB69

1380. ASSESSMENT OF THE REASONABLE REVITALIZATION POTENTIAL OF CERTAIN PUBLIC HOUSING REQUIRED BY LAW (FR-4120)

Priority: Other Significant

Legal Authority: PL 104-134 Sec. 202 of the OCRA of 1996

CFR Citation: 24 CFR 971

Legal Deadline: None

Abstract: Section 202 of the Omnibus Consolidated Rescissions Act (OCRA) of 1996 requires PHAs to identify certain distressed public housing developments which may be required to be converted to section 8 vouchers or certificates. The requirement covers developments that are on the same or contiguous sites, are more expensive than tenant-based assistance, and cannot be revitalized through reasonable programs. To be subject to these requirements, the developments must have more than 300 dwelling units and have a vacancy rate of at least ten percent for dwelling units not in funded on-schedule modernization programs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/22/97	62 FR 49572
Interim Final Rule Effective	10/22/97	
Interim Final Rule Comment Period End	11/21/97	
Final Action	07/00/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Rod J. Solomon, Deputy Assistant Secretary, Office of Policy, Program and Legislative

HUD—PIH

Final Rule Stage

Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0713

RIN: 2577-AB79

1381. • SECTION 8 TENANT BASED ASSISTANCE: STATUTORY MERGER (FR-4428)

Priority: Other Significant

Legal Authority: 42 USC 1437f(o); 42 USC 1437f(c)(a); 42 USC 1437f(r); 42 USC 3535(d)

CFR Citation: 24 CFR 982

Legal Deadline:

Final, Statutory, October 21, 1999.

Abstract: This rule will effect a complete merger of the Section 8 Certificate and Voucher programs, creating a single Section 8 tenant-based assistance program, effective on October 21, 1999. This rule will include changes made by sections 545, 549(b), and 553 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276, 112 Stat. 246, approved October 21, 1998). The rule will implement statutory requirements for the merged Voucher program, including provisions governing calculation of subsidy, family eligibility and income targeting, disapproval of owners, PHA screening of applicants, lease and tenant requirements, housing quality standards and unit inspections, PHA administrative fees, portability, and conversion from certificate to voucher assistance. The rule also will implement requirements for project-based voucher assistance.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gerald Benoit, Acting Director, Real Estate and Housing Performance Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0477

RIN: 2577-AB91

1382. • RENEWAL OF SECTION 8 TENANT-BASED ASSISTANCE CONTRACTS (FR-4459)

Priority: Other Significant

Legal Authority: 42 USC 1437f(dd); PL 105-276, sec 556; 42 USC 3535(d)

CFR Citation: 24 CFR 982

Legal Deadline:

Final, Statutory, October 21, 1999.

Abstract: This notice follows issuance of a HUD notice to PHAs on December 30, 1998 to tell them how the Department is calculating the amount of assistance available to them to renew Section 8 rental certificate and voucher contracts. Section 556 of the Quality Housing and Work Responsibility Act, added paragraph (dd) to Section 8 of the U.S. Housing Act of 1937, which describes the procedure for allocating funds available for renewing expiring Section 8 tenant-based assistance contracts.

Since the statute requires implementation by notice followed by negotiation of a final rule, this Federal Register publication of a notice precedes the beginning of the process of a negotiated rulemaking, to modify program regulations to cover this subject.

Timetable:

Action	Date	FR Cite
Notice	02/18/99	64 FR 8188
Final Action	10/00/99	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Robert Dalzell, Senior Program Advisor, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1380

RIN: 2577-AB96

1383. LOAN GUARANTEE FOR INDIAN HOUSING; DIRECT GUARANTEE PROCESSING (FR-4241)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1715z-13a

CFR Citation: 24 CFR 1005

Legal Deadline: None

Abstract: This final rule would authorize a processing alternative known as "direct guarantee" under which HUD would not issue guarantee commitments and would not review an application for guarantee until after a loan has closed.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/11/98	63 FR 48988
Final Action	06/00/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Jacqueline Johnson, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0950

RIN: 2577-AB78

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Long-Term Actions

Office of Public and Indian Housing (PIH)

1384. ADMINISTRATIVE GUIDELINES FOR PIH REGARDING SECTION 102(D) LIMITATIONS ON COMBINING OTHER GOVERNMENT ASSISTANCE ("SUBSIDY LAYERING") (FR-3100)

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 00 CFR 000

Legal Deadline: None

Abstract: This notice sets forth the PIH administrative guidelines which HUD, or in certain circumstances Housing Credit Agencies (HCAs), will follow in implementing "subsidy layering" reviews in accordance with section 102(d) of the HUD Reform Act of 1989 and section 911 of the Housing and

Community Development Act of 1992 for public and Indian housing programs. Such reviews are necessary to ensure that the amount of assistance being provided by HUD for a specific housing project is not more than is necessary to make the assisted activity feasible after taking into account assistance from other government sources.

HUD—PIH

Long-Term Actions

Timetable:

Action	Date	FR Cite
Notice	To Be	Determined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Susan Wilson, Office of Public Housing Investments,Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0614**RIN:** 2577-AB53**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Public and Indian Housing (PIH)**

Completed Actions

1385. CEILING RENTS FOR PUBLIC HOUSING (FR-3880)**Priority:** Other Significant**CFR Citation:** 24 CFR 5, subpart F**Completed:**

Reason	Date	FR Cite
Withdrawn	02/12/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Patricia Arnaudo
Phone: 202 708-0744**RIN:** 2577-AB75**1386. PUBLIC HOUSING ASSESSMENT SYSTEM (FR-4313)****Priority:** Other Significant**CFR Citation:** 24 CFR 901**Completed:**

Reason	Date	FR Cite
Final Action	09/01/98	63 FR 46596

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local**Agency Contact:** William Thorson
Phone: 202 755-0102**RIN:** 2577-AB81**1387. REPLACEMENT HOUSING FACTOR IN MODERNIZATION FUNDING (FR-4125)****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 24 CFR 968**Completed:**

Reason	Date	FR Cite
Final Action	08/28/98	63 FR 46104

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local**Agency Contact:** Rod J. Solomon
Phone: 202 708-0713**RIN:** 2577-AB71**1388. • TENANT-BASED ASSISTANCE RENEWALS (FR-4418)****Priority:** Other Significant**Legal Authority:** 42 USC 1437f(dd); 42 USC 3535(d)**CFR Citation:** 24 CFR 982**Legal Deadline:** None**Abstract:** HUD is authorized to renew all expiring tenant-based Annual Contributions Contracts. This action will establish an allocation baseline amount of assistance to cover the renewals, and to apply an inflation factor to the baseline.**Timetable:**

Action	Date	FR Cite
Merged With RIN 2577-AB96 (FR-4459)	02/17/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Agency Contact:** Cheryl Teninga, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0440**RIN:** 2577-AB86**1389. SECTION 8 RENTAL VOUCHER AND CERTIFICATE PROGRAMS—SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) (FR-3986)****Priority:** Other Significant**CFR Citation:** 24 CFR 985**Completed:**

Reason	Date	FR Cite
Final Action	09/10/98	63 FR 48548
Final Action Effective	10/13/98	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local**Agency Contact:** Gerald Benoit
Phone: 202 708-0477**RIN:** 2577-AB60**1390. PUBLIC HOUSING PERFORMANCE FUNDING SYSTEM: INCENTIVES (FR-4072)****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 24 CFR 990**Completed:**

Reason	Date	FR Cite
Merged With RIN 2577-AB88 (FR-4425)	02/12/99	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Joan DeWitt
Phone: 202 708-1872**RIN:** 2577-AB65

HUD—PIH

Completed Actions

1391. • DUE DATE OF FIRST ANNUAL PERFORMANCE REPORT UNDER THE NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION ACT OF 1996 (FR-4419)

Priority: Info./Admin./Other

Legal Authority: 25 USC 4101 et seq; 42 USC 3535(d)

CFR Citation: 24 CFR 1000

Legal Deadline: None

Abstract: This final rule sets January 31, 1999 as the due date for recipients of Indian Housing Block Grant funds

to submit the first annual performance reports under the Native American Housing Assistance and Self-Determination Act of 1996. This date provides an additional 60-day period that was assumed to apply, and allows recipients and HUD more time to work out the difficulties of the first performance report submissions.

Timetable:

Action	Date	FR Cite
Final Action	01/20/99	64 FR 3014
Final Action Effective	02/19/99	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Bruce Knott, Director, Office of Housing and Comm. Development, Office of Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing, 1999 Broadway, Suite 3390, Denver, CO 90202

Phone: 303 675-1600

RIN: 2577-AB93

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