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Monday,  
November 22, 1999

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**Part IX**

**Department of  
Housing and Urban  
Development**

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Semiannual Regulatory Agenda

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**Department of Housing and Urban Development (HUD)**


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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT****24 CFR Subtitles A and B**

Docket No. FR-4481-N-02

**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 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(c) of the Regulatory Flexibility Act requires each agency to publish annually a list of the rules that have a significant economic impact on a substantial number of small entities, and that are to be reviewed in accordance with the requirements of 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.

In 1995 and 1996, all HUD regulations then codified underwent a section 610 review when these regulations were examined in accordance with President Clinton's regulatory reinvention initiative. In 1998, the Quality Housing and Work Responsibility Act of 1998 was enacted (Pub.L. 105-276, approved October 21, 1998) (commonly referred to as the Public Housing Reform Act). The Public Housing Reform Act made significant changes to HUD's public housing and Section 8 assistance programs. This statute, as will be seen by many of the items listed in this semiannual agenda, requires substantial regulatory changes to HUD's public housing and Section 8 assistance programs. In view of the significant changes implemented by the Public Housing Reform Act, the Department is reviewing all of the regulations governing its public housing and Section 8 assistance programs in accordance with the principles of section 610, not only those that are required to be revised by the Public Housing Reform Act. The Department

welcomes comments on these regulations.

Although the Department's focus, during the next several months, is on its regulations governing its public housing and Section 8 assistance programs, the Department invites comments from the public on any rule listed in this agenda that the public believes 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. Section 7(o) provides that 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

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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. Several of the public housing or Section 8 assistance regulations that are withdrawn were made obsolete by the Public Housing Reform Act. For other rules, the Department is withdrawing the rule to further assess the subject matter and whether rulemaking continues to be the appropriate method for implementation of the subject matter. Following this review, the Department may determine that certain rules listed as withdrawn under this agenda are necessary. If that determination is made, the rules will be included in a succeeding semiannual agenda.

For this edition of the Department's regulatory agenda, the most important

significant regulatory actions are included in **The Regulatory Plan**, which appears in part II of this issue of the **Federal Register**. **The Regulatory Plan** entries are listed in the table of contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

The Department invites all interested members of the public to comment on the rules listed in this fall 1999 agenda to assist the Department in improving its regulatory products and procedures.

**Dated** : September 2, 1999

**Gail W. Laster**,  
*General Counsel.*

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1393	24 CFR 3 Common Rule: Nondiscrimination in Educational Activities (FR-4301) .....	2501-AC42
1394	24 CFR 15 Revisions to HUD's Freedom of Information Act (FOIA) Regulations (FR-4292) .....	2501-AC51
1395	24 CFR 17 Procedures for the Collection of Claims by the Government (FR-4318) .....	2501-AC48
1396	24 CFR 24 Limited Denial of Participation in HUD Programs; Clarifying Amendments (FR-3975) .....	2501-AC08
1397	24 CFR 30 Amendments to HUD's Civil Money Penalty Regulations (FR-4399) .....	2501-AC56
1398	24 CFR 58 Environmental Review Procedures for Entities Assuming HUD Environmental Responsibility (FR-4523) .....	2501-AC64
1399	24 CFR 81 Secretary of HUD's Regulation of Fannie Mae and Freddie Mac: Non-Mortgage Investments (FR-4297) .....	2501-AC41
1400	24 CFR 81 Secretary of HUD's Regulation of Fannie Mae and Freddie Mac: Purchase Goals (FR-4494) ( <b>Reg Plan Seq. No. 49</b> ) .....	2501-AC60
1401	24 CFR 92 HOME Investment Partnerships Program (FR-4329) .....	2501-AC53

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1402	24 CFR 5 Changes to Admission and Occupancy Requirements in the Public Housing and Section 8 Housing Assistance Programs (FR-4485) .....	2501-AC59
1403	24 CFR 5 One-Strike Screening and Eviction for Drug Abuse and Other Criminal Activity (FR-4495) .....	2501-AC63
1404	24 CFR 8 Nondiscrimination Based on Disability; Multifamily Homeownership Projects (FR-4317) .....	2501-AC47
1405	24 CFR 24 Limited Denial of Participation — Clarification of Consolidation of Debarment and Suspension Procedures (FR-4505) .....	2501-AC61
1406	24 CFR 25 Conforming Amendments to HUD's FHA-Single Family Housing and Multifamily Housing Enforcement Regulations (FR-4308) .....	2501-AC44
1407	24 CFR 45 Administrative Requirements for Grantees To Reflect Single Audit Act Amendments (FR-4258) .....	2501-AC39
1408	24 CFR 55 Floodplain Management and Protection of Wetlands (FR-4142) .....	2501-AC33
1409	24 CFR 91 Clarifying Amendments to Consolidated Submission for Community Planning and Development Programs (FR-4333) .....	2501-AC54
1410	24 CFR 92 HOME Investment Partnerships Program — Additional Streamlining (FR-4111) .....	2501-AC30
1411	24 CFR 125 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
1412	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

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## Office of the Secretary—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1413	24 CFR 91 Consolidated Plan Amendments; Treatment of Troubled PHAs (FR-4518) .....	2501-AC62

## Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identification Number
1414	24 CFR 5, subpart E Revised Restriction on Assistance to Noncitizens (FR-4154) .....	2501-AC36
1415	24 CFR 5 Sanctions for Underreporting of Income in the Assisted Housing Programs (FR-4334) .....	2501-AC55
1416	24 CFR 200 Lead-Based Paint Poisoning Prevention in Certain Residential Structures (FR-3482) .....	2501-AB57
1417	24 CFR 215 Revisions to Regulations Implementing Uniform Relocation Act and Other Relocation Requirements in HUD Programs (FR-4122) .....	2501-AC31
1418	24 CFR 511.16(d) Flood Insurance and HUD-Assisted Buildings Located Within Special Flood Hazard Areas (FR-4273) .....	2501-AC40
1419	24 CFR 58 Regulations Governing the Environmental Review Procedures for Entities Assuming HUD's Environmental Responsibilities; Miscellaneous Amendments (FR-4326) .....	2501-AC52
1420	24 CFR 200 Uniform Physical Conditions and Physical Inspection Requirements for Certain HUD Multifamily Housing; Administrative Process for Assessment of Insured and Assisted Properties (FR-4452) .....	2501-AC58

## Office of Housing—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1421	24 CFR 401 Release of Information to Tenants and Other Parties Pursuant to MAHRA (FR-4531) .....	2502-AH45

## Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1422	24 CFR 200 Use of Materials Bulletins Used in the HUD Building Products Standards and Certification Program (FR-4391) .....	2502-AH28
1423	24 CFR 200 Uniform Physical Conditions and Physical Inspection Requirements for Certain HUD Multifamily Housing; Administrative Process for Assessment of Insured and Assisted Properties (FR-4452) ( <b>Reg Plan Seq. No. 50</b> ) .....	2502-AH44
1424	24 CFR 201 Strengthening the Title I Property Improvement Loan Insurance Program (FR-4246) .....	2502-AG95
1425	24 CFR 202 Mortgagee Approval for Single Family Programs - Procedures for Terminating Origination Approval Agreements and Placement in Credit Watch Status (FR-4492) .....	2502-AH42
1426	24 CFR 203 Single Family Appraisal Assessment (FR-4395) .....	2502-AH27
1427	24 CFR 207 Partial Payment of Claims for Health Care Facilities, Hospitals and Group Practice Facilities (FR-4387) .....	2502-AH25
1428	24 CFR 221 Limitation on Distributions (FR-4532) .....	2502-AH46
1429	24 CFR 270 Use of Federal Surplus Property for Self-Help Housing (FR-4464) .....	2502-AH34
1430	24 CFR 291 Disposition of HUD-Owned Single Family Assets in Revitalization Areas (FR-4471) .....	2502-AH40
1431	24 CFR 880 Section 8 Housing Assistance Payments Programs (New Construction Substantial Rehabilitation, State Housing Agencies and Special Allocations) (FR-4479) .....	2502-AH41
1432	24 CFR 3282 Special Procedures Permitting Limited Completion of Manufactured Homes On-Site (FR-4216) .....	2502-AG92

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

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## Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1433	24 CFR 200 Delegation of Insuring Authority To Direct Endorsement Mortgagees (FR-4169) .....	2502-AG87
1434	24 CFR 200 Use of Materials Bulletins (FR-4265) .....	2502-AH02
1435	24 CFR 200 Update of the Model Energy Code (MEC) (FR-4272) .....	2502-AH03
1436	24 CFR 200 Single Family Mortgage Insurance; Appraiser Roster Placement Procedures (FR-4429) .....	2502-AH29
1437	24 CFR 201 Title I Property Improvement and Manufactured Home Loan Insurance Programs (FR-4242) .....	2502-AG94
1438	24 CFR 203 Mortgage Insurance Premium Reduction in Central Cities (FR-4284) .....	2502-AH07
1439	24 CFR 203 Single Family Mortgage Insurance; Direct Endorsement and Automated Underwriting (FR-4311) .....	2502-AH15
1440	24 CFR 203 Sources of Homebuyer Downpayment (FR-4469) .....	2502-AH38
1441	24 CFR 203 Single Family Claim Reform and Sale of Property (FR-4470) .....	2502-AH39
1442	24 CFR 206 Home Equity Conversion Mortgages; Right of First Refusal Permitted for Condominium Associations (FR-4267) .....	2502-AG93
1443	24 CFR 236 Rehabilitation Grants for Certain Multifamily Projects (FR-4465) .....	2502-AH35
1444	24 CFR 245 Tenant Participation in Multifamily Housing Projects (FR-4403) .....	2502-AH32
1445	24 CFR 290 Up-Front Grants in the Disposition of Multifamily Projects (FR-4310) .....	2502-AH12
1446	24 CFR 291 Officer Next Door Program (FR-4277) .....	2502-AH37
1447	24 CFR 891 Duration of Capital Advance (FR-4466) .....	2502-AH36
1448	24 CFR 3280 Manufactured Home Construction and Safety Standards (FR-4376) .....	2502-AH23
1449	24 CFR 3280 Federal Manufactured Housing Program; Definition of Manufactured Home (FR-4508) .....	2502-AH43
1450	24 CFR 3500 RESPA: Disclosure of Fees Paid to Retail Lenders (Brokers) (FR-3780) .....	2502-AG40
1451	24 CFR 3500 Amendment to RESPA; Exemption for Employer Payments to Employees Who Make Like-Provider Referrals, and Other Amendments (FR-4173) .....	2502-AG88
1452	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 Identification Number
1453	24 CFR 200 Single Family Mortgage Insurance Clarification of Floodplain Requirements Applicable to New Construction (FR-4323) .....	2502-AH16
1454	24 CFR 203 Builder Warranty for High Ratio Single Family Mortgages (FR-4288) .....	2502-AH08
1455	24 CFR 203 Single Family Mortgage Insurance Informed Consumer Choice Disclosure (FR-4411) .....	2502-AH30
1456	24 CFR 242 Risk-Sharing Hospital Mortgage Insurance Program (FR-3914) .....	2502-AG53
1457	24 CFR 3500 Real Estate Procedures Settlement Act (RESPA): Escrow Account Statement Itemization of Charges (FR-4390) .....	2502-AH26

## Office of Community Planning and Development—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1458	24 CFR 570 CDBG Slum/Blight National Objective Rule (FR-4487) .....	2506-AB94
1459	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 Identification Number
1460	24 CFR 570 CDBG Program for States; Community Revitalization Strategy Requirements & Miscellaneous Technical Amendments (FR-4081) .....	2506-AB83
1461	24 CFR 570 Community Development Block Grant Program; Clarification of the Nature of Required CDBG Expenditure Documentation (FR-4449) .....	2506-AC00
1462	24 CFR 576 Emergency Shelter Grants Program (FR-4330) .....	2506-AB99

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Office of Community Planning and Development—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
1463	24 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 Identification Number
1464	24 CFR 570 Community Development Block Grant Program; Section 108 Application Requirements (FR-3298) ....	2506-AB43
1465	24 CFR 570 Section 108 Loan Guarantee Program (FR-4039) .....	2506-AB80
1466	24 CFR 570 Community Development Block Grant Programs for States; Program Income (FR-4067) .....	2506-AB82
1467	24 CFR 570 Community Development Block Grant Program; National Objective and Streamlining Changes (FR-4144) .....	2506-AB90
1468	24 CFR 570 Community Development Block Grant Program: Prohibition on Use of Assistance for Employment Relocation Activities (FR-4468) .....	2506-AC01
1469	24 CFR 570 Community Development Block Grant Brownfields (FR-4260) .....	2506-AC03

Government National Mortgage Association—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1470	24 CFR 300.3 Ginnie Mae—Finance—NAHASDA Implementation (FR-4215) .....	2503-AA11

Government National Mortgage Association—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1471	24 CFR 300 Elimination of Physical Certificate for Issued Securities (FR-4533) .....	2503-AA14

Government National Mortgage Association—Completed Actions

Sequence Number	Title	Regulation Identification Number
1472	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 Identification Number
1473	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 Identification Number
1474	24 CFR 9 Fair Housing Planning Performance Standard (FR-4133) .....	2529-AA81
1475	24 CFR 135 Economic Opportunities for Low- and Very-Low-Income Persons (FR-2898) .....	2529-AA49

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## Office of Fair Housing and Equal Opportunity—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1476	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 Identification Number
1477	24 CFR 103 Fair Housing Complaint Processing—Plain Language Revision and Reorganization (FR-4433) .....	2529-AA86
1478	24 CFR 108 Compliance Procedures for Affirmative Fair Housing Marketing; Nomenclature Changes (FR-4514) ...	2529-AA87

## Office of Administration—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1479	48 CFR 2401 HUD Acquisition Regulation—II (FR-4115) .....	2535-AA24
1480	48 CFR 2409 HUD Acquisition Regulation (FR-4291) .....	2535-AA25

## Office of Public and Indian Housing—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1481	24 CFR 1000 HUD Policy for the Administration of HUD Programs on Indian Reservations and Other Indian Areas (FR-4490) .....	2577-AC06

## Office of Public and Indian Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1482	24 CFR 000 HOPE VI Program (FR-4530) ( <b>Reg Plan Seq. No. 53</b> ) .....	2577-AC17
1483	24 CFR 901 Resident Survey Information Disclosure Requirements—Privacy Act (FR-4393) .....	2577-AB84
1484	24 CFR 901 Quality Assurance Review of Independent Public Auditors by Real Estate Assessment Center Staff (FR-4394) .....	2577-AB85
1485	24 CFR 905 Operating Fund Allocation Formula (FR-4425) ( <b>Reg Plan Seq. No. 51</b> ) .....	2577-AB88
1486	24 CFR 905 Public Housing Capital Program (FR-4507) .....	2577-AC16
1487	24 CFR 941 Public Housing Development Total Development Cost (TDC) (FR-4489) .....	2577-AC05
1488	24 CFR 941 Mixed-Financed Public Housing Development (FR-4499) .....	2577-AC09
1489	24 CFR 945 Designated Housing Program Amendments (FR-3964) .....	2577-AB57
1490	24 CFR 964 Resident Opportunities and Supportive Services (FR-4525) ( <b>Reg Plan Seq. No. 52</b> ) .....	2577-AC07
1491	24 CFR 964 Direct Funding of Public Housing Resident Management Corporations (FR-4501) .....	2577-AC12
1492	24 CFR 970 Demolition and Disposition of Public Housing (FR-4500) .....	2577-AC11
1493	24 CFR 985 Section 8 Management Assessment Program (SEMAP) New Performance Indicators (FR-4388) .....	2577-AB83
1494	24 CFR 1000 Revision to Construction Cost Limits for Native American Housing (FR-4517) .....	2577-AC14

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Office of Public and Indian Housing—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1495	24 CFR 5 Pet Ownership in Public Housing (FR-4437) .....	2577-AB94

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Office of Public and Indian Housing—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1496	24 CFR 791 Review of Applications for Housing Assistance and Allocations of Housing Assistance Funds (FR-4477) .....	2577-AC03
1497	24 CFR 882 Section 8 Moderate Rehabilitation Program Executing or Terminating Leases on Moderate Rehabilitation Units (FR-4472) .....	2577-AB98
1498	24 CFR 902 Public Housing Assessment System (PHAS); Amendments to the PHAS (FR-4497) .....	2577-AC08
1499	24 CFR 905 Capital Fund Allocation Formula (FR-4423) ( <b>Reg Plan Seq. No. 54</b> ) .....	2577-AB87
1500	24 CFR 943 Consortia of Public Housing Agencies and Joint Venture (FR-4474) .....	2577-AC00
1501	24 CFR 972 Voluntary Conversion of Public Housing to Vouchers (Tenant-Based Assistance) (FR-4476) .....	2577-AC02
1502	24 CFR 973 Required Conversion of Distressed Public Housing to Tenant-Based Assistance (FR-4475) .....	2577-AC01
1503	24 CFR 982 Section 8 Homeownership (FR-4427) .....	2577-AB90
1504	24 CFR 985 Technical Amendment to the Section 8 Management Assessment Program (SEMAP) (FR-4498) .....	2577-AC10
1505	24 CFR 1005 Loan Guarantee for Indian Housing; Direct Guarantee Processing (FR-4241) .....	2577-AB78

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identification Number
1506	24 CFR 000 Administrative Guidelines for PIH Regarding Section 102(d) Limitations on Combining Other Government Assistance ("Subsidy Layering") (FR-3100) .....	2577-AB53
1507	24 CFR 761 Public Housing Drug Elimination Program — Formula Allocation (FR-4451) .....	2577-AB95
1508	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
1509	24 CFR 882 Moderate Rehabilitation Comparability (FR-4473) .....	2577-AB99
1510	24 CFR 903 Public Housing Agency Plan (FR-4420) .....	2577-AB89
1511	24 CFR 906 Public Housing Homeownership Programs (FR-4504) .....	2577-AC15
1512	24 CFR 941 Public Housing Development Regulations (FR-3569) .....	2577-AB37
1513	24 CFR 941 Public Housing Mixed-Finance Partnership Development—Streamlining (FR-4113) .....	2577-AB69
1514	24 CFR 960 Public Housing Admission and Occupancy Reforms and Streamlining (FR-4084) .....	2577-AB67
1515	24 CFR 964 Public Housing Agency Organization; Required Resident Membership on Board of Directors or Similar Governing Body (FR-4502) .....	2577-AC13
1516	24 CFR 968 Formula Funding for Comprehensive Improvement Assistance (CIAP) Agencies (FR-4462) .....	2577-AB97
1517	24 CFR 971 Assessment of the Reasonable Revitalization Potential of Certain Public Housing Required by Law (FR-4120) .....	2577-AB79
1518	24 CFR 982 Section 8 Tenant Based Assistance: Statutory Merger (FR-4428) .....	2577-AB91
1519	24 CFR 982 Section 8 Housing Certificate Fund (FR-4459) .....	2577-AB96
1520	24 CFR 1000 Dwelling Construction and Equipment Costs for Indian Housing (FR-4478) .....	2577-AC04

Department of Housing and Urban Development (HUD)  
Office of the Secretary (HUDSEC)

Proposed Rule Stage

**1393. 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	10/29/99	64 FR 58589
Final Action	02/00/00	

**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

## HUD—HUDSEC

## Proposed Rule Stage

**1394. 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 proposed rule would amend HUD's Freedom of Information Act (FOIA) regulations in their entirety. The rule would implement the amendments made by the Electronic Freedom of Information Act to FOIA. The proposed rule would also rewrite the FOIA regulations using plain language. Plain language is an approach to writing that promotes responsive, accessible, and understandable written communication. The rule would also make various streamlining and organizational changes to the regulations. These proposed amendments would simplify and improve the clarity of the HUD's FOIA requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/00	

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

**Agency Contact:** Shari Weaver, Deputy Managing Attorney for FOIA, Department of Housing and Urban Development, Office of the Secretary  
Phone: 202 708-3866

**RIN:** 2501-AC51**1395. 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	12/00/99	

**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**1396. 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	11/00/99	

**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**1397. 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:** NPRM, Statutory, October 27, 1998.

**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	12/00/99	

**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  
Phone: 202 708-2350

**RIN:** 2501-AC56

HUD—HUDSEC

Proposed Rule Stage

**1398. • ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD ENVIRONMENTAL RESPONSIBILITY (FR-4523)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1707 note; 25 USC 4115; 42 USC 1437o(i)(1); 42 USC 1437o(i)(2); 42 USC 1437x; 42 USC 3535(d); 42 USC 3547; 42 USC 4332; 42 USC 4852; 42 USC 5304(g)

**CFR Citation:** 24 CFR 58

**Legal Deadline:** None

**Abstract:** This proposed rule would make a number of changes to 24 CFR part 58. That part implements statutory authorities that permit certain entities other than HUD to assume HUD's environmental review responsibilities for various HUD programs. HUD proposes to update the list of programs and statutory authorities covered by part 58 and to otherwise update the part.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Frederick Regetz, Environmental Review Division, Department of Housing and Urban Development, Office of Community Planning and Development  
Phone: 202 708-1201

**RIN:** 2501-AC64

**1399. SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC: NON-MORTGAGE INVESTMENTS (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 Freddie Mac and 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	11/00/99	

**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

Allen Fishbein, Senior Advisor to the Assistant Secretary for Housing Sponsored Enterprise Oversight,

Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-3600

**RIN:** 2501-AC41

**1400. • SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC: PURCHASE GOALS (FR-4494)**

**Regulatory Plan:** This entry is Seq. No. 49 in Part II of this issue of the **Federal Register**.

**RIN:** 2501-AC60

**1401. 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	03/00/00	

**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

**1402. • CHANGES TO ADMISSION AND OCCUPANCY REQUIREMENTS IN THE PUBLIC HOUSING AND SECTION 8 HOUSING ASSISTANCE PROGRAMS (FR-4485)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437a(b)(5), (c)(3), (d); 42 USC 1437u(b); 42 USC 1437j; 42 USC 1437d(l); 42 USC 1437n; 42 USC 1437d(c)(4); 42 USC 1437f(d)(1)(a); 42 USC 1437a(a)(2); 42 USC 1437a(a); 42 USC 1437f(cc); 42 USC 1436a; PL 105-276

**CFR Citation:** 24 CFR 5; 24 CFR 960; 24 CFR 966; 24 CFR 984

**Legal Deadline:** None

**Abstract:** This rule implements provisions of the Quality Housing and Work Opportunity Act of 1998 pertaining to community service, self-sufficiency and lease requirements in public housing. In addition, it implements changes with respect to admission preferences, including treatment of classes of single persons, income and rent determinations, restrictions on assistance to non-citizens, and new provisions on minimum rent. It includes statutory provisions that are already effective, as described in the Interim Guidance Notice published on February 18, 1999 at 63 FR 8170.

**Timetable:**

Action	Date	FR Cite
NPRM	04/30/99	64 FR 23460
End NPRM Comment Period	06/29/99	
Final Action	11/00/99	

**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:** 2501-AC59

**1403. • ONE-STRIKE SCREENING AND EVICTION FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY (FR-4495)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437a; 42 USC 1437c; 42 USC 1437d; 42 USC 3525(d)

**CFR Citation:** 24 CFR 5; 24 CFR 200; 24 CFR 247; 24 CFR 880; 24 CFR 882; 24 CFR 884; 24 CFR 891; 24 CFR 960; 24 CFR 966; 24 CFR 982

**Legal Deadline:** None

**Abstract:** This rule amends regulations for public housing and Section 8 assisted housing programs, and for other HUD assisted housing programs. It gives public housing agencies and assisted housing owners the tools for adopting and implementing fair, effective, and comprehensive policies for denying admission to applicants who engage in illegal drug use or other criminal activity, and for evicting or terminating assistance of persons who engage in such activity.

**Timetable:**

Action	Date	FR Cite
NPRM	07/23/99	64 FR 40262
End NPRM Comment Period	09/21/99	
Final Action	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Local

**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:** 2501-AC63

**1404. 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	04/00/00	

**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

**1405. • LIMITED DENIAL OF PARTICIPATION — CLARIFICATION OF CONSOLIDATION OF DEBARMENT AND SUSPENSION PROCEDURES (FR-4505)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 701 et seq; 42 USC 3535(d)

**CFR Citation:** 24 CFR 24

**Legal Deadline:** None

**Abstract:** HUD's regulations at 24 CFR part 24.713(c)(2) provide that if HUD issues a Limited Denial of Participation (LDP) and then subsequently issues or proposed debarment based on the same transaction(s) or conduct as the LDP, and the respondent contests the suspension or proposed debarment then "the proceedings shall be consolidated and the debarring or suspending official shall issue a final decision as to both the limited denial of participation and the debarment suspension." This final rule will clarify that under the circumstances discussed above, jurisdiction of the hearing officer to hear the LDP under 24 CFR part 24, subpart G, is divested and transferred to the Debarring Official who will enter a decision on both the LDP and the debarment or suspension.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** John Herold, Enforcement Center, Legal Division,

HUD—HUDSEC

Final Rule Stage

Department of Housing and Urban Development, Office of the Secretary  
Phone: 202 708-3856

RIN: 2501-AC61

**1406. 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 1735f15; 15 USC 1717a; 28 USC 2461 note; 42 USC 3535(d)

**CFR Citation:** 24 CFR 25; 24 CFR 30

**Legal Deadline:** None

**Abstract:** This interim rule makes conforming changes to HUD regulations to reflect statutory changes made by the Multifamily Assisted Housing Reform and Affordability Act of 1997 (the Multifamily Reform Act). Among other amendments, the Multifamily Reform Act provides that a suspension issued by the HUD Mortgagee Review Board is effective, without previous 30-day written notice of violation to the mortgagee, if there is sufficient evidence that immediate action is required to protect the financial interests of HUD or the public. The Multifamily Reform Act also expanded the list of persons and types of violations subject to a civil money penalty under HUD's insured housing programs. The interim rule also makes three clarifying, non-substantive amendments to these regulations. The first clarifies under what conditions HUD's Mortgagee Review Board may issue a suspension. The second amendment clarifies the effect of a suspension or withdrawal issued by the Board. The third clarifies that the Assistant Secretary for Public and Indian Housing may initiate a civil money penalty under the section 184 Indian housing loan guarantee program.

**Timetable:**

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

**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

**1407. 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	02/00/00	

**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

**1408. 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	01/00/00	

**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-AC33

**1409. 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
Final Action	11/00/99	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Local

## HUD—HUDSEC

## Final Rule Stage

**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

**1410. 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 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	12/00/99	

**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-AC30

**1411. ADOPTION OF REVISED OMB CIRCULAR A-133; ADMINISTRATIVE REQUIREMENTS FOR GRANTEES 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 92; 24 CFR 125; 24 CFR 200; 24 CFR 202; 24 CFR 236; 24 CFR 280; 24 CFR 511; 24 CFR 570; 24 CFR 572; 24 CFR 574; 24 CFR 576; 24 CFR 582; 24 CFR 583; 24 CFR 585; 24 CFR 700; ...

**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	02/00/00	

**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

**1412. 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 to be issued by the later of October 27, 1998 or 3 months following appointment of a director of OMAR.

**Abstract:** This rule will implement 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.

**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	12/00/99	

**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)**
**Long-Term Actions**
**1413. • CONSOLIDATED PLAN  
AMENDMENTS; TREATMENT OF  
TROUBLED PHAS (FR-4518)**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 3535(d); 42 USC 12705

**CFR Citation:** 24 CFR 91

**Legal Deadline:** None

**Abstract:** This rule amends the Consolidated Plan regulations to conform to recent statutory requirements that a consolidated plan

from a State or unit of general local government in which any troubled PHA is located must include a description of the manner in which the State or unit will provide assistance to remove the PHA's troubled designation and that Consolidated Plans prepared by State and local governments describe the manner in which the needs of public housing are addressed.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/00	

**Regulatory Flexibility Analysis  
Required: No**

**Government Levels Affected:** None

**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-AC62

**Department of Housing and Urban Development (HUD)  
Office of the Secretary (HUDSEC)**
**Completed Actions**
**1414. REVISED RESTRICTION ON  
ASSISTANCE TO NONCITIZENS (FR-  
4154)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 5, subpart E

**Completed:**

Reason	Date	FR Cite
Final Action	05/12/99	64 FR 25726
Final Action Effective	06/11/99	

**Regulatory Flexibility Analysis  
Required: No**

**Government Levels Affected:** None

**Agency Contact:** Patricia Arnaudo  
Phone: 202 708-0744

**RIN:** 2501-AC36

**1415. SANCTIONS FOR  
UNDERREPORTING OF INCOME IN  
THE ASSISTED HOUSING PROGRAMS  
(FR-4334)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 5

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/23/99	

**Regulatory Flexibility Analysis  
Required: No**

**Government Levels Affected:** State, Local

**Agency Contact:** Patricia Arnaudo  
Phone: 202 708-0744

**RIN:** 2501-AC55

**1416. LEAD-BASED PAINT  
POISONING PREVENTION IN CERTAIN  
RESIDENTIAL STRUCTURES (FR-  
3482)**

**Priority:** Economically Significant

**CFR Citation:** 24 CFR 35; 24 CFR 91; 24 CFR 92; 24 CFR 200; 24 CFR 206; 24 CFR 280; 24 CFR 291; 24 CFR 511; 24 CFR 570; 24 CFR 572; 24 CFR 573; 24 CFR 574; 24 CFR 576; 24 CFR 582; 24 CFR 583; ...

**Completed:**

Reason	Date	FR Cite
Final Action	09/15/99	64 FR 50140
Final Action Effective	09/15/00	

**Regulatory Flexibility Analysis  
Required: No**

**Government Levels Affected:** None

**Agency Contact:** David E. Jacobs  
Phone: 202 755-1785

**RIN:** 2501-AB57

**1417. REVISIONS TO REGULATIONS  
IMPLEMENTING UNIFORM  
RELOCATION ACT AND OTHER  
RELOCATION REQUIREMENTS IN  
HUD PROGRAMS (FR-4122)**

**Priority:** Other Significant

**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; ...

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

**Regulatory Flexibility Analysis  
Required: No**

**Government Levels Affected:** None

**Agency Contact:** Mary Kolesar  
Phone: 202 708-2470

**RIN:** 2501-AC31

**1418. FLOOD INSURANCE AND HUD-  
ASSISTED BUILDINGS LOCATED  
WITHIN SPECIAL FLOOD HAZARD  
AREAS (FR-4273)**

**Priority:** Substantive, Nonsignificant

**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)

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

**Regulatory Flexibility Analysis  
Required: No**

**Government Levels Affected:** None

**Agency Contact:** Walter Prybyla  
Phone: 202 708-1201

**RIN:** 2501-AC40

**1419. REGULATIONS GOVERNING  
THE ENVIRONMENTAL REVIEW  
PROCEDURES FOR ENTITIES  
ASSUMING HUD'S ENVIRONMENTAL  
RESPONSIBILITIES; MISCELLANEOUS  
AMENDMENTS (FR-4326)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 24 CFR 58

## HUD—HUDSEC

## Completed Actions

## Completed:

Reason	Date	FR Cite
Merged With RIN 2501-AC64 (FR-4523)	08/27/99	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Local

**Agency Contact:** Richard Broun  
Phone: 202 708-2894

**RIN:** 2501-AC52

**1420. UNIFORM PHYSICAL CONDITIONS AND PHYSICAL INSPECTION REQUIREMENTS FOR CERTAIN HUD MULTIFAMILY HOUSING; ADMINISTRATIVE PROCESS FOR ASSESSMENT OF INSURED AND ASSISTED PROPERTIES (FR-4452)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 200

## Completed:

Reason	Date	FR Cite
Withdrawn - Duplicate of RIN 2502-AH44	08/18/99	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Kenneth Hannon  
Phone: 202 708-3944

**RIN:** 2501-AC58

**Department of Housing and Urban Development (HUD)  
Office of Housing (OH)**

## Prerule Stage

**1421. ● RELEASE OF INFORMATION TO TENANTS AND OTHER PARTIES PURSUANT TO MAHRA (FR-4531)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 1437f note

**CFR Citation:** 24 CFR 401

**Legal Deadline:** None

**Abstract:** The proposed rule is designed to ensure that tenants and other interested parties have access to the information needed for meaningful

participation in the development of a Restructuring Plan, while ensuring appropriate protection of legitimate interest of project owners in confidential and proprietary business information.

**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Andrew Fay, Office of Multifamily Housing Assistance Restructuring, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0001

**RIN:** 2502-AH45

**Department of Housing and Urban Development (HUD)  
Office of Housing (OH)**

## Proposed Rule Stage

**1422. USE OF MATERIALS BULLETINS USED IN THE HUD BUILDING PRODUCTS STANDARDS AND CERTIFICATION PROGRAM (FR-4391)**

**Priority:** Routine and Frequent

**Legal Authority:** 12 USC 1735e; 42 USC 3535(d)

**CFR Citation:** 24 CFR 200

**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	11/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and

Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502

**RIN:** 2502-AH28

**1423. ● UNIFORM PHYSICAL CONDITIONS AND PHYSICAL INSPECTION REQUIREMENTS FOR CERTAIN HUD MULTIFAMILY HOUSING; ADMINISTRATIVE PROCESS FOR ASSESSMENT OF INSURED AND ASSISTED PROPERTIES (FR-4452)**

**Regulatory Plan:** This entry is Seq. No. 50 in Part II of this issue of the **Federal Register**.

**RIN:** 2502-AH44

## HUD—OH

## Proposed Rule Stage

**1424. 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	12/00/99	

**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**1425. • MORTGAGEE APPROVAL FOR SINGLE FAMILY PROGRAMS - PROCEDURES FOR TERMINATING ORIGINATION APPROVAL AGREEMENTS AND PLACEMENT IN CREDIT WATCH STATUS (FR-4492)****Priority:** Other Significant**Legal Authority:** 12 USC 1703; 12 USC 1709; 12 USC 1715b; 42 USC 3535(d)**CFR Citation:** 24 CFR 202**Legal Deadline:** None**Abstract:** This rule would permit HUD/FHA to systematically review

mortgagees' early default and claim rates and place mortgagees with loan originations that show an excessive default and claim rate during the initial 24 months from endorsement on Credit Watch status or, in more severe cases, terminate mortgagees' loan origination approval authority.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Phillip Murray, Director, Office of Lender Activities and Program Compliance, Department of Housing and Urban Development, Office of Housing Phone: 202 708-1515**RIN:** 2502-AH42**1426. 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	12/00/99	

**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**1427. 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	12/00/99	

**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**1428. • LIMITATION ON DISTRIBUTIONS (FR-4532)****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)**CFR Citation:** 24 CFR 221; 24 CFR 236; 24 CFR 880; 24 CFR 881; 24 CFR 883**Legal Deadline:** None

**Abstract:** Section 524(a)(1) of the Multifamily Housing Reform and Affordability Act of 1997 (MAHRA) allows for the renewal of expiring Section 8 contracts at levels that do not exceed comparable rents for the local area. In June 1999 HUD implemented an Emergency Initiative which grants rent increases to certain project owners of limited distribution projects who are eligible for, and decide to participate in, the Emergency Initiative.

## HUD—OH

## Proposed Rule Stage

Current regulatory provisions limit the owner's distribution to a certain percent of interest on the owner's equity investment. Limited waivers are now being granted by the Department based on the requirements in Notice H-99-15, which provides guidance on the Emergency Initiative. This rule establishes regulations to address this issue on a long term basis.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Federal

**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-AH46

#### 1429. 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	02/00/00	

**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

#### 1430. 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	01/00/00	

**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

#### 1431. 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	02/00/00	

**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

#### 1432. 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 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

HUD—OH

Proposed Rule Stage

Secretary. This new process would supplement the current process for approving alternative construction methods.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502  
**RIN:** 2502-AG92

Department of Housing and Urban Development (HUD)  
Office of Housing (OH)

Final Rule Stage

**1433. 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	

Action	Date	FR Cite
Interim Final Rule	08/01/97	
Comment Period End		
Final Action	12/00/99	

**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-AG87

**1434. USE OF MATERIALS BULLETINS (FR-4265)**

**Priority:** Routine and Frequent

**Legal Authority:** 12 USC 1701 to 1735e; 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 Materials Bulletins (UMs). UMs are issued to establish a generic level of acceptability for an individual product or system, or a group of similar products or systems. UMs supersede 3 or more Material Releases (MRs) for generally similar products.

**Timetable:**

Action	Date	FR Cite
NPRM	02/10/98	63 FR 6798
NPRM Comment Period End	04/13/98	
Final Action	01/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and

Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502

**RIN:** 2502-AH02

**1435. 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

**Abstract:** The Energy Policy Act of 1992 (EPAct) 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	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502

**RIN:** 2502-AH03

## HUD—OH

## Final Rule Stage

**1436. SINGLE FAMILY MORTGAGE INSURANCE; APPRAISER ROSTER PLACEMENT 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 rule codifies the current placement procedures for 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 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. The rule takes into consideration public comment received on the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	07/02/99	64 FR 36216
End NPRM Comment Period	08/02/99	
Final Action	11/00/99	

**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**1437. 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)**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	12/00/99	

**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**1438. 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 permit HUD 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

Action	Date	FR Cite
NPRM Comment Period End	07/06/98	
Final Action	01/00/00	

**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**1439. SINGLE FAMILY MORTGAGE INSURANCE; DIRECT ENDORSEMENT AND AUTOMATED UNDERWRITING (FR-4311)****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:** 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 Direct Endorsement underwriter to certify that the underwriter had personally reviewed the credit application and appraisal report. This rule makes final the interim rule.

**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	01/00/00	

**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

## HUD—OH

## Final Rule Stage

Phone: 202 708-2700

RIN: 2502-AH15

**1440. SOURCES OF HOMEBUYER DOWNPAYMENT (FR-4469)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1709**CFR Citation:** 24 CFR 203**Legal Deadline:** None

**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	09/14/99	64 FR 49956
End NPRM Comment Period	11/15/99	
Final Action	03/00/00	

**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

**1441. 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	12/00/99	

**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

**1442. HOME EQUITY CONVERSION MORTGAGES; RIGHT OF FIRST REFUSAL PERMITTED FOR CONDOMINIUM ASSOCIATIONS (FR-4267)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1715z-20; 42 USC 3535(d)**CFR Citation:** 24 CFR 206**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. This rule takes into consideration public comment received on the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	04/09/98	63 FR 17654

Action	Date	FR Cite
NPRM Comment Period End	06/08/98	
Final Action	11/00/99	

**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-AG93

**1443. 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
Interim Final Rule	12/00/99	

**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

**1444. 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 rule amends HUD's regulations for tenant participation in multifamily housing projects.

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## Final Rule Stage

Specifically, the rule expands the number of categories of multifamily housing projects in which tenants have the right to establish and operate tenant organizations. The rule clarifies 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 rule would also clarify the requirements for establishing and operating a tenant organization. The rule takes into consideration public comment received on the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	06/17/99	64 FR 32782
End ANPRM Comment Period	08/16/99	
Final Action	12/00/99	

**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

#### 1445. 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 rule codifies 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. The rule takes into consideration the public comment received on the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/99	64 FR 38284

Action	Date	FR Cite
End NPRM Comment Period	09/13/99	
Final Action	01/00/00	

**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-AH12

#### 1446. 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	07/02/99	64 FR 36210
Interim Final Rule Effective	08/02/99	
Interim Final Rule Comment Period End	08/31/99	
Final Action	12/00/99	

**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-AH37

#### 1447. 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
Interim Final Rule	12/00/99	

**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

#### 1448. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (FR-4376)

**Priority:** Substantive, Nonsignificant

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

HUD—OH

Final Rule Stage

**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	02/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502

**RIN:** 2502-AH23

**1449. • FEDERAL MANUFACTURED HOUSING PROGRAM; DEFINITION OF MANUFACTURED HOME (FR-4508)**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 24 CFR 3280; 24 CFR 3282

**Legal Deadline:** None

**Abstract:** This final rule amends HUD's regulations for the program operated under the National Manufactured Housing Construction and Safety Standards Act of 1974, to conform the definition of "manufactured home" to the statutory definition, as recently amended. The amendment removes self-propelled recreational vehicles from the definition of "manufactured home." Conforming changes are also made in the definition of "recreational vehicle" in part 3282.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502

**RIN:** 2502-AH43

**1450. 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	

Action	Date	FR Cite
NPRM	10/16/97	62 FR 53912
NPRM Comment Period End	12/15/97	
Final Action	04/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** None

**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502

**RIN:** 2502-AG40

**1451. 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:** This rule implements two amendments to RESPA contained in the Economic Growth and Regulatory Paperwork Reduction Act of 1996. One concerns referrals of settlement service business through telemarketing, in writing, or through electronic media. The other concerns mortgage servicing sales or transfers. The rule also concerns an exemption that would allow payments by an employer to its own bona fide employees for the referral of settlement service business.

**Timetable:**

Action	Date	FR Cite
NPRM	05/09/97	62 FR 25740
NPRM Comment Period End	07/08/97	
Final Action	01/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502

**RIN:** 2502-AG88

HUD—OH

Final Rule Stage

**1452. 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:** This statement of policy sets 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	02/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Rebecca Holtz, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing  
Phone: 202 708-0502**RIN:** 2502-AH19**Department of Housing and Urban Development (HUD)  
Office of Housing (OH)**

Completed Actions

**1453. SINGLE FAMILY MORTGAGE INSURANCE CLARIFICATION OF FLOODPLAIN REQUIREMENTS APPLICABLE TO NEW CONSTRUCTION (FR-4323)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 200; 24 CFR 203; 24 CFR 234**Completed:**

Reason	Date	FR Cite
NPRM	04/30/99	64 FR 23480
End NPRM Comment Period	06/29/99	
Final Action	10/15/99	64 FR 56108
Final Action Effective	11/15/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Mark W. Holman  
Phone: 202 708-2121**RIN:** 2502-AH16**1454. BUILDER WARRANTY FOR HIGH RATIO SINGLE FAMILY MORTGAGES (FR-4288)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 203**Completed:**

Reason	Date	FR Cite
Withdrawn	04/23/99	64 FR 19885
Interim Final Rule Effective	04/27/99	64 FR 14572

Reason	Date	FR Cite
Interim Final Rule Comment Period End	05/24/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Vance Morris  
Phone: 202 708-2700**RIN:** 2502-AH08**1455. SINGLE FAMILY MORTGAGE INSURANCE INFORMED CONSUMER CHOICE DISCLOSURE (FR-4411)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 203**Completed:**

Reason	Date	FR Cite
Final Action	06/02/99	64 FR 29758
Final Action Effective	07/02/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Vance Morris  
Phone: 202 708-2700**RIN:** 2502-AH30**1456. RISK-SHARING HOSPITAL MORTGAGE INSURANCE PROGRAM (FR-3914)****Priority:** Other Significant**CFR Citation:** 24 CFR 242**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Donald Kaplan  
Phone: 202 708-0599**RIN:** 2502-AG53**1457. REAL ESTATE PROCEDURES SETTLEMENT ACT (RESPA): ESCROW ACCOUNT STATEMENT ITEMIZATION OF CHARGES (FR-4390)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 3500**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None**Agency Contact:** Rebecca Holtz  
Phone: 202 708-0502**RIN:** 2502-AH26

Department of Housing and Urban Development (HUD)  
Office of Community Planning and Development (CPD)

Proposed Rule Stage

**1458. CDBG SLUM/BLIGHT NATIONAL OBJECTIVE RULE (FR-4487)**

**Priority:** Other Significant

**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 CDBG recipients' flexibility to undertake activities that 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, in accordance with recent statutory changes.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/00	

**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-AB94

**1459. 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 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	02/00/00	

**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

**1460. 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	03/00/00	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Agency Contact:** Yvette Aidara, CPD Specialist, State and Small Cities Division, Department of Housing and

Urban Development, Office of Community Planning and Development  
Phone: 202 708-1322

**RIN:** 2506-AB83

**1461. 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	07/19/99	64 FR 38812

## HUD—CPD

## Final Rule Stage

Action	Date	FR Cite
Interim Final Rule Effective	08/18/99	
Interim Final Rule Comment Period End	09/17/99	
Final Action	12/00/99	

**Regulatory Flexibility Analysis**

Required: No

**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** Local**Agency Contact:** Sue Miller, Entitlement Communities Division, Department of Housing and Urban Development, Office of Community Planning and Development

Phone: 202 708-1577

RIN: 2506-AC00

**1462. 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	12/00/99	

**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)

## Long-Term Actions

## Office of Community Planning and Development (CPD)

**1463. 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:** 24 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)

## Completed Actions

## Office of Community Planning and Development (CPD)

**1464. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; SECTION 108 APPLICATION REQUIREMENTS (FR-3298)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 570**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Paul Webster Phone: 202 708-1871

RIN: 2506-AB43

**1465. SECTION 108 LOAN GUARANTEE PROGRAM (FR-4039)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 570**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Paul Webster Phone: 202 708-1871

RIN: 2506-AB80

**1466. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS FOR STATES; PROGRAM INCOME (FR-4067)****Priority:** Other Significant**CFR Citation:** 24 CFR 570**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

**Regulatory Flexibility Analysis**

Required: No

**Government Levels Affected:** None**Agency Contact:** Yvette Aidara Phone: 202 708-1322

RIN: 2506-AB82

HUD—CPD

Completed Actions

**1467. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; NATIONAL OBJECTIVE AND STREAMLINING CHANGES (FR-4144)**

Priority: Other Significant

CFR Citation: 24 CFR 570

Completed:

Reason	Date	FR Cite
Withdrawn	08/30/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sue Miller

Phone: 202 708-1577

RIN: 2506-AB90

**1468. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: PROHIBITION ON USE OF ASSISTANCE FOR EMPLOYMENT RELOCATION ACTIVITIES (FR-4468)**

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 570

Completed:

Reason	Date	FR Cite
Withdrawn	08/30/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sue Miller

Phone: 202 708-1577

RIN: 2506-AC01

**1469. • COMMUNITY DEVELOPMENT BLOCK GRANT BROWNFIELDS (FR-4260)**

Priority: Other Significant

Legal Authority: PL 105-769

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule allows States and entitlement communities to use funds allocated under the community development block grant program under title I of the Housing and Community Development Act of 1974

for environmental cleanup and economic development activities related to Brownfields projects in conjunction with the appropriate environmental regulatory agencies.

Timetable:

Action	Date	FR Cite
Merged With RIN	09/01/99	
2506-AB94		

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:

Undetermined

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-AC03

Department of Housing and Urban Development (HUD)

Proposed Rule Stage

Government National Mortgage Association (GNMA)

**1470. 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	12/00/99	

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)

Final Rule Stage

Government National Mortgage Association (GNMA)

**1471. • ELIMINATION OF PHYSICAL CERTIFICATE FOR ISSUED SECURITIES (FR-4533)**

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 300

Legal Deadline: None

Abstract: Ginnie Mae is considering eliminating physical certificates for

securities that are already issued. This regulation would benefit investors who hold their securities in book entry form and pay to have their physical securities stored.

Timetable:

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

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 2503-AA14

**Department of Housing and Urban Development (HUD)**  
**Government National Mortgage Association (GNMA)**

Completed Actions

**1472. GINNIE MAE—FINANCIAL REPORTING (FR-4331)**

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 320

**Completed:**

Reason	Date	FR Cite
Final Action	06/24/99	64 FR 34106
Final Action Effective	07/26/99	

**Regulatory Flexibility Analysis Required:** No

Government Levels Affected: None

**Agency Contact:** Thomas R. Weakland  
 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

**1473. 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	02/00/00	

**Regulatory Flexibility Analysis Required:** No

Small Entities Affected: No

Government Levels Affected: None

**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

**1474. 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 proposed rule was initially published in the Federal Register on 10/28/98, and was later withdrawn from further consideration pending consultation with affected parties. HUD will consult with affected parties and reissue the proposed rule based on those consultations. 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 clearer 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	03/00/00	

**Regulatory Flexibility Analysis Required:** No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** Sue Miller, Acting Director, Entitlement Communities Division, Department of Housing and Urban Development, Office of Community Planning and Development  
 Phone: 202 708-1577

RIN: 2529-AA81

**1475. 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.

HUD—FHEO

Final Rule Stage

**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	06/30/96	
Final Action	12/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Federal, State, Local

**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

**1476. 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 final rule adopts revisions to HUD's regulations governing hearing procedures for civil rights matters made effective by an interim rule published on February 10, 1999. These revisions implement two important changes in the way civil penalties are assessed in fair housing cases. First, they allow an administrative law judge (ALJ) to assess a separate civil penalty against a respondent for each separate and distinct discriminatory housing practice committed by the respondent. Second, they require an ALJ to take into account, in favor of imposing a maximum civil penalty, a finding that a respondent has committed a housing-related hate act. This final rule takes

into consideration public comments received on the February 10, 1999 interim rule. After careful consideration of public comments, HUD has decided to adopt the interim rule without change.

**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	12/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Harry Cary, Office of Associate General Counsel for Fair Housing, Department of Housing and Urban Development, Office of the General Counsel  
Phone: 202 708-0570

**RIN:** 2529-AA83

Department of Housing and Urban Development (HUD)

Completed Actions

Office of Fair Housing and Equal Opportunity (FHEO)

**1477. FAIR HOUSING COMPLAINT PROCESSING—PLAIN LANGUAGE REVISION AND REORGANIZATION (FR-4433)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 24 CFR 103

**Completed:**

Reason	Date	FR Cite
Interim Final Rule	04/14/99	64 FR 18538
Interim Final Rule Effective	05/14/99	
Interim Final Rule Comment Period End	06/14/99	
Final Action	08/27/99	64 FR 46843
Final Action Effective	09/27/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Agency Contact:** Peter Kaplan  
Phone: 202 708-2904

**RIN:** 2529-AA86

**1478. • COMPLIANCE PROCEDURES FOR AFFIRMATIVE FAIR HOUSING MARKETING; NOMENCLATURE CHANGES (FR-4514)**

**Priority:** Info./Admin./Other

**Legal Authority:** 42 USC 3535(d)

**CFR Citation:** 24 CFR 108

**Legal Deadline:** None

**Abstract:** This final rule implements a nomenclature change in HUD's regulations that cover compliance procedures for affirmative fair housing marketing located at 24 CFR part 108. As a result of internal HUD organizational changes, the offices referred to in these regulations no longer exist as they did when the regulations were first issued. This final rule updates these references. This final rule also incorporates language that all correspondence that could lead to an enforcement action against a small entity (such as audits, investigations, or

compliance reviews) will notify the small entity of its right to comment to the National Small Business Ombudsman. This requirement is added in accordance with the Small Business Regulatory Enforcement Fairness Act.

**Timetable:**

Action	Date	FR Cite
Final Action	08/12/99	64 FR 44094
Final Action Effective	09/13/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Pamela Walsh, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity  
Phone: 202 708-2288

**RIN:** 2529-AA87

**Department of Housing and Urban Development (HUD)  
Office of Administration (OA)**

Final Rule Stage

**1479. 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 implements 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	08/23/99	64 FR 46092
Interim Final Rule Effective	09/22/99	
Interim Final Rule Comment Period End	10/22/99	
Final Action	01/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** 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

**1480. 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	08/23/99	64 FR 46104
End NPRM Comment Period	10/22/99	
Final Action	01/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Procurement:** This is a procurement-related action for which there is a 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 Public and Indian Housing (PIH)**

Prerule Stage

**1481. • HUD POLICY FOR THE  
ADMINISTRATION OF HUD  
PROGRAMS ON INDIAN  
RESERVATIONS AND OTHER INDIAN  
AREAS (FR-4490)**

**Priority:** Other Significant

**Legal Authority:** 25 USC 4101 et seq; EO 13084

**CFR Citation:** 24 CFR 1000

**Legal Deadline:** None

**Abstract:** This notice sets forth HUD's policy for ensuring regular and meaningful consultation and collaboration with Indian tribal governments in the administration of HUD programs on Indian reservations and other Indian areas. The notice

implements Executive Order 13084, Consultation and Coordination with Indian Tribal Governments, issued by President Clinton on May 14, 1998 (63 FR 27655, May 19, 1998). In formulating policies that significantly or uniquely affect Indian tribal governments, HUD will adhere to the principles of respect, Indian tribal self-government, sovereignty, tribal legal rights, and the responsibilities that arise from the legal relationship that exists between the Federal government and Indian tribal governments. As provided in the notice, HUD will make all reasonable efforts to take into consideration and apply these principals when policy decisions are

made affecting Native American communities.

**Timetable:**

Action	Date	FR Cite
Notice	11/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Ed Fagan, Office of Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-7914

**RIN:** 2577-AC06

Department of Housing and Urban Development (HUD)  
Office of Public and Indian Housing (PIH)

Proposed Rule Stage

**1482. ● HOPE VI PROGRAM (FR-4530)**

**Regulatory Plan:** This entry is Seq. No. 53 in Part II of this issue of the **Federal Register**.

**RIN:** 2577-AC17

**1483. 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	02/00/00	

**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

**1484. 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)

**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	01/00/00	

**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

**1485. OPERATING FUND ALLOCATION FORMULA (FR-4425)**

**Regulatory Plan:** This entry is Seq. No. 51 in Part II of this issue of the **Federal Register**.

**RIN:** 2577-AB88

**1486. ● PUBLIC HOUSING CAPITAL PROGRAM (FR-4507)**

**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 1437b; 42 USC 1437c; 42 USC 1437g; 42 USC 3535(d)

**CFR Citation:** 24 CFR 905; 24 CFR 941; 24 CFR 968; 24 CFR 969

**Legal Deadline:** None

**Abstract:** This rulemaking would be a combination of the old Comprehensive Grant Program/CIAP portions of 24 CFR part 968 and the public housing development program 24 CFR part 941, subparts A through E (RIB 2577-AB37). This rule would implement the requirements for the use of assistance made available under the Capital Fund formula, establishing the Capital Fund Program (CFP) at 24 CFR part 905. Assistance under the CFP is the primary, regular source of funding made available by HUD to a PHA for its capital activities, basically the production and maintenance of low-income housing.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

**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-AC16

**1487. ● PUBLIC HOUSING DEVELOPMENT TOTAL DEVELOPMENT COST (TDC) (FR-4489)**

**Priority:** Other Significant

**Legal Authority:** 42 USC 1437(b); 42 USC 1437c; 42 USC 1437g; 43 USC 3535(d)

**CFR Citation:** 24 CFR 941

**Legal Deadline:** None

**Abstract:** This proposed rule would amend HUD's regulations governing Total Development Cost (TDC) for the development of public housing. The amendments would implement recent changes made to the statutory TDC requirements. Among other changes, this proposed rule would limit the amount of public housing funds that a public housing agency may use to pay for housing construction costs. The rule would also provide that demolition and environmental hazard remediation costs are included in TDC only to the extent that such costs are associated with the replacement of public housing units on the project site.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Elinor Bacon, Deputy Assistant Secretary for Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812

**RIN:** 2577-AC05

## HUD—PIH

## Proposed Rule Stage

**1488. • MIXED-FINANCED PUBLIC HOUSING DEVELOPMENT (FR-4499)****Priority:** Other Significant**Legal Authority:** 42 USC 1437z-7; 42 USC 3535**CFR Citation:** 24 CFR 941**Legal Deadline:** None

**Abstract:** This proposed rule would implement section 35 of the United States Housing Act, as enacted on October 21, 1998. It would revise the program of mixed-finance public housing development, which involves financial assistance from private sources. It would permit the use of a HUD grant, loan, guarantee or other form of investment in a mixed-finance project, using funds from the Capital Fund or the Operating Fund, as appropriate.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined

**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** David Sowell, Senior Advisor, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812

**RIN:** 2577-AC09**1489. 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	12/00/99	

**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**1490. • RESIDENT OPPORTUNITIES AND SUPPORTIVE SERVICES (FR-4525)**

**Regulatory Plan:** This entry is Seq. No. 52 in Part II of this issue of the **Federal Register**.

**RIN:** 2577-AC07**1491. • DIRECT FUNDING OF PUBLIC HOUSING RESIDENT MANAGEMENT CORPORATIONS (FR-4501)****Priority:** Other Significant**Legal Authority:** 42 USC 1437d; 42 USC 1437g; 42 USC 1437r; 42 USC 3535(d)**CFR Citation:** 24 CFR 964**Legal Deadline:** None

**Abstract:** This proposed rule revises HUD's regulations regarding resident participation and resident opportunities in public housing. Specifically, the rule would make conforming amendments to the HUD regulations to reflect recent statutory changes made by the Quality Housing and Work Responsibility Act of 1998. The proposed rule provides that a resident management corporation (RMC) may receive capital and operating funds from HUD if the RMC has primary management responsibility for the public housing project and HUD determines that the RMC has the capacity to effectively discharge such responsibility.

**Timetable:**

Action	Date	FR Cite
NPRM	10/21/99	64 FR 56890
NPRM Comment Period End	12/20/99	
Final Action	02/00/00	

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

**Agency Contact:** Paula Blunt, Director, Customer Services and Amenities Division, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 619-8201

**RIN:** 2577-AC12**1492. • DEMOLITION AND DISPOSITION OF PUBLIC HOUSING (FR-4500)****Priority:** Other Significant**Legal Authority:** 42 USC 1437t; 42 USC 1437v; 42 USC 3535(d)**CFR Citation:** 24 CFR 970**Legal Deadline:** None

**Abstract:** This proposed rule will implement changes made to sections 18 and 24 of the United States Housing Act of 1937 by the Quality Housing and Work Opportunity Act of 1998. Among those changes are that before demolishing public housing units the PHA must now consult with the local government and must provide a HUD-prescribed certification. In addition, demolition of public housing units can be approved under a HOPE VI revitalization plan instead of under the authority of these regulations. The requirement that residents must be offered an opportunity to buy their units is now applicable only to planned disposition, not to planned demolition. The right of tenants to organize in order to purchase their units after the decision has been made to dispose of the units, which was not required by statute, may be discontinued.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/99	

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

HUD—PIH

Proposed Rule Stage

**Agency Contact:** Elinor Bacon, Deputy Assistant Secretary for Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812  
**RIN:** 2577-AC11

**1493. 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 four 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; for deconcentration of assisted families; and for timely response to inspection requests.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/00	

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

**Agency Contact:** Gerald Benoit, Director, Real Estate Performance and Housing Division, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 708-0477  
**RIN:** 2577-AB83

**1494. • REVISION TO CONSTRUCTION COST LIMITS FOR NATIVE AMERICAN HOUSING (FR-4517)**

**Priority:** Substantive, Nonsignificant  
**Legal Authority:** 25 USC 4101 et seq; 42 USC 3535(d)  
**CFR Citation:** 24 CFR 1000  
**Legal Deadline:** None

**Abstract:** This rule revises the way construction costs are controlled in the Indian Housing Block Grant (IHBG) program administered by IHBG grantees, who are Indian Tribes or their Tribally Designated Housing Entities (TDHEs). It would replace the system of HUD-established Dwelling Construction and Equipment costs with a choice between HUD-established Total Development Costs (TDC) or

standards established by the TDHE based on standards in its geographic area. This rule also would provide that the construction, acquisition, or assistance of non-dwelling buildings is subject either to standards established by the TDHE or documentation of comparability to the size, design and amenities of similar buildings constructed in the geographic area.

When tribes began using Dwelling Construction Equipment Costs in place of TDC in accordance with the program changes implemented after enactment of the Native American Housing Assistance and Self-Determination Act, they discovered that the new limits were inadequate. This rule provides an alternative.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** Tribal  
**Agency Contact:** Justina Walls, Native American Program Specialist, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 303 675-1600  
**RIN:** 2577-AC14

Department of Housing and Urban Development (HUD)  
Office of Public and Indian Housing (PIH)

Final Rule Stage

**1495. 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 rule amends 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. The final takes into consideration public comment received on the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	06/23/99	64 FR 33640

Action	Date	FR Cite
End NPRM Comment Period	08/23/99	
Final Action	12/00/99	

**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:** 2577-AB94

HUD—PIH

Final Rule Stage

**1496. 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.

**Timetable:**

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

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

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

**RIN:** 2577-AC03**1497. 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	10/04/99	64 FR 53868
Interim Final Rule Comment Period End	12/02/99	
Interim Final Rule Effective Date	11/03/99	
Final Action	01/00/00	

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

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

**RIN:** 2577-AB98**1498. • PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS); AMENDMENTS TO THE PHAS (FR-4497)****Priority:** Other Significant**Legal Authority:** 42 USC 1437d(j); 42 USC 3535(d)**CFR Citation:** 24 CFR 902**Legal Deadline:** None

**Abstract:** This rule will delineate the standards by which a housing authority's performance will be assessed under all four components of the Public Housing Assessment System. In addition, it will implement statutory changes made by the Quality Housing and Work Responsibility Act of 1998.

**Timetable:**

Action	Date	FR Cite
NPRM	06/22/99	64 FR 33348
End NPRM Comment Period	08/23/99	
Final Action	01/00/00	

**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:** 2577-AC08**1499. CAPITAL FUND ALLOCATION FORMULA (FR-4423)**

**Regulatory Plan:** This entry is Seq. No. 54 in Part II of this issue of the **Federal Register**.

**RIN:** 2577-AB87**1500. CONSORTIA OF PUBLIC HOUSING AGENCIES AND JOINT VENTURE (FR-4474)****Priority:** Other Significant**Legal Authority:** 42 USC 1437k**CFR Citation:** 24 CFR 943**Legal Deadline:** None

**Abstract:** This rule will implement a new statutory provision specifically authorizing public housing agencies (PHAs) to administer any or all of their housing programs through a consortium of PHAs. It also authorizes PHAs to use subsidiaries, joint ventures, partnerships or other business arrangements to administer its housing programs or to provide supportive or social services. The rule specifies minimum requirements relating to formation and operation of consortium and minimum contents of consortium agreements, as required by the statute.

**Timetable:**

Action	Date	FR Cite
NPRM	09/14/99	64 FR 49940
End NPRM Comment Period	11/15/99	
Final Action	12/00/99	

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

**Agency Contact:** Stephen Holmquist, Program Development Advisor, 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-AC00

## HUD—PIH

## Final Rule Stage

**1501. VOLUNTARY CONVERSION OF PUBLIC HOUSING TO VOUCHERS (TENANT-BASED ASSISTANCE) (FR-4476)****Priority:** Other Significant**Legal Authority:** 42 USC 1437t; 42 USC 1437z-5; 42 USC 3535(d)**CFR Citation:** 24 CFR 972**Legal Deadline:** Final, Statutory, October 1, 1999.

**Abstract:** This rule implements a recent revision to the statute authorizing the public housing and Section 8 housing assistance programs to allow a Public Housing Agency (PHA) to convert any public housing project it owns to tenant-based assistance where the conversion would satisfy statutory objectives. If, after conducting a conversion assessment, the PHA determines that the following conditions are met, it may convert the project: Conversion will not be more expensive than continued operation of the project conversion will benefit residents and the community; and conversion will not adversely affect the availability of affordable housing in the community. The statute requires every PHA to conduct and submit to HUD a conversion assessment for its projects no later than October 1, 2001. However, HUD has the authority to exclude developments from the assessment requirement, or to streamline the conversion assessment requirements, and this rule does include streamlining for specified categories of developments.

**Timetable:**

Action	Date	FR Cite
NPRM	07/23/99	64 FR 40240
End NPRM Comment Period	09/21/99	
Final Action	02/00/00	

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

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

**RIN:** 2577-AC02**1502. 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, October 1, 1999.

**Abstract:** This rule implements a recent revision to the statute that authorizes the public housing and Section 8 housing assistance programs. The revision requires Public Housing Agencies (PHAs) to identify distressed public housing developments that must be converted to tenant-based assistance. If it would be more expensive to modernize and operate a distressed development for its remaining useful life than to provide tenant-based assistance to all residents, or the PHA cannot assure the long-term viability of a distressed development, then it must develop and carry out a five-year plan to remove the development from its public housing inventory, and convert it to tenant-based assistance.

**Timetable:**

Action	Date	FR Cite
NPRM	07/23/99	64 FR 40232
End NPRM Comment Period	09/21/99	
Final Action	02/00/00	

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

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

**RIN:** 2577-AC01**1503. 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:** Final, Statutory, October 21, 1999.

**Abstract:** This 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	04/30/99	64 FR 23488
End NPRM Comment Period	06/29/99	
Final Action	02/00/00	

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

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

**RIN:** 2577-AB90**1504. • TECHNICAL AMENDMENT TO THE SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) (FR-4498)****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:** This rule makes final an interim rule that amended the Section 8 Management Assessment Program (SEMAP) regulations to incorporate technical revisions recommended by OMB to conform to requirements under the Single Audit Act Amendments of 1996. This final rule will take into consideration public comment received on the interim rule.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/26/99	64 FR 40496
Interim Final Rule Effective	08/25/99	
Interim Final Rule Comment Period End	09/24/99	
Final Action	12/00/99	

## HUD—PIH

## Final Rule Stage

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

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

**RIN:** 2577-AC10**1505. 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	01/00/00	

**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)  
Office of Public and Indian Housing (PIH)**

## Completed Actions

**1506. ADMINISTRATIVE GUIDELINES FOR PIH REGARDING SECTION 102(D) LIMITATIONS ON COMBINING OTHER GOVERNMENT ASSISTANCE ("SUBSIDY LAYERING") (FR-3100)****Priority:** Other Significant**CFR Citation:** 24 CFR 000**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

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

**Agency Contact:** Susan Wilson  
Phone: 202 708-0614

**RIN:** 2577-AB53

Phone: 202 708-1197

**RIN:** 2577-AB95**1508. 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**CFR Citation:** 24 CFR 882; 24 CFR 982**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

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

**Agency Contact:** Gerald Benoit  
Phone: 202 708-0477

**RIN:** 2577-AB72

Phone: 202 708-0477

**RIN:** 2577-AB99**1510. PUBLIC HOUSING AGENCY PLAN (FR-4420)****Priority:** Other Significant**CFR Citation:** 24 CFR 903**Completed:**

Reason	Date	FR Cite
Interim Final Rule	04/19/99	64 FR 8170
Comment Period End		
Final Rule	09/21/99	64 FR 51045
Final Action	10/21/99	64 FR 56844
Final Action Effective	11/22/99	

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

**Agency Contact:** Rod J. Solomon  
Phone: 202 708-0713

**RIN:** 2577-AB89**1507. PUBLIC HOUSING DRUG ELIMINATION PROGRAM — FORMULA ALLOCATION (FR-4451)****Priority:** Other Significant**CFR Citation:** 24 CFR 761**Completed:**

Reason	Date	FR Cite
NPRM	05/12/99	64 FR 25736
End NPRM Comment Period	07/12/99	
Final Action	09/14/99	64 FR 49900
Final Action Effective	10/14/99	

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

**Agency Contact:** Sonia Burgos

**1509. MODERATE REHABILITATION COMPARABILITY (FR-4473)****Priority:** Other Significant**CFR Citation:** 24 CFR 882**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

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

**Agency Contact:** Gerald Benoit

**1511. • PUBLIC HOUSING HOMEOWNERSHIP PROGRAMS (FR-4504)****Priority:** Other Significant

**Legal Authority:** PL 105-276, sec 536;  
42 USC 3535(d)

**CFR Citation:** 24 CFR 906**Legal Deadline:** None

**Abstract:** This rule would set forth the requirements and procedures governing a new statutory homeownership program to be administered by public housing agencies (PHAs). Under this

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rule, a PHA may make public housing dwelling units, public housing projects, and other housing projects available for purchase by low-income families as their principal residence.

**Timetable:**

Action	Date	FR Cite
NPRM	09/14/99	64 FR 49932
End NPRM Comment Period	11/15/99	
Final Action	12/00/99	

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

**Agency Contact:** David Sowell, Senior Advisor, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing  
Phone: 202 401-8812

RIN: 2577-AC15

**1512. PUBLIC HOUSING DEVELOPMENT REGULATIONS (FR-3569)**

Priority: Other Significant

CFR Citation: 24 CFR 941

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/26/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

**Agency Contact:** William Flood  
Phone: 202 708-1640

RIN: 2577-AB37

**1513. PUBLIC HOUSING MIXED-FINANCE PARTNERSHIP DEVELOPMENT—STREAMLINING (FR-4113)**

Priority: Other Significant

CFR Citation: 24 CFR 941

**Completed:**

Reason	Date	FR Cite
Merged With RIN 2577-AC09 (FR-4499)	10/07/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

**Agency Contact:** David Sowell  
Phone: 202 401-8812

RIN: 2577-AB69

**1514. PUBLIC HOUSING ADMISSION AND OCCUPANCY REFORMS AND STREAMLINING (FR-4084)**

Priority: Other Significant

CFR Citation: 24 CFR 960; 24 CFR 966

**Completed:**

Reason	Date	FR Cite
Merged With RIN 2501-AC63 (FR-4485)	08/26/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

**Agency Contact:** Patricia Arnaudo  
Phone: 202 708-0744

RIN: 2577-AB67

**1515. PUBLIC HOUSING AGENCY ORGANIZATION; REQUIRED RESIDENT MEMBERSHIP ON BOARD OF DIRECTORS OR SIMILAR GOVERNING BODY (FR-4502)**

Priority: Other Significant

**Legal Authority:** 42 USC 1437; 42 USC 1437d; 42 USC 1437g; 42 USC 1437i ; 42 USC 1437r; 42 USC 1437t; 42 USC 3535(d)

CFR Citation: 24 CFR 964

**Legal Deadline:** None

**Abstract:** On June 23, 1999 (64 FR 33644), HUD published a proposed rule to implement section 2(b) of the United States Housing Act of 1937. Section 2(b) was added by section 505 of the Quality Housing and Work Responsibility Act of 1998. Section 2(b) requires, with certain exceptions, that the membership of the board of directors or similar governing body of a public housing agency (PHA) must contain not less than one member who is directly assisted by the PHA. This final rule makes effective the policies and procedures set forth in the June 23, 1999 proposed rule, and takes into consideration the public comments received on the proposed rule.

**Timetable:**

Action	Date	FR Cite
NPRM	06/23/99	64 FR 33644
End NPRM Comment Period	08/23/99	
Final Action	10/21/99	64 FR 56878

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 2577-AC13

**1516. FORMULA FUNDING FOR COMPREHENSIVE IMPROVEMENT ASSISTANCE (CIAP) AGENCIES (FR-4462)**

Priority: Other Significant

CFR Citation: 24 CFR 968

**Completed:**

Reason	Date	FR Cite
NPRM	04/30/99	64 FR 23484
End NPRM Comment Period	06/01/99	
Final Action	06/23/99	64 FR 33636
Final Action Effective	07/23/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

**Agency Contact:** William Flood  
Phone: 202 708-1640

RIN: 2577-AB97

**1517. ASSESSMENT OF THE REASONABLE REVITALIZATION POTENTIAL OF CERTAIN PUBLIC HOUSING REQUIRED BY LAW (FR-4120)**

Priority: Other Significant

CFR Citation: 24 CFR 971

**Completed:**

Reason	Date	FR Cite
Withdrawn	08/30/99	

**Regulatory Flexibility Analysis**

Required: No

Government Levels Affected: None

**Agency Contact:** Rod J. Solomon  
Phone: 202 708-0713

RIN: 2577-AB79

**1518. SECTION 8 TENANT BASED ASSISTANCE: STATUTORY MERGER (FR-4428)**

Priority: Other Significant

CFR Citation: 24 CFR 982

## HUD—PIH

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**Completed:**

Reason	Date	FR Cite
Interim Final Rule	05/14/99	64 FR 26632
Interim Final Rule Comment Period End	07/13/99	
Interim Final Rule Effective	08/12/99	
Final Rule	10/21/99	64 FR 56894
Final Action	11/03/99	64 FR 59620
Final Rule Effective	11/22/99	
Final Action Effective	12/03/99	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** None

**Agency Contact:** Gerald Benoit  
Phone: 202 708-0477

**RIN:** 2577-AB91

**1519. SECTION 8 HOUSING  
CERTIFICATE FUND (FR-4459)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 982

**Completed:**

Reason	Date	FR Cite
Final Action	10/21/99	64 FR 56882
Final Action Effective	11/22/99	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** None

**Agency Contact:** Robert Dalzell  
Phone: 202 708-1380

**RIN:** 2577-AB96

**1520. DWELLING CONSTRUCTION  
AND EQUIPMENT COSTS FOR INDIAN  
HOUSING (FR-4478)**

**Priority:** Other Significant

**CFR Citation:** 24 CFR 1000

**Completed:**

Reason	Date	FR Cite
Merged with RIN 2577-AC14 (FR- 4517)	08/25/99	

**Regulatory Flexibility Analysis  
Required:** No

**Government Levels Affected:** None

**Agency Contact:** Bruce Knott  
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**RIN:** 2577-AC04

[FR Doc. 99-23635 Filed 11-19-99; 8:45 am]

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