



Federal Register

**Thursday,
November 30, 2000**

Part IX

**Department of
Housing and Urban
Development**

Semiannual Regulatory Agenda

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
24 CFR Subtitles A and B
Docket No. FR-4577-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 permit 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

HUD

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 2000 agenda to assist the Department in improving its regulatory products and procedures.

Dated: August 31, 2000.

Gail W. Laster,
General Counsel.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1404	24 CFR 1 Joint Agency Rule to Conform Regulatory Definitions Civil Rights Restoration Act (FR-4587)	2501-AC70
1405	24 CFR 5 Determined Adjusted Income in HUD Programs Serving Persons with Disabilities: Requiring Mandatory Deductions for Certain Expenses; and Disallowance for Earned Income (FR-4608) (Reg Plan Seq. No. 58)	2501-AC72
1406	24 CFR 07 Equal Employment Opportunity: Updating EEO Regulations (FR-4607)	2501-AC73
1407	24 CFR 17 Procedures for the Collection of Claims by the Government (FR-4318)	2501-AC48
1408	24 CFR 58 Environmental Review Procedures for Entities Assuming HUD Environmental Responsibility (FR-4523)	2501-AC64
1409	24 CFR 81 Secretary of HUD's Regulation of Fannie Mae and Freddie Mac: Non-Mortgage Investments (FR-4297)	2501-AC41
1410	24 CFR 81 The Secretary of HUD's Regulation of Fannie Mae and Freddie Mac; Prohibiting the Purchase of Certain Loans With High Costs and/or Predatory Features (FR-4614) (Reg Plan Seq. No. 59)	2501-AC76
1411	24 CFR 92 Home Investment Partnerships Program: Homebuyer Assets (FR-4599)	2501-AC71
1412	24 CFR 203 Single Family Mortgage Insurance; Treble Damages for Failure to Engage in Loss Mitigation Activities (FR-4553)	2501-AC66

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
1413	24 CFR 15 Revisions to HUD's Freedom of Information Act (FOIA) Regulations (FR-4292)	2501-AC51
1414	24 CFR 27 Prohibited Purchasers of HUD-Insured and HUD-Owned Multifamily Projects (FR-4583)	2501-AC69
1415	24 CFR 28 Adjustment of HUD's Civil Money Penalties Pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990. (FR-4555)	2501-AC67
1416	24 CFR 30 Amendments to HUD's Civil Money Penalty Regulations (FR-4399)	2501-AC56
1417	24 CFR 40 Nondiscrimination Based on Disability; Multifamily Homeownership Projects (FR-4317)	2501-AC47
1418	24 CFR 55 Floodplain Management and Protection of Wetlands (FR-4142)	2501-AC33
1419	24 CFR 81 Secretary of HUD's Regulation of Fannie Mae and Freddie Mac: Purchase Goals (FR-4494) (Reg Plan Seq. No. 60)	2501-AC60
1420	24 CFR 84 Administrative Requirements for Grantees To Reflect Single Audit Act Amendments (FR-4258)	2501-AC39
1421	24 CFR 84 Adoption of Revisions to OMB Circular A-110 (FR-4573)	2501-AC68
1422	24 CFR 91 Clarifying Amendments to Consolidated Submission for Community Planning and Development Programs (FR-4333)	2501-AC54
1423	24 CFR 91 Consolidated Plan Amendments; Needs of Public Housing and Treatment of Troubled PHAs (FR-4518)	2501-AC62
1424	24 CFR 92 HOME Investment Partnerships Program — Additional Streamlining (FR-4111)	2501-AC30
1425	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

HUD

Office of the Secretary—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1426	24 CFR 200 One-Strike Screening and Eviction for Drug Abuse and Other Criminal Activity (FR-4495)	2501-AC63
1427	24 CFR 888 Fair Market Rents for the Section 8 Tenant-Based Rental Housing and Homeownership Programs; Higher Fair Market Rents for Certain FMRs Areas (FR-4606)	2501-AC75

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

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identification Number
1428	24 CFR 3 Common Rule: Nondiscrimination in Educational Activities (FR-4301)	2501-AC42
1429	24 CFR 24 Limited Denial of Participation — Clarification of Consolidation of Debarment and Suspension Procedures (FR-4505)	2501-AC61
1430	24 CFR 25 Amendments to HUD's Mortgagee Review Board and Civil Money Penalty Regulations (FR-4308)	2501-AC44
1431	24 CFR 30 Initiate Civil Money Penalty Action for Failing to Disclose Lead-Based Paint Hazards (FR-4609)	2501-AC74
1432	24 CFR 905 Tenant Income Verification: Resolving Discrepancies and Enforcement Action (FR-4535)	2501-AC65

Office of Housing—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1433	24 CFR 3500 Real Estate Settlement Procedures Act (RESPA) Statement of Policy 2000-1; Section 8 Prohibition Against Kickbacks and Unearned Fees (FR-4613)	2502-AH56

Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1434	24 CFR 200 Use of Materials Bulletins Used in the HUD Building Products Standards and Certification Program (FR-4391)	2502-AH28
1435	24 CFR 200 Section 236 Rental Assistance — Excess Rental Charges (FR-4603)	2502-AH53
1436	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
1437	24 CFR 203 Single Family Appraisal Assessment (FR-4395)	2502-AH27
1438	24 CFR 203 Single Family Mortgage Insurance; Nonprofit Approval and Removal Procedures (FR-4585)	2502-AH49
1439	24 CFR 203 Single Family Mortgage Insurance; Section 203(k) Consultant Roster Procedures (FR-4592)	2502-AH51
1440	24 CFR 203 Prohibition of Predatory Lending Practices in HUD's Single Family Mortgage Insurance Program (FR-4615) (Reg Plan Seq. No. 61)	2502-AH57
1441	24 CFR 207 Partial Payment of Claims for Health Care Facilities, Hospitals and Group Practice Facilities (FR-4387)	2502-AH25
1442	24 CFR 221 Removal of Section 221(d)(2) Mortgage Insurance Program Regulations (FR-4588)	2502-AH50
1443	24 CFR 245 Tenant Participation in State-Financed, HUD-Assisted Housing Developments (FR-4611)	2502-AH55
1444	24 CFR 270 Use of Federal Surplus Property for Self-Help Housing (FR-4464)	2502-AH34
1445	24 CFR 291 Disposition of HUD-Owned Single Family Assets in Revitalization Areas (FR-4471)	2502-AH40
1446	24 CFR 401 Release of Information to Tenants and Other Parties Pursuant to MAHRA (FR-4531)	2502-AH45
1447	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**.

HUD

Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1448	24 CFR 200 Delegation of Insuring Authority to Direct Endorsement Mortgagees (FR-4169)	2502-AG87
1449	24 CFR 200 Use of Materials Bulletins (FR-4265)	2502-AH02
1450	24 CFR 200 Update of the Model Energy Code (MEC) (FR-4272)	2502-AH03
1451	24 CFR 200 Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing; Administrative Process for Assessment of Insured and Assisted Properties (FR-4452)	2502-AH44
1452	24 CFR 201 Strengthening the Title I Property Improvement and Manufactured Home Loan Insurance Programs and Title I Lender/Title II Mortgagee Approval Requirements (FR-4246)	2502-AG95
1453	24 CFR 202 Credit Watch Initiative—Limitation on Opening New Branches in Lending Area for Lenders in Receipt of Proposed Termination of Origination Approval Agreement (FR-4605)	2502-AH54
1454	24 CFR 203 Mortgage Insurance Premium Reduction in Central Cities (FR-4284)	2502-AH07
1455	24 CFR 203 Sources of Homebuyer Downpayment (FR-4469)	2502-AH38
1456	24 CFR 203 Single Family Claim Reform and Sale of Property (FR-4470)	2502-AH39
1457	24 CFR 236 Rehabilitation Grants for Certain Multifamily Projects (FR-4465)	2502-AH35
1458	24 CFR 402 Renewal of Expiring Section 8 Project-Based Assistance Contract (FR-4551)	2502-AH47
1459	24 CFR 880 Distributions to Nonprofit Owners of Certain HUD-Assisted Multifamily Rental Projects (FR-4602)	2502-AH52
1460	24 CFR 891 Supportive Housing for the Elderly and Persons with Disabilities; Duration of Capital Advance (FR-4466)	2502-AH36
1461	24 CFR 3280 Manufactured Home Construction and Safety Standards (FR-4376)	2502-AH23
1462	24 CFR 3280 Federal Manufactured Housing Program; Definition of Manufactured Home (FR-4508)	2502-AH43
1463	24 CFR 3280 Manufactured Homes Construction and Safety Standards: Smoke Alarms (FR-4552)	2502-AH48
1464	24 CFR 3500 RESPA: Disclosure of Fees Paid to Retail Lenders (Brokers) (FR-3780)	2502-AG40
1465	24 CFR 3500 Amendment to RESPA; Exemption for Employer Payments to Employees Who Make Like-Provider Referrals, and Other Amendments (FR-4173)	2502-AG88
1466	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
1467	24 CFR 200 Single Family Mortgage Insurance; Appraiser Roster Placement and Removal Procedures (FR-4429)	2502-AH29
1468	24 CFR 203 Single Family Mortgage Insurance; Direct Endorsement and Automated Underwriting (FR-4311)	2502-AH15
1469	24 CFR 221 Limitation on Distributions (FR-4532)	2502-AH46
1470	24 CFR 245 Tenant Participation in Multifamily Housing Projects (FR-4403)	2502-AH32
1471	24 CFR 291 Officer Next Door Program (FR-4277)	2502-AH37
1472	24 CFR 880 Section 8 Housing Assistance Payments Programs (New Construction Substantial Rehabilitation, State Housing Agencies and Special Allocations) (FR-4479)	2502-AH41

Office of Community Planning and Development—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1473	24 CFR 570 CDBG Slum/Blight National Objective Rule (FR-4487)	2506-AB94
1474	24 CFR 570 Prohibition on Use of CDBG Assistance for Job-Pirating Activities (FR-4556)	2506-AC04
1475	24 CFR 574 HOPWA Rental Assistance Options and Technical Changes (FR-4467)	2506-AC02
1476	24 CFR 583 Supportive Housing Program (FR-4616)	2506-AC07

Office of Community Planning and Development—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1477	24 CFR 570 CDBG Program for States; Community Revitalization Strategy Requirements and Miscellaneous Technical Amendments (FR-4081)	2506-AB83

HUD

Office of Community Planning and Development—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
1478	24 CFR 570 CDBG Program Regulations on Pre-Award Cost and New Housing Construction (FR-4559)	2506-AC06
1479	24 CFR 583 Supportive Housing Program—Increasing Operating Cost Percentage (FR-4576)	2506-AC05

Government National Mortgage Association—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1480	24 CFR 300.3 Ginnie Mae—Finance—NAHASDA Implementation (FR-4215)	2503-AA11
1481	24 CFR 320 Electronic Payment on Ginnie Mae Guaranteed Securities (FR-4617)	2503-AA15

Government National Mortgage Association—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
1482	24 CFR 300 Elimination of Physical Certificate for Issued Securities (FR-4533)	2503-AA14

Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1483	24 CFR 100 Fair Housing Act Regulations Amendments: Standards Governing Sexual Harassment (FR-4597)	2529-AA89
1484	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
1485	24 CFR 100 Fair Housing Act Regulation; Conforming Amendment; Update To Reflect Current Edition of American National Standards Institute (ANSI) (FR-4554)	2529-AA88
1486	24 CFR 135 Economic Opportunities for Low- and Very-Low-Income Persons (FR-2898)	2529-AA49

Office of the Inspector General—Completed Actions

Sequence Number	Title	Regulation Identification Number
1487	24 CFR 2003 Implementation of Privacy Act of 1974 (FR-4575)	2508-AA11

Office of Public and Indian Housing—Prerule Stage

Sequence Number	Title	Regulation Identification Number
1488	24 CFR 1000 HUD Policy for the Administration of HUD Programs on Indian Reservations and Other Indian Areas (FR-4580)	2577-AC06

HUD

Office of Public and Indian Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
1489	24 CFR 905 Public Housing Capital Fund Program (FR-4507) (Reg Plan Seq. No. 63)	2577-AC16
1490	24 CFR 941 Public Housing Development Total Development Cost (TDC) (FR-4489)	2577-AC05
1491	24 CFR 941 Mixed-Finance Public Housing Development (FR-4499) (Reg Plan Seq. No. 62)	2577-AC09
1492	24 CFR 945 Designated Housing Program Amendments (FR-3964)	2577-AB57
1493	24 CFR 964 Resident Opportunities and Supportive Services (FR-4525)	2577-AC07
1494	24 CFR 965 Public Housing Purchasing Preference for Responsible Firearms Companies (FR-4594)	2577-AC19
1495	24 CFR 970 Public Housing Demolition and Disposition (FR-4598) (Reg Plan Seq. No. 64)	2577-AC20
1496	24 CFR 985 Section 8 Management Assessment Program (SEMAP) New Performance Indicators (FR-4388)	2577-AB83
1497	24 CFR 1003 Community Development Block Grants for Indian Tribes and Alaska Native Villages—Amendments to Funding Application Process (FR-4612)	2577-AC22
1498	24 CFR ch IX HOPE VI Program (FR-4530)	2577-AC17

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
1499	24 CFR 791 Review of Applications for Housing Assistance and Allocations of Housing Assistance Funds (FR-4477)	2577-AC03
1500	24 CFR 903 Public Housing Agency Plan (FR-4420)	2577-AB89
1501	24 CFR 906 Public Housing Homeownership Programs (FR-4504)	2577-AC15
1502	24 CFR 943 Consortia of Public Housing Agencies and Joint Venture (FR-4474)	2577-AC00
1503	24 CFR 972 Required Conversion of Development From Public Housing Stock (FR-4475)	2577-AC01
1504	24 CFR 972 Voluntary Conversion of Developments From Public Housing Stock (FR-4476)	2577-AC02
1505	24 CFR 982 Section 8 Housing Choice Voucher Program; Expansion of Payment Standards Protection (FR-4586)	2577-AC18
1506	24 CFR 985 Revisions to SEMAP Lease-Up Indicator (FR-4604)	2577-AC21
1507	24 CFR 990 Operating Fund Allocation Formula (FR-4425)	2577-AB88
1508	24 CFR 1000 Revision to Construction Cost Limits for Native American Housing (FR-4517)	2577-AC14
1509	24 CFR 1005 Loan Guarantee for Indian Housing; Direct Guarantee Processing (FR-4241)	2577-AB78

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identification Number
1510	24 CFR 5 Pet Ownership in Public Housing (FR-4437)	2577-AB94
1511	24 CFR 882 Section 8 Moderate Rehabilitation Program Executing or Terminating Leases on Moderate Rehabilitation Units (FR-4472)	2577-AB98
1512	24 CFR 901 Resident Survey Information Disclosure Requirements—Privacy Act (FR-4393)	2577-AB84
1513	24 CFR 901 Quality Assurance Review of Independent Public Auditors by Real Estate Assessment Center Staff (FR-4394)	2577-AB85
1514	24 CFR 964 Direct Funding of Public Housing Resident Management Corporations (FR-4501)	2577-AC12
1515	24 CFR 970 Demolition and Disposition of Public Housing (FR-4500)	2577-AC11
1516	24 CFR 982 Section 8 Homeownership (FR-4427)	2577-AB90

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

Proposed Rule Stage

1404. • JOINT AGENCY RULE TO CONFORM REGULATORY DEFINITIONS CIVIL RIGHTS RESTORATION ACT (FR-4587)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2000d-1; 42 USC 2000d-7; 42 USC 3535(d)

CFR Citation: 24 CFR 1; 24 CFR 8; 24 CFR 146

Legal Deadline: None

Abstract: The Federal agencies propose to make amendments to their regulations implementing Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1972 (Section 504), and the Age Discrimination Act of 1975 (Age Discrimination Act). Together, these statutes prohibit discrimination on the basis of race, color, national origin, disability, and age in programs or activities that receive Federal financial assistance. In 1988, the Civil Rights Restoration Act (CRRRA) added definitions of "program or activity" and "program" to Title VI, and it added a definition of "program or activity" to Section 504 and the Age Discrimination Act. The added definitions assured that when the term "program or activity" is used in these regulations it is understood that it applies to the entire institution. The promulgation of this proposed regulation incorporates the CRRRA's definition of "program or activity" and "program" into Title VI, Section 504, and Age Discrimination Act regulations of the agencies, and promotes consistent and adequate enforcement of these statutes by the agencies.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 2501-AC70

1405. • DETERMINED ADJUSTED INCOME IN HUD PROGRAMS SERVING PERSONS WITH DISABILITIES: REQUIRING MANDATORY DEDUCTIONS FOR CERTAIN EXPENSES; AND DISALLOWANCE FOR EARNED INCOME (FR-4608)

Regulatory Plan: This entry is Seq. No. 58 in Part II of this issue of the **Federal Register**.

RIN: 2501-AC72

1406. • EQUAL EMPLOYMENT OPPORTUNITY: UPDATING EEO REGULATIONS (FR-4607)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 2000e; 29 USC 2069(d)

CFR Citation: 24 CFR 07

Legal Deadline: None

Abstract: This rule will bring HUD's EEO regulations up to date with recent changes by the Equal Employment Opportunity Commission in the areas of compliant processing, and also updates HUD's regulations to reflect recent organizational changes within HUD.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: William King, Director, Office of Equal Employment Opportunity, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-5921

RIN: 2501-AC73

1407. 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; 42 USC 3535(d)

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	12/00/00	

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

1408. 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. Part 58 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	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Walter Prybyla, Deputy Director for Policy

HUD—HUDSEC

Proposed Rule Stage

Environmental Review Division,
Department of Housing and Urban
Development, Office of Community
Planning and Development
Phone: 202 708-1201

RIN: 2501-AC64

**1409. SECRETARY OF HUD'S
REGULATION OF FANNIE MAE AND
FREDDIE MAC: NON-MORTGAGE
INVESTMENTS (FR-4297)**

Priority: Other Significant

Legal Authority: 12 USC 4501 et seq;
12 USC 1451 et seq; 12 USC 1716 et
seq; 42 USC 3535(d)

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 Period End	03/30/98	
NPRM	02/00/01	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Allen Fishbein,
Senior Advisor for GSE, Department of
Housing and Urban Development,
Office of Housing
Phone: 202 708-3600

RIN: 2501-AC41

**1410. • THE SECRETARY OF HUD'S
REGULATION OF FANNIE MAE AND
FREDDIE MAC; PROHIBITING THE
PURCHASE OF CERTAIN LOANS
WITH HIGH COSTS AND/OR
PREDATORY FEATURES (FR-4614)**

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

RIN: 2501-AC76

**1411. • HOME INVESTMENT
PARTNERSHIPS PROGRAM:
HOMEBUYER ASSETS (FR-4599)**

Priority: Other Significant

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

CFR Citation: 24 CFR 92

Legal Deadline: None

Abstract: This rule amends the regulations for the HOME Investment Partnerships Program to add a requirement for consideration of a homebuyer's available assets to qualify for HOME assistance.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 2501-AC71

**1412. SINGLE FAMILY MORTGAGE
INSURANCE; TREBLE DAMAGES FOR
FAILURE TO ENGAGE IN LOSS
MITIGATION ACTIVITIES (FR-4553)**

Priority: Other Significant

Legal Authority: 12 USC 1715u; 12
USC 1735f-14; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 30

Legal Deadline: None

Abstract: This proposed rule would implement section 601(f) of the fiscal year 1999 HUD Appropriations Act (Pub. L. 105-276, approved October 21, 1998). Section 601(f) amends the National Housing Act, which establishes the basic framework for HUD's single family mortgage insurance programs. Specifically, section 601(f) amends section 230 of the National Housing Act (42 U.S.C. 1715u) (entitled "Authority to Assist Mortgagors in Default") to provide that, upon default of an insured single family mortgage, lenders must engage in loss mitigation activities for the purpose of providing an alternative to foreclosure. Further, section 601(f) amends section 536 of the National Housing Act (12 U.S.C. 1735f-14) (entitled "Civil Money Penalties Against Mortgagees, Lenders, and Other Participants in FHA Programs") to provide for the imposition of treble civil money penalties on lenders that fail to engage in loss mitigation activities, as required under amended section 230.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected:
Undetermined

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

RIN: 2501-AC66

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

Final Rule Stage

**1413. REVISIONS TO HUD'S
FREEDOM OF INFORMATION ACT
(FOIA) REGULATIONS (FR-4292)**

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 15

Legal Deadline: None

Abstract: This rule will amend HUD's Freedom of Information Act (FOIA) regulations in their entirety. This rule will implement the amendments made by the Electronic Freedom of Information Act to FOIA. The rule will 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 amendments will simplify and improve the clarity of HUD's FOIA requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/10/00	65 FR 42578
NPRM Comment Period End	09/08/00	
Final Action	12/00/00	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Agency Contact: Marylea Byrd, Assistant General Counsel, FOIA Division, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-3866

RIN: 2501-AC51

**1414. PROHIBITED PURCHASERS OF
HUD-INSURED AND HUD-OWNED
MULTIFAMILY PROJECTS (FR-4583)**

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701z-11; 12 USC 3701 to 3717; 12 USC 3751 to 3768; 12 USC 1715b; 12 USC 1701z-12; 12 USC 1713; 12 USC 1715z-1b; 12 USC 1715z-11a; 42 USC 1452b; 42 USC 3535(d); 42 USC 3535(i)

CFR Citation: 24 CFR 27; 24 CFR 290

Legal Deadline: None

Abstract: This rule will prohibit a defaulting mortgagor or related parties from bidding on or acquiring HUD-

insured or HUD-owned multifamily projects. The final rule follows publication of a July 5, 2000 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/05/00	65 FR 41538
NPRM Comment Period End	09/05/00	
Final Action	12/00/00	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marc Harris, Director, Field Asset Management Division, Office of Asset Management, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management
Phone: 202 708-2654

RIN: 2501-AC69

**1415. ADJUSTMENT OF HUD'S CIVIL
MONEY PENALTIES PURSUANT TO
THE FEDERAL CIVIL PENALTIES
INFLATION ADJUSTMENT ACT OF
1990. (FR-4555)**

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 2461 note; 31 USC 3701 note

CFR Citation: 24 CFR 28; 24 CFR 30; 24 CFR 3282; 24 CFR 3500; 24 CFR 81

Legal Deadline: None

Abstract: This final rule would adjust for inflation the maximum amounts of HUD's civil money penalties, as required by the Federal Civil Money Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note), as amended by the Debt Collection Improvement Act of 1996 (31 U.S.C. 3701 note). HUD is required to adjust the maximum amounts of its civil money penalties at least once every 4 years. HUD last adjusted these maximum amounts in a final rule that became effective October 24, 1996 (61 FR 50208). Accordingly, HUD must adjust the maximum amounts of its civil money penalties before October 24, 2000.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected:
Undetermined

Agency Contact: Camille E. Acevedo, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-3055

RIN: 2501-AC67

**1416. AMENDMENTS TO HUD'S CIVIL
MONEY PENALTY REGULATIONS (FR-
4399)**

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1701q-1; 12 USC 1703; 12 USC 1723i; 12 USC 1735-f14; 12 USC 1735f-1; 15 USC 1717a; 28 USC 2461 note; 42 USC 1437-z1; 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 this 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	06/26/00	65 FR 39502

HUD—HUDSEC

Final Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	08/25/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**RIN:** 2501-AC56**1417. NONDISCRIMINATION BASED ON DISABILITY; MULTIFAMILY HOMEOWNERSHIP PROJECTS (FR-4317)****Priority:** Other Significant**Legal Authority:** 29 USC 794; 42 USC 3535(d)**CFR Citation:** 24 CFR 40; 24 CFR 41**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	03/00/01	

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**1418. FLOODPLAIN MANAGEMENT AND PROTECTION OF WETLANDS (FR-4142)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); EO 11990; EO 11988; 42 USC 4001 to 4128; 42 USC 5154a**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 decisionmaking 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	12/00/00	

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**1419. SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC: PURCHASE GOALS (FR-4494)**

Regulatory Plan: This entry is Seq. No. 60 in Part II of this issue of the **Federal Register**.

RIN: 2501-AC60**1420. ADMINISTRATIVE REQUIREMENTS FOR GRANTEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS (FR-4258)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 84; 24 CFR 85**Legal Deadline:** None

Abstract: On November 18, 1997, HUD adopted by interim rule revised OMB Circular A-133 which implements 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 government, and nonprofit organizations expending Federal awards. This rule makes final the November 19, 1997 interim rule.

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	11/00/00	

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

Agency Contact: Garland Reid, Director, Budget Management and System Division, Office of the Chief Financial Officer, Department of Housing and Urban Development, Office of Administration
Phone: 202 708-1365

RIN: 2501-AC39**1421. ADOPTION OF REVISIONS TO OMB CIRCULAR A-110 (FR-4573)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 84**Legal Deadline:** None

Abstract: This document presents the final revision to the codification, at 24 CFR part 84, of Office of Management and Budget (OMB) Circular A-110, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations." OMB issued a final revision to Circular A-110 on September 30, 1999, as required by Public Law 105-227. It was published in the Federal Register on October 8, 1999. This rule will provide uniform administrative requirements for all grants and cooperative agreements to institutions of higher education, hospitals, and other nonprofit organizations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/11/00	65 FR 30498
Interim Final Rule Effective	06/12/00	
Interim Final Rule Comment Period End	07/10/00	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No

HUD—HUDSEC

Final Rule Stage

Government Levels Affected: None

Agency Contact: William E. Dobrzykowski, Deputy Chief Financial Officer, Department of Housing and Urban Development, Office of the Secretary
Phone: 202 708-3310

RIN: 2501-AC68

1422. CLARIFYING AMENDMENTS TO CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS (FR-4333)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 3535(d); 42 USC 3601 to 3619; 42 USC 5301 to 5315; 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

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 and issues regarding coordination with the Public Housing Agency (PHA) Plan, including issues such as the consistent of the PHA Plan with the Consolidated Plan.

Timetable:

Action	Date	FR Cite
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local

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

RIN: 2501-AC54

1423. CONSOLIDATED PLAN AMENDMENTS; NEEDS OF PUBLIC HOUSING AND TREATMENT OF TROUBLED PHAS (FR-4518)

Priority: Other Significant

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

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 describe the manner in which it will help address the needs of public housing and that a consolidated plan must include a description of the manner in which the State or unit will provide assistance to remove the PHA's troubled designation.

Timetable:

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

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

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

RIN: 2501-AC62

1424. HOME INVESTMENT PARTNERSHIPS PROGRAM — ADDITIONAL STREAMLINING (FR-4111)

Priority: Other Significant

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

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." This rule also makes other technical clarifications.

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	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mary Kolesar, Director, Office of Affordable Housing Programs, Department of Housing and

Urban Development, Office of Community Planning and Development
Phone: 202 708-2470

RIN: 2501-AC30

1425. 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 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; 24 CFR 92; ...

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 nonprofit 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	11/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Garland Reid, Director, Budget Management and System Division, Office of the Chief Financial Officer, Department of Housing and Urban Development, Office of Administration
Phone: 202 708-1365

RIN: 2501-AC43

1426. 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 3535(d)

HUD—HUDSEC

Final Rule Stage

CFR Citation: 24 CFR 200; 24 CFR 247; 24 CFR 5; 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. The rule 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. The final rule takes into consideration public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/23/99	64 FR 40262
NPRM Comment Period End	09/21/99	
Final Action	11/00/00	

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-AC63

1427. • FAIR MARKET RENTS FOR THE SECTION 8 TENANT-BASED RENTAL HOUSING AND HOMEOWNERSHIP PROGRAMS; HIGHER FAIR MARKET RENTS FOR CERTAIN FMRS AREAS (FR-4606)

Priority: Other Significant

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

CFR Citation: 24 CFR 888; 24 CFR 982; 24 CFR 985

Legal Deadline: None

Abstract: This proposed rule would implement HUD's new fair market rent (FMR) policy. The new FMR policy targets relief to areas where higher FMRs are needed to help families, assisted under HUD's Housing Choice Voucher Program as well as other HUD programs, find and lease decent and affordable housing. With respect to the Housing Choice Voucher Program, the policy provides that where necessary to ensure the effective operation of this program, PHAs will be allowed to set their payment standards based on the 50th percentile rent rather than the published 40th percentile FMR. This aspect of the policy is designed to ensure that families with housing

vouchers have access to at least half of all newly available units in those areas. In addition, the new FMR policy increases FMRs to the 50th percentile in those metropolitan areas where an FMR increase is most needed to promote residential choice, help families move closer to areas of job growth, and deconcentrate poverty. Where it is determined that an FMR increase is needed in a metropolitan area, the increased FMR applies to all the HUD programs that use FMRs in that metropolitan area.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/02/00	65 FR 58870
Interim Final Rule Comment Period End	11/16/00	
Interim Final Rule Effective	12/01/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

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

RIN: 2501-AC75

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

Completed Actions

1428. COMMON RULE: NONDISCRIMINATION IN EDUCATIONAL ACTIVITIES (FR-4301)

Priority: Other Significant

CFR Citation: 24 CFR 3

Completed:

Reason	Date	FR Cite
Final Action	08/30/00	65 FR 52858
Final Action Effective	09/29/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Local

Agency Contact: Betsy Ryan
Phone: 202 619-8041

RIN: 2501-AC42

1429. LIMITED DENIAL OF PARTICIPATION — CLARIFICATION OF CONSOLIDATION OF DEBARMENT AND SUSPENSION PROCEDURES (FR-4505)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 24

Completed:

Reason	Date	FR Cite
Final Action	06/21/00	65 FR 38706
Final Action Effective	07/21/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: John Herold

Phone: 202 708-3856

RIN: 2501-AC61

1430. AMENDMENTS TO HUD'S MORTGAGEE REVIEW BOARD AND CIVIL MONEY PENALTY REGULATIONS (FR-4308)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 25; 24 CFR 30

Completed:

Reason	Date	FR Cite
Interim Final Rule Comment Period End	04/24/00	
Final Action	06/21/00	65 FR 38710
Final Action Effective	07/21/00	

HUD—HUDSEC

Completed Actions

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Dane Narode
Phone: 202 708-2350**RIN:** 2501-AC44**1431. • INITIATE CIVIL MONEY PENALTY ACTION FOR FAILING TO DISCLOSE LEAD-BASED PAINT HAZARDS (FR-4609)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1701q-1; 12 USC 1703; 12 USC 1723i; 12 USC 1735f-14; 12 USC 1735f-15; 15 USC 1717a; 28 USC 2461 note; 42 USC 3535(d)**CFR Citation:** 24 CFR 30**Legal Deadline:** None**Abstract:** HUD regulations at 24 CFR 30.65 currently state that the Director of the Office of Lead Hazard Control, or his or her designee, may initiate a

civil money penalty action against any person who knowingly violates 42 U.S.C. 4852d(b)(1). This final rule makes minor changes to that provision in two respects. First, the Director of the Office of Lead Hazard Control is changed to the Director of the new successor office to the Office of Lead Hazard Control, the Office of Health Home and Lead Hazard Control. Second, the citation to 42 U.S.C. 4852d(b)(1) is technically incorrect and is changed to 42 U.S.C. 4852d.

Timetable:

Action	Date	FR Cite
Final Action	08/21/00	65 FR 50592
Final Action Effective	09/18/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** John Shumway, GSE, RESPA Division, Department ofHousing and Urban Development, Office of the General Counsel
Phone: 202 708-3137**RIN:** 2501-AC74**1432. TENANT INCOME VERIFICATION: RESOLVING DISCREPANCIES AND ENFORCEMENT ACTION (FR-4535)****Priority:** Other Significant**CFR Citation:** 24 CFR 905**Completed:**

Reason	Date	FR Cite
Withdrawn	08/29/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Undetermined**Agency Contact:** Claudia Yarus
Phone: 202 755-7540**RIN:** 2501-AC65**Department of Housing and Urban Development (HUD)
Office of Housing (OH)**

Prerule Stage

1433. • REAL ESTATE SETTLEMENT PROCEDURES ACT (RESPA) STATEMENT OF POLICY 2000-1; SECTION 8 PROHIBITION AGAINST KICKBACKS AND UNEARNED FEES (FR-4613)**Priority:** Other Significant**Legal Authority:** 12 USC 2601 et seq; 42 USC 3535(d)**CFR Citation:** 24 CFR 3500**Legal Deadline:** None**Abstract:** The Statement of Policy restates and reaffirms the Department of Housing and Urban Development's long-standing interpretation that Section 8(b) of the Real Estate Settlement Procedures Act (RESPA) prohibits all unearned fees for the rendering of real estate settlement services for federally related mortgage loans (RESPA covered transactions).**Timetable:**

Action	Date	FR Cite
Statement of Policy	12/00/00	

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-AH56**Department of Housing and Urban Development (HUD)
Office of Housing (OH)**

Proposed Rule Stage

1434. USE OF MATERIALS BULLETINS USED IN THE HUD BUILDING PRODUCTS STANDARDS AND CERTIFICATION PROGRAM (FR-4391)**Priority:** Substantive, Nonsignificant**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

HUD—OH

Proposed Rule Stage

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	12/00/00	

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-AH28

1435. • SECTION 236 RENTAL ASSISTANCE — EXCESS RENTAL CHARGES (FR-4603)

Priority: Other Significant

Legal Authority: 12 USC 1702 to 1715z-21; 12 USC 1715b; 42 USC 1473a; 42 USC 1437c; 12 USC 1437f; 42 USC 3535(d); 42 USC 12701; 42 USC 13611 to 13619

CFR Citation: 24 CFR 200; 24 CFR 236; 24 CFR 880; 24 CFR 881; 24 CFR 883

Legal Deadline: None

Abstract: Section 236(g) of the National Housing Act, as amended most recently by 532(b) of HUD's FY 2000 Appropriations Act, permits owners of multifamily rental projects with Section 236 Interest Reduction Payments (IRP) contracts to retain some or all of their excess rental charges for project use if authorized by HUD, and to retain and use some or all of the excess rental charges for non-project use if certain statutory conditions are met and if authorized by HUD. HUD's regulations on application of excess rental charges are outdated, do not reflect statutory amendments after 1995, and do not permit owners to retain excess rental charges. The proposed rule would update the regulation to reflect statutory changes and HUD's manner of implementing those changes to date.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH53

1436. 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	12/00/00	

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

1437. SINGLE FAMILY APPRAISAL ASSESSMENT (FR-4395)

Priority: Other Significant

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	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Claudia Yarus, Attorney, Department of Housing and Urban Development, Real Estate Assessment Center
Phone: 202 755-7540

RIN: 2502-AH27

1438. • SINGLE FAMILY MORTGAGE INSURANCE; NONPROFIT APPROVAL AND REMOVAL PROCEDURES (FR-4585)

Priority: Other Significant

Legal Authority: 12 USC 1702 to 1715z; 42 USC 3535(d)

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: This rule would codify in regulations the FHA procedures for granting and removing approval for a nonprofit entity to perform various functions under FHA's single family program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Organizations

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AH49

HUD—OH

Proposed Rule Stage

1439. • SINGLE FAMILY MORTGAGE INSURANCE; SECTION 203(K) CONSULTANT ROSTER PROCEDURES (FR-4592)**Priority:** Other Significant**Legal Authority:** 12 USC 1702 to 1715z; 42 USC 3535(d)**CFR Citation:** 24 CFR 200; 24 CFR 203**Legal Deadline:** None

Abstract: This proposed rule would establish placement and removal procedures for HUD's list of qualified consultants under the Section 203(k) Rehabilitation Loan Insurance program. The 203(k) Program is HUD's primary program for the rehabilitation and repair of single family properties. A 203(k) lender may select a qualified independent consultant, who is an expert in the field of home inspection and construction, to perform various tasks required for the rehabilitation of the property. Presently, there are no regulatory procedures for placing a consultant on, nor for removing a poorly performing consultant from, the list. HUD believes that the establishment of these placement and removal procedures will better protect 203(k) borrowers and lenders and safeguard Federal Housing Administration (FHA) insurance funds.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

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

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AH51**1440. • PROHIBITION OF PREDATORY LENDING PRACTICES IN HUD'S SINGLE FAMILY MORTGAGE INSURANCE PROGRAM (FR-4615)**

Regulatory Plan: This entry is Seq. No. 61 in Part II of this issue of the **Federal Register**.

RIN: 2502-AH57**1441. PARTIAL PAYMENT OF CLAIMS FOR HEALTH CARE FACILITIES, HOSPITALS AND GROUP PRACTICE FACILITIES (FR-4387)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1735f-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	01/00/01	

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

Agency Contact: Roger Miller, Acting Director for Office of Insured Health Facilities, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-0599

RIN: 2502-AH25**1442. • REMOVAL OF SECTION 221(D)(2) MORTGAGE INSURANCE PROGRAM REGULATIONS (FR-4588)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1715b; 12 USC 1715l; 42 USC 3535(d)**CFR Citation:** 24 CFR 221**Legal Deadline:** None

Abstract: This proposed rule would discontinue HUD's section 221(d)(2) mortgage insurance program. Through this program, HUD insures mortgage loans made by private lenders to finance the purchase, construction, or rehabilitation of low-cost, one- to four-family housing. The section 221(d)(2) program is rarely used by homebuyers, primarily due to its low mortgage limits. Further, the program provides few homeownership opportunities not already made available by other HUD mortgage insurance programs. Accordingly, HUD proposes to no longer enter into new contracts for mortgage insurance under the program. The proposed rule would remove those

provisions of the section 221(d)(2) regulations concerning eligibility for participation in the program, and replace them with a savings clause. The rule, however, would retain those regulatory provisions regarding the contract rights and servicing responsibilities for existing program participants.

Timetable:

Action	Date	FR Cite
NPRM	09/28/00	65 FR 58338
NPRM Comment Period End	11/27/00	
Final Action	03/00/01	

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

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AH50**1443. • TENANT PARTICIPATION IN STATE-FINANCED, HUD-ASSISTED HOUSING DEVELOPMENTS (FR-4611)****Priority:** Other Significant**Legal Authority:** 12 USC 1715z-1a; 12 USC 1715z-1b; 42 USC 3535(d)**CFR Citation:** 24 CFR 245**Legal Deadline:** None

Abstract: HUD's current regulations protecting the statutory right of tenants in HUD-assisted and insured multifamily housing developments to organize and participate in the operation of the development, do not currently cover State-financed housing developments that receive assistance under certain HUD programs. However, the statutory right of tenants to organize includes those State-financed housing developments. This proposed rule extends the protection of tenant organization to include State-financed developments assisted under certain HUD programs.

This rule also makes a minor technical correction to a citation in the existing tenant participation regulation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

HUD—OH

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Eileen Hearty, Office of Business Products, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2866**RIN:** 2502-AH55**1444. USE OF FEDERAL SURPLUS PROPERTY FOR SELF-HELP HOUSING (FR-4464)****Priority:** Other Significant**Legal Authority:** 111 Stat 1167; PL 105-50m**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	01/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local**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**1445. 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:** None**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	12/00/00	

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**1446. 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
NPRM	11/00/00	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**RIN:** 2502-AH45**1447. SPECIAL PROCEDURES PERMITTING LIMITED COMPLETION OF MANUFACTURED HOMES ON-SITE (FR-4216)****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 5424**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 Secretary. This new process would supplement the current process for approving alternative construction methods.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/01	

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

1448. 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 makes final the interim rule that implemented 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 provides that eligible mortgagees that participate in the Lender Insurance program will be responsible for conducting a pre-endorsement review during the origination of their single family mortgage loans and they will be responsible for endorsing the mortgages for insurance. HUD intends that delegating this insurance authority through the Lender program will be consistent with HUD's efforts to reinvent the Federal Housing Administration (FHA) by creating a more efficient and less burdensome process for providing single family mortgage insurance.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/02/97	62 FR 30222
Interim Final Rule Effective	07/02/97	
Interim Final Rule Comment Period End	08/01/97	
Final Action	12/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AG87

1449. USE OF MATERIALS BULLETINS (FR-4265)

Priority: Substantive, Nonsignificant

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, 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	63 FR 6798
Final Action	12/00/00	

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

1450. UPDATE OF THE MODEL ENERGY CODE (MEC) (FR-4272)

Priority: Substantive, Nonsignificant

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

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

Action	Date	FR Cite
NPRM Comment Period End	08/17/98	
Final Action	12/00/00	

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

1451. UNIFORM PHYSICAL CONDITION STANDARDS AND PHYSICAL INSPECTION REQUIREMENTS FOR CERTAIN HUD HOUSING; ADMINISTRATIVE PROCESS FOR ASSESSMENT OF INSURED AND ASSISTED PROPERTIES (FR-4452)

Priority: Other Significant

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

CFR Citation: 24 CFR 200; 24 CFR 5

Legal Deadline: None

Abstract: This rule establishes for multifamily housing an administrative process by which (1) HUD will notify owners, mortgagees or contract administrators of HUD's assessment of the physical condition of their multifamily housing; (2) the owners mortgagees or contract administrators will be provided an opportunity to review and comment on HUD's physical condition assessment of the multifamily housing; and (3) HUD will take action in cases where the housing is found not to be in compliance with the physical condition standards. This rule takes into consideration comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	11/26/99	64 FR 66530
NPRM Comment Period End	01/25/00	
Final Action	11/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Kenneth Hannon, Office of Multifamily Housing,

HUD—OH

Final Rule Stage

Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3944

RIN: 2502-AH44

1452. STRENGTHENING THE TITLE I PROPERTY IMPROVEMENT AND MANUFACTURED HOME LOAN INSURANCE PROGRAMS AND TITLE I LENDER/TITLE II MORTGAGEE APPROVAL REQUIREMENTS (FR-4246)

Priority: Other Significant

Legal Authority: 12 USC 1703; 12 USC 1709; 12 USC 1715b; 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 Housing Loan Insurance programs. The changes are designed to enhance program controls and strengthen the financial viability of the programs. Among other amendments, this rule will require that lenders disburse the proceeds of a direct property improvement loan in excess of \$7,500 using a draw system, similar to that used in construction lending; expand and strengthen the on-site inspection requirements applicable to dealer and direct property improvement loans; and require that a lien securing a property improvement loan must occupy no less than a second lien position. The rule will also increase the insurance charge for Title I property improvement and manufactured housing loan insurance. Additionally, the rule will also conform the liquidity requirements applicable to the Title I program to those currently applicable to the Title II Single Family Mortgage Insurance program. Finally, the rule will increase the net worth requirements applicable to both the Title I and Title II programs.

Timetable:

Action	Date	FR Cite
NPRM	03/30/00	65 FR 17120
NPRM Comment Period End	05/30/00	
Final Action	01/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of

Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AG95

1453. • CREDIT WATCH INITIATIVE—LIMITATION ON OPENING NEW BRANCHES IN LENDING AREA FOR LENDERS IN RECEIPT OF PROPOSED TERMINATION OF ORIGINATION APPROVAL AGREEMENT (FR-4605)

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 interim rule prohibits a mortgagee that has received a notice of proposed termination of its origination approval agreement from establishing a new branch or branches in the lending area covered by the proposed termination. The purpose of this rule is to ensure that mortgagees that are not performing satisfactorily in a specified geographic areas do not circumvent HUD's Credit Watch program by establishing a new branch in that same area. Additionally, this rule amends the default and claim rate determinations to allow HUD to take action first and only (if HUD so desires) against mortgagees with default and claim rates higher than those currently established in the regulation. This change will allow HUD to focus resources, that are limited from time to time, on those mortgagees that have excessively high default and claim rates and not be required to also focus its resources on those mortgagees with rates that barely exceed the thresholds.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/00/00	

Regulatory Flexibility Analysis Required: No

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-AH54

1454. 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." The Department of Housing and Urban Development and Independent Agencies Appropriations Act of 1997 mandated that the Up-Front Mortgage Insurance Premium not exceed 2.00 percent for first-time homebuyers. The further reduction from 1.75 to 1.50 is consistent with the Administration's homeownership strategy.

Timetable:

Action	Date	FR Cite
NPRM	05/04/98	63 FR 24736
NPRM Comment Period End	07/06/98	
Final Action	12/00/00	

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

1455. SOURCES OF HOMEBUYER DOWNPAYMENT (FR-4469)

Priority: Other Significant

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

HUD—OH

Final Rule Stage

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
NPRM Comment Period End	11/15/99	
Final Action	12/00/00	

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

Agency Contact: Vance Morris, Director, Office of Single Family Program Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2700

RIN: 2502-AH38**1456. 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)

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

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.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/00/01	

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**1457. REHABILITATION GRANTS FOR CERTAIN MULTIFAMILY PROJECTS (FR-4465)****Priority:** Other Significant

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

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	05/00/01	

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

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH35**1458. RENEWAL OF EXPIRING SECTION 8 PROJECT-BASED ASSISTANCE CONTRACT (FR-4551)****Priority:** Other Significant

Legal Authority: 12 USC 1715z-1; 12 USC 1735f-19(b); 42 USC 1437(c)(8); 42 USC 1437f note; 42 USC 3535(d)

CFR Citation: 24 CFR 402**Legal Deadline:** None

Abstract: This final rule will replace interim part 402, which was published on September 11, 1998, together with interim part 401 that established the Mark-to-Market program. Subsequently HUD decided to separate the two parts and publish final part 401 separately. Final part 402 will set forth the

regulations governing the renewal of expiring Section 8 project-based assistance contracts, whether the projects rents are above or below market, except for renewals made as part of a Mark-to-Market Restructuring Plan under part 401.

Timetable:

Action	Date	FR Cite
Final Action	11/00/00	

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

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH47**1459. • DISTRIBUTIONS TO NONPROFIT OWNERS OF CERTAIN HUD-ASSISTED MULTIFAMILY RENTAL PROJECTS (FR-4602)****Priority:** Other Significant**Legal Authority:** 12 USC 1710 to 1715**CFR Citation:** 24 CFR 880; 24 CFR 881; 24 CFR 883**Legal Deadline:** None

Abstract: This final rule adds an exception to HUD's current Section 8 regulations that prohibit any distributions to nonprofit owners of projects receiving project-based assistance. HUD may now permit distributions of surplus cash to owners of projects with expiring Section 8 project-based assistance contracts who agree to renew their contracts, if distributions are necessary to ensure continued participation of the owners in the Section 8 program.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

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

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing

HUD—OH

Final Rule Stage

Phone: 202 708-3000

RIN: 2502-AH52

1460. SUPPORTIVE HOUSING FOR THE ELDERLY AND PERSONS WITH DISABILITIES; DURATION OF CAPITAL ADVANCE (FR-4466)**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1701q; 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 891**Legal Deadline:** None

Abstract: This interim rule amends the regulations for the Supportive Housing Programs for the Elderly and Persons with Disabilities (also referred to as the Section 202 Program and the Section 811 Program, respectively) to extend the duration of the fund reservation, for project development, from 24 months to 36 months. The extension to 36 months better coincides with the amount of time that is frequently involved to commence construction of supportive housing for the elderly and for persons with disabilities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/00/01	

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

Agency Contact: Willie Spearmon, Director, Office of Housing Assistance and Grant Administration, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3000

RIN: 2502-AH36

1461. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (FR-4376)**Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 3535(d); 42 USC 5403; 42 USC 5424**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	05/00/01	

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

1462. 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	12/00/00	

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-AH43

1463. MANUFACTURED HOMES CONSTRUCTION AND SAFETY STANDARDS: SMOKE ALARMS (FR-4552)**Priority:** Other Significant**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 rule will amend the Federal Manufactured Home Construction and Safety Standards to revise the location and placement of smoke alarms. The purpose of these amendments is to improve the effectiveness and performance of smoke alarms in early warning detection of manufactured home fires and to reduce the rate of fire fatalities in new manufactured housing.

Timetable:

Action	Date	FR Cite
NPRM	05/18/00	65 FR 31778
NPRM Comment Period End	07/17/00	
Final Action	11/00/00	

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

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-AH48

1464. 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

HUD—OH

Final Rule Stage

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

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

Timetable:

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

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

1465. 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)

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	01/00/01	

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

1466. 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	06/00/01	

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

1467. SINGLE FAMILY MORTGAGE INSURANCE; APPRAISER ROSTER PLACEMENT AND REMOVAL PROCEDURES (FR-4429)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 200

Completed:

Reason	Date	FR Cite
Final Action	04/05/00	65 FR 17974
Final Action Effective	05/05/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Vance Morris

Phone: 202 708-2700

RIN: 2502-AH29

1468. SINGLE FAMILY MORTGAGE INSURANCE; DIRECT ENDORSEMENT AND AUTOMATED UNDERWRITING (FR-4311)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 203

HUD—OH

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	10/10/00	65 FR 60320
Final Action Effective	11/09/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Vance Morris
Phone: 202 708-2700**RIN:** 2502-AH15**1469. LIMITATION ON DISTRIBUTIONS (FR-4532)****Priority:** Other Significant**CFR Citation:** 24 CFR 220; 24 CFR 236; 24 CFR 880; 24 CFR 881; 24 CFR 883**Completed:**

Reason	Date	FR Cite
Final Action	10/13/00	65 FR 61072
Final Action Effective	11/13/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal**Agency Contact:** Willie Spearmon
Phone: 202 708-3000**RIN:** 2502-AH46**1470. TENANT PARTICIPATION IN MULTIFAMILY HOUSING PROJECTS (FR-4403)****Priority:** Other Significant**CFR Citation:** 24 CFR 245**Completed:**

Reason	Date	FR Cite
Final Action	06/07/00	65 FR 36272
Final Action Effective	07/07/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Willie Spearmon
Phone: 202 708-3000**RIN:** 2502-AH32**1471. OFFICER NEXT DOOR PROGRAM (FR-4277)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 291**Completed:**

Reason	Date	FR Cite
Final Action	10/10/00	65 FR 60324
Final Action Effective	11/09/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Joseph McCloskey
Phone: 202 708-1672**RIN:** 2502-AH37**1472. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS (NEW CONSTRUCTION SUBSTANTIAL REHABILITATION, STATE HOUSING AGENCIES AND SPECIAL ALLOCATIONS) (FR-4479)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 880; 24 CFR 881; 24 CFR 883; 24 CFR 886**Completed:**

Reason	Date	FR Cite
Withdrawn - See RIN	08/23/00	
2501-AC63 (FR-4495)		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Willie Spearmon
Phone: 202 708-3000**RIN:** 2502-AH41**Department of Housing and Urban Development (HUD)
Office of Community Planning and Development (CPD)****Proposed Rule Stage****1473. 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	03/00/01	

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**1474. PROHIBITION ON USE OF CDBG ASSISTANCE FOR JOB-PIRATING ACTIVITIES (FR-4556)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 5301-5320**CFR Citation:** 24 CFR 570**Legal Deadline:** None

Abstract: This rule proposes to implement section 588 of the Quality Housing and Work Responsibility Act of 1998 by revising HUD's regulations for the Community Development Block Grant (CDBG) program. Section 588 prohibits State and local governments from using CDBG funds for "job pirating" activities that are likely to result in significant job loss. Job-pirating, in this context, refers to the use of CDBG funds to lure or attract a business and its jobs from one community to another community.

HUD—CPD

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Local**Agency Contact:** Richard Kennedy, Office of Block Grant Assistance, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-3587**RIN:** 2506-AC04**1475. 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 will provide for a number of edits that update the HOPWA regulations, and establish additional program guidance. The revised provisions include a change in rental assistance requirements in order to

specify additional options available to grantees in responding to client needs, such as the limited short-term 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	10/00/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** David Vos, Director, Office of HIV/AIDS Housing, Department of Housing and Urban Development, Office of Community Planning and Development
Phone: 202 708-1934**RIN:** 2506-AC02**1476. • SUPPORTIVE HOUSING PROGRAM (FR-4616)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 11389; 42 USC 3535(d)**CFR Citation:** 24 CFR 583**Legal Deadline:** None**Abstract:** The Department of Housing and Urban Development is proposing to amend the Supportive Housing Program regulations. The regulations will be updated to clarify exiting program requirements and to add new program requirements in accordance with the 1999 and 2000 HUD Appropriations Act. This proposed rule will make the Supportive Housing Program regulations clearer and allow for the full flexibility of the McKinney Act.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/00	

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-AC07

Department of Housing and Urban Development (HUD)

Final Rule Stage

Office of Community Planning and Development (CPD)

1477. CDBG PROGRAM FOR STATES; COMMUNITY REVITALIZATION STRATEGY REQUIREMENTS AND 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 11331 to 11388; 42 USC 12701 to 12711; 42 USC 12741 to 12756; 42 USC 12901 to 12912; 42 USC 3535(d); 42 USC 3601 to 3619; 42 USC 5300 to 5320**CFR Citation:** 24 CFR 570; 24 CFR 91**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	02/00/01	

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**1478. CDBG PROGRAM REGULATIONS ON PRE-AWARD COST AND NEW HOUSING CONSTRUCTION (FR-4559)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 5301 et seq**CFR Citation:** 24 CFR 570**Legal Deadline:** None**Abstract:** The rule changes the CDBG program regulations to permit a new grantee without a consolidated plan to incur costs for plan preparation, and permits grantees to fund

HUD—CPD

Final Rule Stage

homeownership activities in connection with new construction.

Timetable:

Action	Date	FR Cite
Final Action	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local, Tribal

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: 2506-AC06

1479. SUPPORTIVE HOUSING PROGRAM—INCREASING OPERATING COST PERCENTAGE (FR-4576)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 11389; 42 USC 3535(d)

CFR Citation: 24 CFR 583

Legal Deadline: None

Abstract: This rule amended the Supportive Housing Program regulations by changing the number of years for which the grant can cover 75 percent of operating costs from the first two years to all years of the grant term. This amendment will provide the full statutory flexibility allowed for this activity. Providing greater assurance of a funding source for operating housing under the program will promote more use of the program for housing.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/12/00	65 FR 30822
Interim Final Rule Effective	06/12/00	
Interim Final Rule Comment Period End	07/11/00	
Final Action	12/00/00	

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-AC05

Department of Housing and Urban Development (HUD)

Proposed Rule Stage

Government National Mortgage Association (GNMA)

1480. GINNIE MAE—FINANCE—NAHASDA IMPLEMENTATION (FR-4215)

Priority: Substantive, Nonsignificant

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

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	10/00/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Charles Clark, Office of Policy Planning and Risk Management, Department of Housing and Urban Development, Government National Mortgage Association
Phone: 202 708-4141

RIN: 2503-AA11

1481. • ELECTRONIC PAYMENT ON GINNIE MAE GUARANTEED SECURITIES (FR-4617)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 320

Legal Deadline: None

Abstract: Ginnie Mae is amending its regulations to require that issuers pay investors holding Ginnie Mae securities

in book entry form electronically. Recent legislative and industry advances are moving in the direction of electronic commerce. In order to have its program efficient and competitive, Ginnie Mae believes investor payments on Ginnie Mae guaranteed book entry securities must be made electronically.

Timetable:

Action	Date	FR Cite
NPRM	02/00/01	

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-AA15

**Department of Housing and Urban Development (HUD)
Government National Mortgage Association (GNMA)**
Final Rule Stage
**1482. 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	10/00/00	

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)
Office of Fair Housing and Equal Opportunity (FHEO)**
Proposed Rule Stage
**1483. ● FAIR HOUSING ACT
REGULATIONS AMENDMENTS:
STANDARDS GOVERNING SEXUAL
HARASSMENT (FR-4597)**
Priority: Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 3600 to 3620**CFR Citation:** 24 CFR 100**Legal Deadline:** None

Abstract: This proposed rule would amend HUD's Fair Housing regulations to establish the standards the Department will use in sexual harassment cases.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: David Enzel, Deputy Assistant Secretary for Enforcement and Programs, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 619-8046

RIN: 2529-AA89
**1484. CERTIFICATION AND FUNDING
OF STATE AND LOCAL FAIR
HOUSING ENFORCEMENT AGENCIES
(FR-4392)**
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 3601 to 3619**CFR Citation:** 24 CFR 115**Legal Deadline:** None

Abstract: This proposed rule will amend the regulations to reflect changes resulting from departmental reform and FHEO reorganization and to improve program implementation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** State, Local

Agency Contact: Lauretta Dixon, 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
**1485. FAIR HOUSING ACT
REGULATION; CONFORMING
AMENDMENT; UPDATE TO REFLECT
CURRENT EDITION OF AMERICAN
NATIONAL STANDARDS INSTITUTE
(ANSI) (FR-4554)**
Priority: Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 3600 to 3620**CFR Citation:** 24 CFR 100**Legal Deadline:** None

Abstract: Subpart D of HUD's Fair Housing Act regulations (24 CFR part 100), which address the accessibility

requirements of the Fair Housing Act, has not been updated since its issuance in 1989. These regulations reference compliance with the building standards of the American National Standards Institute (ANSI), but the reference to the ANSI edition of 1986 has long been superseded by two more recent editions. Although parties subject to the Fair Housing Act regulations may continue to refer to the 1986 edition of ANSI, the regulations need to be updated to also offer compliance with the 1992 and 1998 editions as a safe harbor for compliance. This rule will update the regulations to provide that

compliance with the appropriate requirements of the 1986, 1992 or 1998 editions of ANSI A117.1 suffices to satisfy the accessibility requirements of the Fair Housing Act.

Timetable:

Action	Date	FR Cite
Notice	03/23/00	65 FR 15740
Interim Final Rule	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

HUD—FHEO

Final Rule Stage

Agency Contact: Linda Cruciani, Assistant General Counsel for Fair Housing Enforcement, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-0570
RIN: 2529-AA88

1486. 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: 12 USC 1701u; 42 USC 1450; 42 USC 3301; 42 USC 3535(d)

CFR Citation: 24 CFR 135

Legal Deadline: Final, Statutory, April 28, 1993.

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

Timetable:

Action	Date	FR Cite
NPRM	10/08/93	58 FR 52534
Notice	11/09/93	58 FR 59423
Notice Comment Period End	12/08/93	

Action	Date	FR Cite
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	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: 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

Department of Housing and Urban Development (HUD)

Completed Actions

Office of the Inspector General (HUDIG)

1487. IMPLEMENTATION OF PRIVACY ACT OF 1974 (FR-4575)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 2003

Completed:

Reason	Date	FR Cite
NPRM	05/22/00	65 FR 32240
End NPRM Comment Period	07/21/00	
Final Action	08/21/00	65 FR 50904
Final Action Effective	09/20/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Bryan Saddler
Phone: 202 708-1613

RIN: 2508-AA11

Department of Housing and Urban Development (HUD)

Prerule Stage

Office of Public and Indian Housing (PIH)

1488. HUD POLICY FOR THE ADMINISTRATION OF HUD PROGRAMS ON INDIAN RESERVATIONS AND OTHER INDIAN AREAS (FR-4580)

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 principles when policy decisions are

made affecting Native American communities.

Timetable:

Action	Date	FR Cite
Notice	02/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

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

1489. PUBLIC HOUSING CAPITAL FUND PROGRAM (FR-4507)

Regulatory Plan: This entry is Seq. No. 63 in Part II of this issue of the **Federal Register**.

RIN: 2577-AC16

1490. PUBLIC HOUSING DEVELOPMENT TOTAL DEVELOPMENT COST (TDC) (FR-4489)

Priority: Other Significant

Legal Authority: 42 USC 1437b; 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 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	12/00/00	

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

1491. MIXED-FINANCE PUBLIC HOUSING DEVELOPMENT (FR-4499)

Regulatory Plan: This entry is Seq. No. 62 in Part II of this issue of the **Federal Register**.

RIN: 2577-AC09

1492. 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 flexibility.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

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-AB57

1493. RESIDENT OPPORTUNITIES AND SUPPORTIVE SERVICES (FR-4525)

Priority: Other Significant

Legal Authority: 42 USC 1437z-6; 42 USC 3535(d)

CFR Citation: 24 CFR 964

Legal Deadline: None

Abstract: This rule will implement section 538 of Quality Housing and Work Responsibility Act of 1998 (title V of Public Law 105-276 approved October 21, 1998, 112 Stat. 2461; hereafter, "Public Housing Reform Act") by adding the Resident Opportunities and Supportive Services (ROSS) program requirements to 24 CFR part 964. The purpose of the ROSS

Program is to provide linkage of services to public housing residents, including supportive services and resident empowerment activities. Eligible activities include those related to physical improvements of a public housing development in order to provide space for supportive services of residents; work readiness including education, job training and counseling; and other activities designed to improve the economic self-sufficiency of residents.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

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-AC07

1494. • PUBLIC HOUSING PURCHASING PREFERENCE FOR RESPONSIBLE FIREARMS COMPANIES (FR-4594)

Priority: Other Significant

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

CFR Citation: 24 CFR 965

Legal Deadline: None

Abstract: This rule would establish a requirement for PHAs to provide a preference, when purchasing firearms, to companies that have adopted gun safety manufacture and distribution standards. The rule leaves undisturbed a PHA's right and responsibility to obtain products that meet its law enforcement and safety needs, but requires that when choosing from a range of acceptable, comparable products, a PHA must select the products of a company that has adopted gun safety manufacture and distribution standards. The rule also provides guidance for PHAs to use to determine whether a company qualifies for the preference.

HUD—PIH

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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

RIN: 2577-AC19

1495. • PUBLIC HOUSING DEMOLITION AND DISPOSITION (FR-4598)

Regulatory Plan: This entry is Seq. No. 64 in Part II of this issue of the *Federal Register*.

RIN: 2577-AC20

1496. 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 drug abuse and other criminal activity; deconcentration of assisted families; and timely response to inspection requests.

Timetable:

Action	Date	FR Cite
NPRM	11/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Local

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

RIN: 2577-AB83

1497. • COMMUNITY DEVELOPMENT BLOCK GRANTS FOR INDIAN TRIBES AND ALASKA NATIVE VILLAGES—AMENDMENTS TO FUNDING APPLICATION PROCESS (FR-4612)**Priority:** Substantive, Nonsignificant

Legal Authority: 42 USC 5301 et seq ; 42 USC 3535(d)

CFR Citation: 24 CFR 1003**Legal Deadline:** None

Abstract: This rule proposes several changes to subpart D—Single Purpose Grant Application and Selection Process—of part 1003. This subpart implements statutory authority for the Community Development Block Grant Program for Indian Tribes and Alaska Native Villages, specifically the application process and procedures. The principal reason for the changes is that they would allow or facilitate the integration of the application process for this program into the HUD SuperNOFA process. In addition, other changes are proposed, specifically to section 1000.301, paragraph (a) Threshold requirements, which are intended to eliminate unnecessary requirements or to clarify or revise requirements in response to questions and concerns raised by applicants and HUD staff.

Timetable:

Action	Date	FR Cite
NPRM	10/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** Tribal

Agency Contact: Jacqueline Kruszek, Office of Grants Management, Office of Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0614

RIN: 2577-AC22

1498. HOPE VI PROGRAM (FR-4530)**Priority:** Other Significant

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

CFR Citation: 24 CFR ch IX**Legal Deadline:** None

Abstract: This rule will establish regulations that will govern funding and eligible activities of HUD's HOPE VI Program. To date HOPE VI has been operated from year to year as a demonstration program in accordance with authorization provided each year in appropriations bills. HOPE VI activities were funded and guided by notices of funding availability issued each fiscal year by HUD. The Quality Housing and Work Responsibility Act of 1998 (title V of Public Law 105-276, approved October 21 1998, 112 Stat. 2585; hereafter, "Public Housing Reform Act") makes HOPE VI a permanent program. The regulations to be implemented for the HOPE VI program will include the provisions set out in section 535 of the Public Housing Reform Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/00	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Milan Ozdinec, Director, Office of Urban Revitalization, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-8812

RIN: 2577-AC17

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

Final Rule Stage

1499. 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	12/00/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Camille E. Acevedo, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-3055

RIN: 2577-AC03

1500. PUBLIC HOUSING AGENCY PLAN (FR-4420)

Priority: Other Significant

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

CFR Citation: 24 CFR 903

Legal Deadline: None

Abstract: In accordance with section 511 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276, 112 Stat. 2461 approved October 21, 1998), this rule amends the October 21, 1999, final rule to provide further direction to public housing agencies on the implementation of deconcentration and affirmatively further fair housing.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/18/99	64 FR 8170
Interim Final Rule Effective	03/22/99	64 FR 8170

Action	Date	FR Cite
Interim Final Rule Comment Period End	04/19/99	64 FR 8170
Final Rule	09/21/99	64 FR 51045
Final Rule	10/21/99	64 FR 56844
Final Rule Effective	11/22/99	
NPRM	04/17/00	65 FR 20686
NPRM Comment Period End	06/01/00	
Final Action	08/14/00	65 FR 49484
Final Action Effective	09/13/00	
Final Action	12/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 2577-AB89

1501. PUBLIC HOUSING HOMEOWNERSHIP PROGRAMS (FR-4504)

Priority: Other Significant

Legal Authority: 42 USC 1437z-4; 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 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. 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 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

Action	Date	FR Cite
NPRM Comment Period End	11/15/99	
Final Action	11/00/00	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 2577-AC15

1502. CONSORTIA OF PUBLIC HOUSING AGENCIES AND JOINT VENTURE (FR-4474)

Priority: Other Significant

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

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. The rule 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 consortia and minimum contents of consortium agreements, as required by the statute. The rule takes into consideration public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	09/14/99	64 FR 49940
NPRM Comment Period End	11/15/99	
Final Action	10/00/00	

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

HUD—PIH

Final Rule Stage

Phone: 202 708-0713

RIN: 2577-AC00

1503. REQUIRED CONVERSION OF DEVELOPMENT FROM PUBLIC HOUSING STOCK (FR-4475)**Priority:** Other Significant**Legal Authority:** 42 USC 1437 et seq; 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 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. This rule takes into consideration public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/23/99	64 FR 40232
NPRM Comment Period End	09/21/99	
Final Action	01/00/01	

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

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

RIN: 2577-AC01

1504. VOLUNTARY CONVERSION OF DEVELOPMENTS FROM PUBLIC HOUSING STOCK (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. This rule takes into consideration public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/23/99	64 FR 40240
NPRM Comment Period End	09/21/99	
Final Action	10/00/00	

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

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

RIN: 2577-AC02

1505. • SECTION 8 HOUSING CHOICE VOUCHER PROGRAM; EXPANSION OF PAYMENT STANDARDS PROTECTION (FR-4586)**Priority:** Other Significant**Legal Authority:** 42 USC 1437f; 42 USC 3535(d)**CFR Citation:** 24 CFR 982**Legal Deadline:** None

Abstract: On October 21, 1999, HUD published a final rule implementing the statutory merger of the Section 8 tenant-based and certificate programs into the new Housing Choice Voucher program. This rule amends HUD's regulations governing this new merger program to expand the regulatory payment standard protection against subsidy reduction. The October 21, 1999 final rule limited payment standard protection to the first 24 months of the lease term. This rule provides that a family is not subject to a subsidy reduction until the second regular reexamination of family income and composition following the payment standard reduction. This protection extends for the duration of the lease term. This rule also corrects a typographical error contained in the October 21, 1999 final rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/10/00	65 FR 42508
Interim Final Rule Effective	08/09/00	
Interim Final Rule Comment Period End	09/08/00	
Final Action	12/00/00	

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

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

RIN: 2577-AC18

1506. • REVISIONS TO SEMAP LEASE-UP INDICATOR (FR-4604)**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 interim rule revises the way HUD measures and verifies performance under the lease-up indicator for the Section 8 Management Assessment Program (SEMAP). Specifically, the interim rule revises the lease-up standard to measure the

HUD—PIH

Final Rule Stage

number of units leased against the number of units reserved and under Annual Contributions Contract (ACC), instead of against the number of units budgeted. This revised standard is consistent with recently established HUD policy on voucher renewals and unit allocations as formulated during negotiated rulemaking pursuant to the Public Housing Reform Act of 1998. In addition, this interim rule also revises the SEMAP regulations to provide for automated signature of the required SEMAP certification.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/00	

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

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

RIN: 2577-AC21**1507. OPERATING FUND ALLOCATION FORMULA (FR-4425)****Priority:** Other Significant**Legal Authority:** 42 USC 1437g(e); 42 USC 1437g(f); 42 USC 3535(d)**CFR Citation:** 24 CFR 990**Legal Deadline:** None

Abstract: This rule will implement a new formula system for allocating funds to public housing agencies for their operation and management of public housing. The new formula system is being developed through negotiated rulemaking procedures, as required by section 519 of the Quality Housing and Work Responsibility Act of 1998 (title V of Public Law 105-276, approved October 21, 1998, 112 Stat. 2551; hereafter, "Public Housing Reform Act"). That statute amended section 9 of the United States Housing Act of 1937 to require development of a new formula that would change the current method (the Performance Funding System) of determining the payment of operating subsidies to public housing agencies.

Timetable:

Action	Date	FR Cite
Notice	02/03/99	64 FR 5570
Notice Comment Period End	03/05/99	
NPRM	07/10/00	65 FR 42488
NPRM Comment Period End	08/09/00	
Interim Final Rule	01/00/01	

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

Agency Contact: Stephen Sprague, Funding and Financial Management Division, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-1872

RIN: 2577-AB88**1508. REVISION TO CONSTRUCTION COST LIMITS FOR NATIVE AMERICAN HOUSING (FR-4517)****Priority:** Other Significant**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 provides 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	04/20/00	65 FR 21288
NPRM Comment Period End	06/19/00	
Final Action	11/00/00	

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

Agency Contact: Bruce Knott, Director, Office of Grants Evaluation, Department of Housing and Urban Development, Office of Public and Indian Housing, 1999 Broadway, Suite 3390, Denver, CO 90202

Phone: 303 675-1600

RIN: 2577-AC14**1509. LOAN GUARANTEE FOR INDIAN HOUSING; DIRECT GUARANTEE PROCESSING (FR-4241)****Priority:** Other Significant**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	11/00/00	

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: 202 401-7914

RIN: 2577-AB78

Department of Housing and Urban Development (HUD)
Office of Public and Indian Housing (PIH)
Completed Actions**1510. PET OWNERSHIP IN PUBLIC HOUSING (FR-4437)****Priority:** Other Significant**CFR Citation:** 24 CFR 5**Completed:**

Reason	Date	FR Cite
Final Action	07/10/00	65 FR 42518
Final Action Effective	08/09/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Patricia Arnaudo

Phone: 202 708-0744

RIN: 2577-AB94**1511. SECTION 8 MODERATE REHABILITATION PROGRAM EXECUTING OR TERMINATING LEASES ON MODERATE REHABILITATION UNITS (FR-4472)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 882**Completed:**

Reason	Date	FR Cite
Final Action	04/25/00	65 FR 24374
Final Action Effective	05/25/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Gerald Benoit

Phone: 202 708-0477

RIN: 2577-AB98**1512. RESIDENT SURVEY INFORMATION DISCLOSURE REQUIREMENTS—PRIVACY ACT (FR-4393)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 901**Completed:**

Reason	Date	FR Cite
Withdrawn	08/25/00	

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

Undetermined

Agency Contact: Claudia Yarus

Phone: 202 755-7540

RIN: 2577-AB84**1513. QUALITY ASSURANCE REVIEW OF INDEPENDENT PUBLIC AUDITORS BY REAL ESTATE ASSESSMENT CENTER STAFF (FR-4394)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 901**Completed:**

Reason	Date	FR Cite
Withdrawn	08/25/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Claudia Yarus

Phone: 202 755-7540

RIN: 2577-AB85**1514. DIRECT FUNDING OF PUBLIC HOUSING RESIDENT MANAGEMENT CORPORATIONS (FR-4501)****Priority:** Other Significant**CFR Citation:** 24 CFR 964**Completed:**

Reason	Date	FR Cite
Final Action	07/10/00	65 FR 42512
Final Action Effective	08/09/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Paula Blunt

Phone: 202 619-8201

RIN: 2577-AC12**1515. DEMOLITION AND DISPOSITION OF PUBLIC HOUSING (FR-4500)****Priority:** Other Significant**CFR Citation:** 24 CFR 970**Completed:**

Reason	Date	FR Cite
Withdrawn - See RIN 2577-AC20 (FR-4598)	08/24/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Local**Agency Contact:** Elinor Bacon

Phone: 202 401-8812

RIN: 2577-AC11**1516. SECTION 8 HOMEOWNERSHIP (FR-4427)****Priority:** Other Significant**CFR Citation:** 24 CFR 982**Completed:**

Reason	Date	FR Cite
Final Action	09/12/00	65 FR 55134
Final Action Effective	10/12/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Gerald Benoit

Phone: 202 708-0477

RIN: 2577-AB90

[FR Doc. 00-24463 Filed 11-29-00]

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