



Federal Register

**Monday,
May 14, 2001**

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-4664-N-01]

Semiannual Agenda of Regulations

AGENCY: Department of Housing and Urban Development.

ACTION: Semiannual regulatory agenda.

SUMMARY: In accordance with section 4(b) of Executive Order 12866, "Regulatory Planning and Review," HUD is publishing its agenda of (1) regulations already issued or expected to be issued, and (2) currently effective rules that are under review. As permitted by law, the agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act. The purpose of publication of the agenda is to encourage more effective public participation in the regulatory process by providing the public with early information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT:

Aaron Santa Anna, 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. 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. Existing regulations that are proposed to be amended by rules under development and published in this agenda are reviewed in accordance with the principles of section 610 of the Regulatory Flexibility Act. The purpose of the review is to determine whether the rule should be continued without change, amended or rescinded. Proposed changes to existing regulations provide the opportunity for the Department to conduct a section 610 review.

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.

In addition to the authorities described above that affect HUD's rulemaking, this semiannual agenda reflects the regulatory review required by the new administration. On January 20, 2001, White House Chief of Staff Andrew H. Card, Jr. issued a memorandum entitled "Regulatory Review Plan" to all Federal departments and agencies, which sets out certain procedures that ensure that the administration has the opportunity to review any new or pending regulations. Consistent with the direction of the January 20, 2001, memorandum, HUD has refrained from adding new rules to the agenda except for those required by statute and for which there is a statutory deadline and those already reviewed and approved by HUD's new administration.

Consistent with the direction of the January 20, 2001, memorandum, HUD also has withdrawn several rules which were placed on previous agendas and for which there has been no publication activity. Withdrawal of a rule does not necessarily mean that HUD will not proceed with the rulemaking. Withdrawal allows the new HUD Administration to further assess the subject matter and determine whether rulemaking for this subject matter is appropriate. 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.

Additionally, for several rules which have been published as an advance notice of proposed rulemaking, a proposed or interim rule, and which therefore require further rulemaking, HUD has identified the timing of the next action stage as "undetermined." This description also allows the new HUD Administration the opportunity to assess rules already published and determine the appropriate next stage and timing of the next stage of rulemaking.

HUD has attempted to list in this agenda all regulations and regulatory reviews pending at the time of publication, except for minor and routine or repetitive actions, but some may have been inadvertently omitted, or may have arisen too late to be included

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in the published agenda. There is no legal significance to the omission of an item from the agenda. Also, where dates are provided for the next rulemaking actions, the dates are estimates and are not commitments to act on or by the date shown.

The format of the agenda remains unchanged from previous years. HUD's 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) publication or other implementations of final rules, (iv) long-term actions, and (v) 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.

Since the purpose of publication of the agenda is to encourage more

effective public participation in the regulatory process by providing the public with early information about the Department's future regulatory actions, HUD invites all interested members of the public to comment on the rules listed in the agenda.

Dated: February 23, 2001.

George Weidenfeller,
Deputy General Counsel for Housing Finance and Operations.

Office of the Secretary—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1121 | 24 CFR 5 Temporary Assistance to Needy Families (TANF) (FR-4635) | 2501-AC77 |
| 1122 | 24 CFR 40 Accessibility Standards for Design, Construction and Alteration of Certain Facilities Financed with Public Funds (FR-4317) | 2501-AC47 |
| 1123 | 24 CFR 92 Home Investment Partnerships Program: Grandfamilies; Homebuyer Assets (FR-4599) | 2501-AC71 |
| 1124 | 24 CFR 203 Single Family Mortgage Insurance; Treble Damages for Failure to Engage in Loss Mitigation Activities (FR-4553) | 2501-AC66 |

Office of the Secretary—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1125 | 24 CFR 30 Designation of Concurrent Authority To Initiate Civil Money Penalty Actions for Failing to Disclose Lead-Based Paint Hazards (FR-4647) | 2501-AC78 |
| 1126 | 24 CFR 92 HOME Investment Partnerships Program — Amendments (FR-4111) | 2501-AC30 |
| 1127 | 24 CFR 200 Screening and Eviction for Drug Abuse and Other Criminal Activity (FR-4495) | 2501-AC63 |
| 1128 | 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 |

Office of the Secretary—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1129 | 24 CFR 1 Joint Agency Rule To Conform Regulatory Definitions Civil Rights Restoration Act (FR-4587) | 2501-AC70 |
| 1130 | 24 CFR 27 Prohibited Purchasers of HUD-Insured and HUD-Owned Multifamily Projects (FR-4583) | 2501-AC69 |
| 1131 | 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 |
| 1132 | 24 CFR 30 Amendments to HUD's Civil Money Penalty Regulations (FR-4399) | 2501-AC56 |
| 1133 | 24 CFR 55 Floodplain Management and Protection of Wetlands (FR-4142) | 2501-AC33 |
| 1134 | 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) | 2501-AC76 |
| 1135 | 24 CFR 84 Administrative Requirements for Grantees To Reflect Single Audit Act Amendments (FR-4258) | 2501-AC39 |
| 1136 | 24 CFR 84 Adoption of Revisions to OMB Circular A-110 (FR-4573) | 2501-AC68 |
| 1137 | 24 CFR 91 Consolidated Plan Amendments; Needs of Public Housing and Treatment of Troubled PHAs (FR-4518) | 2501-AC62 |

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Office of the Secretary—Completed Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1138 | 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) | 2501-AC72 |
| 1139 | 24 CFR 07 Equal Employment Opportunity: Updating EEO Regulations (FR-4607) | 2501-AC73 |
| 1140 | 24 CFR 15 Revisions to HUD's Freedom of Information Act (FOIA) Regulations (FR-4292) | 2501-AC51 |
| 1141 | 24 CFR 17 Procedures for the Collection of Claims by the Government (FR-4318) | 2501-AC48 |
| 1142 | 24 CFR 58 Environmental Review Procedures for Entities Assuming HUD Environmental Responsibility (FR-4523) | 2501-AC64 |
| 1143 | 24 CFR 81 Secretary of HUD's Regulation of Fannie Mae and Freddie Mac: Non-Mortgage Investments (FR-4297) | 2501-AC41 |
| 1144 | 24 CFR 81 Secretary of HUD's Regulation of Fannie Mae and Freddie Mac: Purchase Goals (FR-4494) | 2501-AC60 |
| 1145 | 24 CFR 91 Clarifying Amendments to Consolidated Submission for Community Planning and Development Programs (FR-4333) | 2501-AC54 |
| 1146 | 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 |

Office of Housing—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1147 | Sale of Unoccupied and Substandard HUD-Held Housing to Local Governments and Community Development Organizations (FR-4658) | 2502-AH61 |
| 1148 | 24 CFR 203 Single Family Mortgage Insurance; Nonprofit Placement and Removal Procedures (FR-4585) | 2502-AH49 |
| 1149 | 24 CFR 203 Single Family Mortgage Insurance; Section 203(k) Consultant Roster Procedures (FR-4592) | 2502-AH51 |
| 1150 | 24 CFR 203 Prohibition of Property Flipping in HUD's Single Family Mortgage Insurance Programs (FR-4615) | 2502-AH57 |
| 1151 | 24 CFR 206 Insurance for Mortgages To Refinance Existing HECMs (FR-4667) | 2502-AH63 |
| 1152 | 24 CFR 291 Disposition of HUD-Owned Single Family Assets in Revitalization Areas (FR-4471) | 2502-AH40 |
| 1153 | 24 CFR 3280 Implementation of Manufactured Housing Improvement Act of 2000 (FR-4665) | 2502-AH62 |

Office of Housing—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1154 | 24 CFR 236 Rehabilitation Grants for Certain Multifamily Projects (FR-4465) | 2502-AH35 |
| 1155 | 24 CFR 891 Supportive Housing for the Elderly and Persons With Disabilities; Duration of Capital Advance (FR-4466) | 2502-AH36 |
| 1156 | 24 CFR 3280 Manufactured Home Construction and Safety Standards (FR-4376) | 2502-AH23 |

Office of Housing—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1157 | 24 CFR 200 Delegation of Insuring Authority to Direct Endorsement Mortgagees (FR-4169) | 2502-AG87 |
| 1158 | 24 CFR 200 Section 236 Rental Assistance — Excess Rental Charges (FR-4603) | 2502-AH53 |
| 1159 | 24 CFR 200 Predatory Lending: Appraisal Watch for Appraisers (FR-4620) | 2502-AH59 |
| 1160 | 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 |
| 1161 | 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 |
| 1162 | 24 CFR 202 Termination of Origination Approval Agreement (FR-4625) | 2502-AH60 |
| 1163 | 24 CFR 242 Mortgage Insurance for the Refinancing of Existing Debt of Existing Hospitals (FR-4618) | 2502-AH58 |
| 1164 | 24 CFR 245 Tenant Participation in State-Financed, HUD-Assisted Housing Developments (FR-4611) | 2502-AH55 |
| 1165 | 24 CFR 401 Release of Information to Tenants and Other Parties Pursuant to MAHRA (FR-4531) | 2502-AH45 |
| 1166 | 24 CFR 402 Renewal of Expiring Section 8 Project-Based Assistance Contract (FR-4551) | 2502-AH47 |
| 1167 | 24 CFR 880 Distributions to Nonprofit Owners of Certain HUD-Assisted Multifamily Rental Projects (FR-4602) | 2502-AH52 |

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Office of Housing—Long-Term Actions (Continued)

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1168 | 24 CFR 3280 Manufactured Homes Construction and Safety Standards: Smoke Alarms (FR-4552) | 2502-AH48 |

Office of Housing—Completed Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1169 | 24 CFR 200 Use of Materials Bulletins (FR-4265) | 2502-AH02 |
| 1170 | 24 CFR 200 Update of the Model Energy Code (MEC) (FR-4272) | 2502-AH03 |
| 1171 | 24 CFR 200 Use of Materials Bulletins Used in the HUD Building Products Standards and Certification Program (FR-4391) | 2502-AH28 |
| 1172 | 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 |
| 1173 | 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 |
| 1174 | 24 CFR 203 Mortgage Insurance Premium Reduction in Central Cities (FR-4284) | 2502-AH07 |
| 1175 | 24 CFR 203 Single Family Appraisal Assessment (FR-4395) | 2502-AH27 |
| 1176 | 24 CFR 203 Sources of Homebuyer Downpayment (FR-4469) | 2502-AH38 |
| 1177 | 24 CFR 203 Single Family Claim Reform and Sale of Property (FR-4470) | 2502-AH39 |
| 1178 | 24 CFR 207 Partial Payment of Claims for Health Care Facilities, Hospitals and Group Practice Facilities (FR-4387) | 2502-AH25 |
| 1179 | 24 CFR 221 Removal of Section 221(d)(2) Mortgage Insurance Program Regulations (FR-4588) | 2502-AH50 |
| 1180 | 24 CFR 270 Use of Federal Surplus Property for Self-Help Housing (FR-4464) | 2502-AH34 |
| 1181 | 24 CFR 3280 Federal Manufactured Housing Program; Definition of Manufactured Home (FR-4508) | 2502-AH43 |
| 1182 | 24 CFR 3282 Special Procedures Permitting Limited Completion of Manufactured Homes On-Site (FR-4216) | 2502-AG92 |
| 1183 | 24 CFR 3500 RESPA: Disclosure of Fees Paid to Retail Lenders (Brokers) (FR-3780) | 2502-AG40 |
| 1184 | 24 CFR 3500 Amendment to RESPA; Exemption for Employer Payments to Employees Who Make Like-Provider Referrals, and Other Amendments (FR-4173) | 2502-AG88 |
| 1185 | 24 CFR 3500 RESPA Statements of Policy Regarding Certain Private Mortgage Insurance Arrangements (FR-4342) | 2502-AH19 |
| 1186 | 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 Community Planning and Development—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1187 | 24 CFR 583 Supportive Housing Program—Increasing Operating Cost Percentage (FR-4576) | 2506-AC05 |
| 1188 | 24 CFR 598 Designation of Renewal Communities and Third Round Empowerment Zones (FR-4663) | 2506-AC09 |

Office of Community Planning and Development—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1189 | 24 CFR 570 CDBG Program for States; Community Revitalization Strategy Requirements and Miscellaneous Technical Amendments (FR-4081) | 2506-AB83 |
| 1190 | 24 CFR 570 Prohibition on Use of CDBG Assistance for Job-Pirating Activities (FR-4556) | 2506-AC04 |
| 1191 | 24 CFR 583 Supportive Housing Program (FR-4616) | 2506-AC07 |

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Office of Community Planning and Development—Completed Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1192 | 24 CFR 570 CDBG Slum/Blight National Objective Rule (FR-4487) | 2506-AB94 |
| 1193 | 24 CFR 570 CDBG Program Regulations on Pre-Award Cost and New Housing Construction (FR-4559) | 2506-AC06 |
| 1194 | 24 CFR 570 Modification of the Community Development Block Grant Definition for Metropolitan City (FR-4624) ... | 2506-AC08 |
| 1195 | 24 CFR 574 HOPWA Rental Assistance Options and Technical Changes (FR-4467) | 2506-AC02 |

Government National Mortgage Association—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1196 | 24 CFR 320 Ginnie Mae MBS Program: Payments to Security Holders (FR 4629) | 2503-AA16 |

Government National Mortgage Association—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1197 | 24 CFR 300 Elimination of Physical Certificate for Issued Securities (FR-4533) | 2503-AA14 |
| 1198 | 24 CFR 320 Electronic Payment on Ginnie Mae Guaranteed Securities (FR-4617) | 2503-AA15 |

Government National Mortgage Association—Completed Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1199 | 24 CFR 300.3 Ginnie Mae—Finance—NAHASDA Implementation (FR-4215) | 2503-AA11 |

Office of Fair Housing and Equal Opportunity—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1200 | 24 CFR 100 Fair Housing Act Regulation; Conforming Amendment; Update To Reflect Current Edition of American National Standards Institute (ANSI) (FR-4554) | 2529-AA88 |
| 1201 | 24 CFR 100 Fair Housing Act Regulations Amendments: Standards Governing Sexual Harassment (FR-4597) | 2529-AA89 |
| 1202 | 24 CFR 135 Economic Opportunities for Low- and Very-Low-Income Persons (FR-2898) | 2529-AA49 |

Office of Fair Housing and Equal Opportunity—Completed Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1203 | 24 CFR 115 Certification and Funding of State and Local Fair Housing Enforcement Agencies (FR-4392) | 2529-AA85 |

Office of Public and Indian Housing—Prerule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1204 | 24 CFR 1000 HUD Policy for the Administration of HUD Programs on Indian Reservations and Other Indian Areas (FR-4580) | 2577-AC06 |

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Office of Public and Indian Housing—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1205 | 24 CFR 905 Public Housing Capital Fund Program (FR-4507) | 2577-AC16 |
| 1206 | 24 CFR 909 Public Housing Relocation Requirements (FR-4634) | 2577-AC23 |
| 1207 | 24 CFR 941 Mixed-Finance Public Housing Development (FR-4499) | 2577-AC09 |
| 1208 | 24 CFR 964 Resident Participation in Public, Native American and Assisted Housing (FR-4657) | 2577-AC26 |

Office of Public and Indian Housing—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1209 | 24 CFR 791 Review of Applications for Housing Assistance and Allocations of Housing Assistance Funds (FR-4477) | 2577-AC03 |
| 1210 | 24 CFR 906 Public Housing Homeownership Programs (FR-4504) | 2577-AC15 |
| 1211 | 24 CFR 972 Required Conversion of Development From Public Housing Stock (FR-4475) | 2577-AC01 |
| 1212 | 24 CFR 972 Voluntary Conversion of Developments From Public Housing Stock (FR-4476) | 2577-AC02 |
| 1213 | 24 CFR 982 Section 8 Homeownership Program; Pilot Program for Homeownership Assistance for Disabled Families (FR-4661) | 2577-AC24 |
| 1214 | 24 CFR 983 Section 8 Project Based (FR-4636) | 2577-AC25 |
| 1215 | 24 CFR 990 Operating Fund Allocation Formula (FR-4425) | 2577-AB88 |

Office of Public and Indian Housing—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1216 | 24 CFR ch IX HOPE VI Program (FR-4530) | 2577-AC17 |
| 1217 | 24 CFR 941 Public Housing Development Total Development Cost (TDC) (FR-4489) | 2577-AC05 |
| 1218 | 24 CFR 970 Public Housing Demolition and Disposition (FR-4598) | 2577-AC20 |
| 1219 | 24 CFR 982 Section 8 Housing Choice Voucher Program; Expansion of Payment Standards Protection (FR-4586) | 2577-AC18 |
| 1220 | 24 CFR 985 Revisions to SEMAP Lease-Up Indicator (FR-4604) | 2577-AC21 |
| 1221 | 24 CFR 1000 Revision to Construction Cost Limits for Native American Housing (FR-4517) | 2577-AC14 |
| 1222 | 24 CFR 1000 NAHASDA Housing Assistance for Native Hawaiians (FR-4668) | 2577-AC27 |
| 1223 | 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 |
|-----------------|---|----------------------------------|
| 1224 | 24 CFR 903 Public Housing Agency Plan (FR-4420) | 2577-AB89 |
| 1225 | 24 CFR 943 Consortia of Public Housing Agencies and Joint Venture (FR-4474) | 2577-AC00 |
| 1226 | 24 CFR 945 Designated Housing Program Amendments (FR-3964) | 2577-AB57 |
| 1227 | 24 CFR 964 Resident Opportunities and Supportive Services (FR-4525) | 2577-AC07 |
| 1228 | 24 CFR 965 Public Housing Purchasing Preference for Responsible Firearms Companies (FR-4594) | 2577-AC19 |
| 1229 | 24 CFR 985 Section 8 Management Assessment Program (SEMAP) New Performance Indicators (FR-4388) | 2577-AB83 |
| 1230 | 24 CFR 1003 Community Development Block Grants for Indian Tribes and Alaska Native Villages—Amendments to Funding Application Process (FR-4612) | 2577-AC22 |

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

Proposed Rule Stage

1121. • TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) (FR-4635)
Priority: Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 5**Legal Deadline:** None

Abstract: This rule would update and clarify HUD's annual income requirements for its public housing and Section 8 assistance programs. Specifically, this rule would clarify that annual income includes payments under the Temporary Assistance for Needy Families (TANF) program, but only to the extent such payments qualify as "assistance" under the TANF program regulations issued by the Department of Health and Human Services and are not otherwise excluded under HUD's regulation. HUD believes that these clarifications will make the annual income requirements easier to understand for both program participants and public housing agencies. These changes would ensure greater conformity between HUD's annual income requirements and the TANF program regulations.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 04/20/01 | 66 FR 20368 |
| NPRM Comment Period End | 06/19/01 | |
| Final Action | 11/00/01 | |

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

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

RIN: 2501-AC77
1122. ACCESSIBILITY STANDARDS FOR DESIGN, CONSTRUCTION AND ALTERATION OF CERTAIN FACILITIES FINANCED WITH PUBLIC FUNDS (FR-4317)
Priority: Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 4153**CFR Citation:** 24 CFR 40; 24 CFR 41**Legal Deadline:** None

Abstract: The U.S. Architectural and Transportation Barriers Compliance Board (Access Board), of which HUD is a voting member, is revising and updating its accessibility guidelines for buildings and facilities covered by the Americans with Disabilities Act and the Architectural Barriers Act (ABA). The guidelines cover new construction and alterations and serve as the basis for enforceable standards issued by other Federal agencies, including HUD. HUD, as one of the four standard setting agencies, must adopt standards that are equivalent to or stricter than those guidelines issued by the Access Board. Thus, HUD must both update its regulations for the ABA at 24 CFR 40 and 41, but must also update/replace its Uniform Federal Accessibility Standards (UFAS) with standards equivalent to or stricter than the Access Board's guidelines.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/01 | |

Regulatory Flexibility Analysis Required: No
Government Levels Affected: None

Agency Contact: Milton Turner, 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
1123. HOME INVESTMENT PARTNERSHIPS PROGRAM: GRANDFAMILIES; 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 implement Section 904 of the American Homeownership and Economic Opportunity Act and to add a requirement for consideration of a homebuyer's available assets to qualify for HOME assistance.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 10/00/01 | |

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
1124. 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 | 08/00/01 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Joseph McCloskey, Director, Single Family Asset Management Division, Department of

HUD—HUDSEC

Proposed Rule Stage

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

1125. • DESIGNATION OF CONCURRENT AUTHORITY TO INITIATE CIVIL MONEY PENALTY ACTIONS FOR FAILING TO DISCLOSE LEAD-BASED PAINT HAZARDS (FR-4647)

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's civil money penalty regulations currently state that the Director of the Office of Healthy Homes and Lead Hazard Control, or his or her designee, may initiate a civil money penalty action against any person who knowingly violates HUD's lead-based paint disclosure requirements. This final rule revises that provision to give concurrent authority to initiate a civil money penalty action against any person who knowingly violates HUD's lead-based paint disclosure regulation to the Director of the Departmental Enforcement Center.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 04/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

RIN: 2501-AC78

1126. HOME INVESTMENT PARTNERSHIPS PROGRAM — AMENDMENTS (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 | 07/00/01 | |

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

1127. 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)

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 | 04/00/01 | |

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

1128. 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 rule follows the interim final rule that implemented 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

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Final Rule Stage

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 | 04/00/01 | |

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)**

Long-Term Actions

1129. JOINT AGENCY RULE TO CONFORM REGULATORY DEFINITIONS CIVIL RIGHTS RESTORATION ACT (FR-4587)
Priority: Other Significant**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: Next Action Undetermined**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
1130. 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 | |
| Next Action Undetermined | | |

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
1131. 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

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Long-Term Actions

amounts of its civil money penalties before October 24, 2000.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

RIN: 2501-AC67

1132. 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 |
| NPRM Comment | 08/25/00 | |
| Period End | | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

RIN: 2501-AC56

1133. 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 | 08/03/98 | |
| Period End | | |
| Next Action Undetermined | | |

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

1134. 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)

Priority: Other Significant. Major under 5 USC 801.

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

CFR Citation: 24 CFR 81

Legal Deadline: None

Abstract: A report issued in June 2000 by HUD and the Department of Treasury entitled "Curbing Predatory Home Mortgage Lending," noted that by providing a source of funding, entities that purchase or securitize loans with high cost and/or predatory features are, knowingly or unknowingly, supporting the activities of predatory loan originators. The report recommended regulatory restrictions that would prohibit the two Government-Sponsored Enterprises (GSEs), Fannie Mae and Freddie Mac, from purchasing certain types of loans with high costs and/or predatory features altogether. Through this rulemaking, HUD will establish regulatory restrictions, consistent with the GSEs' voluntary restrictions, that will prohibit the GSEs from purchasing certain loans with high costs and/or predatory features. Specifically, this rule will prohibit the GSEs from purchasing loans that come within the high-cost thresholds of the Home Ownership Equity Protection Act, loans with excessive fees, loans originated with single-premium credit life insurance, and loans with other harmful features. This rule will help to ensure that these GSEs are not supporting the activities of predatory loan originators.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sandra Fostek, GSE, Program Analyst, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2224

RIN: 2501-AC76

1135. 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.

HUD—HUDSEC

Long-Term Actions

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 | |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Peter Bell, Department of Housing and Urban Development, Real Estate Assessment Center

Phone: 202 708-4932

RIN: 2501-AC39

1136. 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 | |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

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

1137. 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 contained in the Quality Housing and Work Responsibility Act 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. The rule also makes a number of clarifying and conforming amendments.

Timetable: Next Action Undetermined

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

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Completed Actions

Office of the Secretary (HUDSEC)

1138. DETERMINED ADJUSTED INCOME IN HUD PROGRAMS SERVING PERSONS WITH DISABILITIES: REQUIRING MANDATORY DEDUCTIONS FOR CERTAIN EXPENSES; AND DISALLOWANCE FOR EARNED INCOME (FR-4608)

Priority: Other Significant

CFR Citation: 24 CFR 5; 24 CFR 92; 24 CFR 200; 24 CFR 236; 24 CFR 574; 24 CFR 582; 24 CFR 583; 24 CFR 891; 24 CFR 982

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|------------|
| Final Action | 01/19/01 | 66 FR 6218 |
| Final Action Effective | 04/20/01 | 66 FR 8174 |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia Arnaudo

Phone: 202 708-0744

Mary Kolesar

Phone: 202 708-2470

RIN: 2501-AC72

1139. EQUAL EMPLOYMENT OPPORTUNITY: UPDATING EEO REGULATIONS (FR-4607)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 7

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| NPRM | 10/26/00 | 65 FR 64320 |
| Final Action | 04/23/01 | 66 FR 20564 |
| Final Action Effective | 05/23/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

HUD—HUDSEC

Completed Actions

Agency Contact: William King
Phone: 202 708-5921

RIN: 2501-AC73

1140. REVISIONS TO HUD'S FREEDOM OF INFORMATION ACT (FOIA) REGULATIONS (FR-4292)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 15

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|------------|
| Final Action | 01/22/01 | 66 FR 6964 |
| Final Action Effective | 04/23/01 | 66 FR 8175 |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marylea Byrd
Phone: 202 708-3866

RIN: 2501-AC51

1141. PROCEDURES FOR THE COLLECTION OF CLAIMS BY THE GOVERNMENT (FR-4318)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 17

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Maureen Harris
Phone: 202 708-1946

RIN: 2501-AC48

1142. ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD ENVIRONMENTAL RESPONSIBILITY (FR-4523)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 58

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Walter Prybyla
Phone: 202 708-1201

RIN: 2501-AC64

1143. SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC: NON-MORTGAGE INVESTMENTS (FR-4297)

Priority: Other Significant

CFR Citation: 24 CFR 81

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/14/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sandra Fostek
Phone: 202 708-2224

RIN: 2501-AC41

1144. SECRETARY OF HUD'S REGULATION OF FANNIE MAE AND FREDDIE MAC: PURCHASE GOALS (FR-4494)

Priority: Economically Significant. Major under 5 USC 801.

CFR Citation: 24 CFR 81

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 10/31/00 | 65 FR 65044 |
| Final Action Effective | 01/01/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sandra Fostek
Phone: 202 708-2224

RIN: 2501-AC60

1145. CLARIFYING AMENDMENTS TO CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS (FR-4333)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 91

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local

Agency Contact: Salvatore Sclafani
Phone: 202 708-1283

RIN: 2501-AC54

1146. ADOPTION OF REVISED OMB CIRCULAR A-133; ADMINISTRATIVE REQUIREMENTS FOR GRANTEEES TO REFLECT THE SINGLE AUDIT ACT AMENDMENTS OF 1996; TECHNICAL AMENDMENTS (FR-4296)

Priority: Substantive, Nonsignificant

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; ...

Completed:

| Reason | Date | FR Cite |
|-------------------------------------|----------|---------|
| Merged With RIN 2501-AC39 (FR-4258) | 02/13/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Garland Reid
Phone: 202 708-1365

RIN: 2501-AC43

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

Proposed Rule Stage

1147. • SALE OF UNOCCUPIED AND SUBSTANDARD HUD-HELD HOUSING TO LOCAL GOVERNMENTS AND COMMUNITY DEVELOPMENT ORGANIZATIONS (FR-4658)
Priority: Substantive, Nonsignificant**Legal Authority:** 12 USC 1715z-11a; 42 USC 3535(d)**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: This proposed rule would provide for a program to sell properties that are vacant or substandard to local governments and community development corporations. The properties must be used for community revitalization purposes, and must be held in the HUD inventory for at least 6 months.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/01 | |

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

Agency Contact: Beverly Miller, Director, Office of Multifamily Asset Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3730

RIN: 2502-AH61
1148. SINGLE FAMILY MORTGAGE INSURANCE; NONPROFIT PLACEMENT AND REMOVAL PROCEDURES (FR-4585)
Priority: Other Significant**Legal Authority:** 12 USC 1702 to 1715z-21; 42 USC 3535(d)**CFR Citation:** 24 CFR 200**Legal Deadline:** None

Abstract: This rule would establish regulatory placement and removal procedures for HUD's Nonprofit Organization Roster. The Roster lists nonprofit organizations that HUD has determined are qualified to participate in certain specified Federal Housing Administration (FHA) single family activities. These activities may include acting as a mortgagor; purchasing HUD's Real Estate Owned Properties (HUD Homes) at a discount; providing secondary financing; and imposing legal restrictions on conveyance as part

of affordable housing programs. Presently, there are no regulatory procedures for placing a nonprofit organization on, nor for removing a poorly performing nonprofit organization from, the Roster. HUD believes that the establishment of these placement and removal procedures will better protect participants in the FHA single family programs and safeguard FHA insurance funds.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 08/00/01 | |

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: 202 708-2121

RIN: 2502-AH49
1149. 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 | 08/00/01 | |

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: 202 708-2121

RIN: 2502-AH51
1150. PROHIBITION OF PROPERTY FLIPPING IN HUD'S SINGLE FAMILY MORTGAGE INSURANCE PROGRAMS (FR-4615)
Priority: Other Significant**Legal Authority:** 42 USC 3535(d); 12 USC 1709; 12 USC 1710; 12 USC 1715b; 12 USC 1715u**CFR Citation:** 24 CFR 203**Legal Deadline:** None

Abstract: This rule would address property "flipping," the practice whereby a property recently acquired is resold for a considerable profit with an artificially inflated value, often abetted by collusion with the appraiser.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 08/00/01 | |

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: 202 708-2121

RIN: 2502-AH57
1151. • INSURANCE FOR MORTGAGES TO REFINANCE EXISTING HECMS (FR-4667)
Priority: Other Significant**Legal Authority:** 12 USC 1715b; 12 USC 1715z to 1720; 42 USC 3535(d)**CFR Citation:** 24 CFR 206**Legal Deadline:** Final, Statutory, June 27, 2001, Section 201 of the American

HUD—OH

Proposed Rule Stage

Homeownership and Economic Opportunity Act of 2000 requires that HUD issue final regulations within 180 days of enactment.

Abstract: This rule would amend HUD's regulations for the Home Equity Conversion Mortgage (HECM) Program to implement the recent amendments made by section 201(a) of the American Homeownership and Economic Opportunity Act of 2000. The HECM Program enables older homeowners to withdraw some of the equity in their homes in the form of payments for life, a fixed term, or at intervals through a line of credit. Section 201(a) authorizes HUD to offer mortgage insurance for refinancing of existing HECMs, and provides consumer safeguards for such refinancings.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 05/00/01 | |

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: 202 708-2121

RIN: 2502-AH63

1152. 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: NPRM, Statutory, October 21, 2000.

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

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/01 | |

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-AH40

1153. • IMPLEMENTATION OF MANUFACTURED HOUSING IMPROVEMENT ACT OF 2000 (FR-4665)

Priority: Other Significant

Legal Authority: PL 106-569, title VI; 42 USC 5424; 42 USC 3535(d)

CFR Citation: 24 CFR 3280; 24 CFR 3282

Legal Deadline: None

Abstract: On December 27, 2000, the Manufactured Housing Improvement Act of 2000 was approved. This Act establishes a consensus rulemaking process for HUD's manufactured housing program, and provides for the establishment of installation and dispute resolution programs, among other things. As a result of this new statute, amendments are necessary to HUD's existing Manufactured Housing Program regulations.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 09/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Elizabeth Cocke, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6409

RIN: 2502-AH62

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

Final Rule Stage

1154. 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 | 07/00/01 | |

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

HUD—OH

Final Rule Stage

1155. 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 | 04/00/01 | |

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

1156. 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: Elizabeth Cocke, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6409

RIN: 2502-AH23

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

Long-Term Actions

1157. DELEGATION OF INSURING AUTHORITY TO DIRECT ENDORSEMENT MORTGAGEES (FR-4169)

Priority: Other Significant

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 | |
| Next Action | Undetermined | |

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: 202 708-2121

RIN: 2502-AG87

1158. 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 Section 216 of HUD's FY 2001 Appropriations Act and Section 816 of the American Homeownership and Economic Opportunity Act of 2000, 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

HUD—OH

Long-Term Actions

of excess rental charges are outdated, do not reflect statutory amendments after 1995, and do not permit owners to retain excess rental charges. The rule would update the regulation to reflect statutory changes and HUD's manner of implementing those changes to date.

Timetable: Next Action Undetermined

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

1159. ● PREDATORY LENDING: APPRAISAL WATCH FOR APPRAISERS (FR-4620)

Priority: Other Significant

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

CFR Citation: 24 CFR 200

Legal Deadline: None

Abstract: HUD proposes to establish an "Appraiser Watch" system, similar to the successful Credit Watch system for FHA lenders. The Appraiser Watch system would rate appraisers on the performance of loans linked to their appraisals. Appraisers who are linked with excessive default and claim rates, or who appear to be involved with the predatory practice of property flipping, will be immediately suspended from the FHA Appraiser Roster and targeted for further review. Based on the outcome of this review, the appraiser may be removed from the Appraiser Roster and, if appropriate, subject to other enforcement or legal action. In addition to the amendments implementing the proposed Appraiser Watch system, the proposed rule would make several regulatory changes designed to strengthen the licensing and certification requirements for placement on the FHA Appraiser Roster.

Timetable: Next Action Undetermined

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: 202 708-2121

RIN: 2502-AH59

1160. 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 amends HUD's regulations for the Title I Property Improvement and Manufactured Housing Loan Insurance programs. The rule also increases the net worth requirements applicable to both the Title I and Title II Single Family Mortgage Insurance programs. The changes are designed to enhance program controls and strengthen the financial viability of the programs. This rule follows publication of a March 30, 2000 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 03/30/00 | 65 FR 17120 |
| NPRM Comment Period End | 05/30/00 | |
| Next Action Undetermined | | |

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: 202 708-2121

RIN: 2502-AG95

1161. 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 proposed 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: Next Action Undetermined

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

1162. ● TERMINATION OF ORIGINATION APPROVAL AGREEMENT (FR-4625)

Priority: Other Significant

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

CFR Citation: 24 CFR 202

Legal Deadline: None

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Long-Term Actions

Abstract: The rule revises HUD's regulations pertaining to the FHA single-family mortgage insurance program to emphasize that underwriting, as well as originating mortgagees, are subject to the provisions of the Credit Watch/Termination initiative. The rule also conforms the definition of mortgage origination date to HUD's existing practice and replaces the six-month tracking period for evaluating mortgagees on credit watch in favor of the quarterly review that is currently conducted of all insured loans.

Timetable: Next Action Undetermined

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-AH60

1163. • MORTGAGE INSURANCE FOR THE REFINANCING OF EXISTING DEBT OF EXISTING HOSPITALS (FR-4618)

Priority: Other Significant

Legal Authority: 12 USC 1715b; 12 USC 1715n; 12 USC 1715z-7; 42 USC 3535(d)

CFR Citation: 24 CFR 242

Legal Deadline: None

Abstract: This interim rule implements Section 223(f) of the National Housing Act, which authorizes the Secretary of HUD to insure mortgages executed in connection with refinancing the debt of existing multifamily properties and health care facilities. This interim rule implements this authority with respect to acute care hospitals. The purpose of the Section 223(f) program is to provide hospitals the opportunity to refinance their long-term debt so that the hospitals can reduce their annual debt service and thus improve their financial viability. This in turn will further the congressional policy of assisting urgently needed hospitals that treat and care for persons who are acutely ill or injured and who otherwise require medical care and related services customarily furnished only by hospitals.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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-AH58

1164. 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: Next Action Undetermined

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
Phone: 202 708-3000

RIN: 2502-AH55

1165. 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: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

RIN: 2502-AH45

1166. 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: Next Action Undetermined

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

HUD—OH

Long-Term Actions

1167. 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: Next Action Undetermined**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
Phone: 202 708-3000

RIN: 2502-AH52**1168. 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 | |
| Next Action | Undetermined | |

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

Agency Contact: Elizabeth Cocke, Acting Director, Office of Consumer and Regulatory Affairs, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-6409

RIN: 2502-AH48**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)**

Completed Actions

1169. USE OF MATERIALS BULLETINS (FR-4265)**Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 200**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/14/01 | |

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

Agency Contact: Elizabeth Cocke
Phone: 202 708-6409

RIN: 2502-AH02

Agency Contact: Elizabeth Cocke
Phone: 202 708-6409

RIN: 2502-AH03**1171. USE OF MATERIALS BULLETINS USED IN THE HUD BUILDING PRODUCTS STANDARDS AND CERTIFICATION PROGRAM (FR-4391)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 200**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/14/01 | |

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

Agency Contact: Elizabeth Cocke
Phone: 202 708-6409

RIN: 2502-AH28**1172. 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**CFR Citation:** 24 CFR 200; 24 CFR 5**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 12/08/00 | 65 FR 77230 |
| Final Action Effective | 01/08/01 | |

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

Agency Contact: Kenneth Hannon
Phone: 202 708-3944

RIN: 2502-AH44**1170. UPDATE OF THE MODEL ENERGY CODE (MEC) (FR-4272)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 200**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/14/01 | |

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

HUD—OH

Completed Actions

1173. MORTGAGEE APPROVAL FOR SINGLE FAMILY PROGRAMS—PROCEDURES FOR TERMINATING ORIGINATION APPROVAL AGREEMENTS AND PLACEMENT IN CREDIT WATCH STATUS (FR-4492)

Priority: Other Significant

CFR Citation: 24 CFR 202

Completed:

| Reason | Date | FR Cite |
|--------|------|---------|
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| Merged With RIN 2502-AH60 (FR-4625) | 02/22/01 | |
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Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Phillip Murray
Phone: 202 708-1515

RIN: 2502-AH42

1174. MORTGAGE INSURANCE PREMIUM REDUCTION IN CENTRAL CITIES (FR-4284)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 203

Completed:

| Reason | Date | FR Cite |
|--------|------|---------|
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| Withdrawn | 02/14/01 | |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local

Agency Contact: Stephen Semelsberger
Phone: 202 708-2121

RIN: 2502-AH07

1175. SINGLE FAMILY APPRAISAL ASSESSMENT (FR-4395)

Priority: Other Significant

CFR Citation: 24 CFR 203

Completed:

| Reason | Date | FR Cite |
|--------|------|---------|
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| Withdrawn | 02/13/01 | |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Claudia Yarus
Phone: 202 755-7540

RIN: 2502-AH27

1176. SOURCES OF HOMEBUYER DOWNPAYMENT (FR-4469)

Priority: Other Significant

CFR Citation: 24 CFR 203

Completed:

| Reason | Date | FR Cite |
|--------|------|---------|
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| Notice | 01/12/01 | 66 FR 2851 |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Vance Morris
Phone: 202 708-2121

RIN: 2502-AH38

1177. SINGLE FAMILY CLAIM REFORM AND SALE OF PROPERTY (FR-4470)

Priority: Other Significant

CFR Citation: 24 CFR 203

Completed:

| Reason | Date | FR Cite |
|--------|------|---------|
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| Withdrawn | 02/14/01 | |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Joseph McCloskey
Phone: 202 708-1672

RIN: 2502-AH39

1178. PARTIAL PAYMENT OF CLAIMS FOR HEALTH CARE FACILITIES, HOSPITALS AND GROUP PRACTICE FACILITIES (FR-4387)

Priority: Substantive, Nonsignificant

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

Completed:

| Reason | Date | FR Cite |
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| Withdrawn | 02/14/01 | |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Agency Contact: Roger Miller
Phone: 202 708-0599

RIN: 2502-AH25

1179. REMOVAL OF SECTION 221(D)(2) MORTGAGE INSURANCE PROGRAM REGULATIONS (FR-4588)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 221

Completed:

| Reason | Date | FR Cite |
|--------|------|---------|
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| Final Action | 01/19/01 | 66 FR 5912 |
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| Final Action Effective | 04/20/01 | 66 FR 8175 |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Vance Morris
Phone: 202 708-2121

RIN: 2502-AH50

1180. USE OF FEDERAL SURPLUS PROPERTY FOR SELF-HELP HOUSING (FR-4464)

Priority: Other Significant

CFR Citation: 24 CFR 270

Completed:

| Reason | Date | FR Cite |
|--------|------|---------|
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| Withdrawn | 02/14/01 | |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local

Agency Contact: Elizabeth Burdock
Phone: 202 708-1490

RIN: 2502-AH34

1181. FEDERAL MANUFACTURED HOUSING PROGRAM; DEFINITION OF MANUFACTURED HOME (FR-4508)

Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 3280; 24 CFR 3282

Completed:

| Reason | Date | FR Cite |
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| Withdrawn | 02/14/01 | |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Elizabeth Cocke
Phone: 202 708-6409

RIN: 2502-AH43

1182. SPECIAL PROCEDURES PERMITTING LIMITED COMPLETION OF MANUFACTURED HOMES ON-SITE (FR-4216)

Priority: Other Significant

CFR Citation: 24 CFR 3282

Completed:

| Reason | Date | FR Cite |
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| Withdrawn | 02/14/01 | |
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Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Local

Agency Contact: Elizabeth Cocke

HUD—OH

Completed Actions

Phone: 202 708-6409

RIN: 2502-AG92

1183. RESPA: DISCLOSURE OF FEES PAID TO RETAIL LENDERS (BROKERS) (FR-3780)

Priority: Economically Significant

CFR Citation: 24 CFR 3500

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Elizabeth Cocke

Phone: 202 708-6409

RIN: 2502-AG40

1184. AMENDMENT TO RESPA; EXEMPTION FOR EMPLOYER PAYMENTS TO EMPLOYEES WHO MAKE LIKE-PROVIDER REFERRALS, AND OTHER AMENDMENTS (FR-4173)

Priority: Other Significant

CFR Citation: 24 CFR 3500

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Elizabeth Cocke

Phone: 202 708-6409

RIN: 2502-AG88

1185. RESPA STATEMENTS OF POLICY REGARDING CERTAIN PRIVATE MORTGAGE INSURANCE ARRANGEMENTS (FR-4342)

Priority: Other Significant

CFR Citation: 24 CFR 3500

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Elizabeth Cocke

Phone: 202 708-6409

RIN: 2502-AH19

1186. REAL ESTATE SETTLEMENT PROCEDURES ACT (RESPA) STATEMENT OF POLICY 2000-1; SECTION 8 PROHIBITION AGAINST KICKBACKS AND UNEARNED FEES (FR-4613)

Priority: Other Significant

CFR Citation: 24 CFR 3500

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/14/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Elizabeth Cocke

Phone: 202 708-6409

RIN: 2502-AH56

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Final Rule Stage

Office of Community Planning and Development (CPD)

1187. 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 | |

| Action | Date | FR Cite |
|---------------------------------------|----------|---------|
| Interim Final Rule Comment Period End | 07/11/00 | |
| Final Action | 07/00/01 | |

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

1188. • DESIGNATION OF RENEWAL COMMUNITIES AND THIRD ROUND EMPOWERMENT ZONES (FR-4663)

Priority: Other Significant

Legal Authority: PL 106-554; 26 USC subchapter U; 26 USC subchapter X

CFR Citation: 24 CFR 598; 24 CFR 599

Legal Deadline: Final, Statutory, April 23, 2001, Community Renewal Tax Relief Act of 2000 requires Renewal Communities regulations no later than 4 months after the date of enactment, December 21, 2000.

Abstract: Renewal Communities: This part of the rule will implement section 101 of the Community Renewal and Tax Relief Act of 2000 by setting forth policies and procedures applicable to the designation of Renewal Communities, authorized under Subchapter X of the Internal Revenue Code of 1986.

Empowerment Zones: Third Round - This part of the rule will implement section 111 of the Community Renewal and Tax Relief Act of 2000 by setting forth policies and procedures applicable to the third round of designations of urban Empowerment Zones, authorized under Subchapter U of the Internal Revenue Code 1986.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 04/00/01 | |

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Final Rule Stage

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Pamela Glekas, Director, Empowerment Zones/Empowerment Communities Initiative, Department of Housing and

Urban Development, Office of Community Planning and Development
Phone: 202 708-6339

RIN: 2506-AC09

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

Long-Term Actions

1189. CDBG PROGRAM FOR STATES; COMMUNITY REVITALIZATION STRATEGY REQUIREMENTS AND MISCELLANEOUS TECHNICAL AMENDMENTS (FR-4081)

Priority: Substantive, Nonsignificant

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 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 2506-AB83

1190. 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 will 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.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 10/24/00 | 65 FR 63756 |
| NPRM Comment Period End | 12/26/00 | |
| Next Action Undetermined | | |

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

1191. 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 existing program requirements and to add new program requirements in accordance with recent statutory requirements. This rule will make the Supportive Housing Program regulations clearer and allow for the full flexibility of the McKinney Act.

Timetable: Next Action Undetermined

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)
Office of Community Planning and Development (CPD)
Completed Actions**1192. CDBG SLUM/BLIGHT NATIONAL OBJECTIVE RULE (FR-4487)****Priority:** Other Significant**CFR Citation:** 24 CFR 570**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Steve Johnson
Phone: 202 708-1322**RIN:** 2506-AB94**1193. CDBG PROGRAM REGULATIONS ON PRE-AWARD COST AND NEW HOUSING CONSTRUCTION (FR-4559)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 570**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 11/21/00 | 65 FR 70214 |
| Final Action Effective | 12/21/00 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local, Tribal**Agency Contact:** Sue Miller
Phone: 202 708-1577**RIN:** 2506-AC06**1194. • MODIFICATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT DEFINITION FOR METROPOLITAN CITY (FR-4624)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d); 42 USC 5301 to 5320**CFR Citation:** 24 CFR 570**Legal Deadline:** None

Abstract: This interim rule expands the definition of the term "metropolitan city" under the Community Development Block Grant (CDBG) program to include any city that would have become a metropolitan city by virtue of having a population of 50,000 or more based on 1999 Census population estimates without regard to whether the city is in a metropolitan area. Due to pending changes to the standards for defining metropolitan areas, the Office of Management and Budget (OMB) suspended designation of new metropolitan areas as of June 1999. Since the CDBG statute requires that a metropolitan city be "within a metropolitan area," the absence of new designations for the past year has resulted in otherwise eligible cities not already located in an established metropolitan area from receiving CDBG entitlement funds. To address this problem, this interim rule permits any city reaching the 50,000 population threshold based on 1999 estimates (notwithstanding OMB's moratorium on designating metropolitan areas) to be designated as a metropolitan city and,

thereby, be eligible to receive CDBG entitlement grants.

Timetable:

| Action | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Sue Miller, Acting Director, Entitlement Communities Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-1577**RIN:** 2506-AC08**1195. HOPWA RENTAL ASSISTANCE OPTIONS AND TECHNICAL CHANGES (FR-4467)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 574**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** David Vos
Phone: 202 708-1934**RIN:** 2506-AC02
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Government National Mortgage Association (GNMA)
Final Rule Stage**1196. • GINNIE MAE MBS PROGRAM: PAYMENTS TO SECURITY HOLDERS (FR 4629)****Priority:** Substantive, Nonsignificant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 320**Legal Deadline:** None

Abstract: The Government National Mortgage Association (the "Association" or "Ginnie Mae") is proposing regulations that will govern payments on Ginnie Mae I Modified Pass-Through Securities ("Ginnie Mae I MBS") registered in the name of a securities depository intermediary (a "Depository"). The proposed rule

would require that payments on Ginnie Mae I MBS due to Depositories be made in immediately available funds and would supersede any current provisions allowing those payments to be made by check. Payments to other security holders may be made by check or other means provided the check is received by the security holder not later than the 15th day of each month. The regulation would also eliminate any requirement that a physical certificate be maintained by a Depository.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| NPRM | 02/26/01 | 66 FR 12428 |

| Action | Date | FR Cite |
|-------------------------|----------|---------|
| NPRM Comment Period End | 03/28/01 | |
| Final Action | 06/00/01 | |

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-AA16

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Government National Mortgage Association (GNMA)
Long-Term Actions
1197. 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: Next Action Undetermined**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
1198. 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: Next Action Undetermined**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)
Completed Actions
1199. GINNIE MAE—FINANCE—NAHASDA IMPLEMENTATION (FR-4215)
Priority: Substantive, Nonsignificant**CFR Citation:** 24 CFR 300.3; 24 CFR 320; 24 CFR 330; 24 CFR 340**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Charles Clark
Phone: 202 708-4141

RIN: 2503-AA11
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)
Long-Term Actions
1200. 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 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Agency Contact: Milton Turner, 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: 2529-AA88
1201. 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 final rule would amend HUD's Fair Housing regulations to

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Long-Term Actions

clarify the standards the Department will use in sexual harassment cases.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 11/13/00 | 65 FR 67666 |
| NPRM Comment Period End | 01/12/01 | |
| Next Action Undetermined | | |

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

1202. ECONOMIC OPPORTUNITIES FOR LOW- AND VERY-LOW-INCOME PERSONS (FR-2898)

Priority: Other Significant

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 | |
| 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 | |
| Next Action Undetermined | | |

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)
Office of Fair Housing and Equal Opportunity (FHEO)**

Completed Actions

1203. CERTIFICATION AND FUNDING OF STATE AND LOCAL FAIR HOUSING ENFORCEMENT AGENCIES (FR-4392)

Priority: Other Significant

CFR Citation: 24 CFR 115

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/22/01 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Lauretta Dixon
Phone: 202 708-1992

RIN: 2529-AA85

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

Prerule Stage

1204. 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 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 for 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 | 05/00/01 | |

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

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Prerule Stage

Phone: 202 401-7914

RIN: 2577-AC06

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

Proposed Rule Stage

1205. PUBLIC HOUSING CAPITAL FUND PROGRAM (FR-4507)

Priority: Other Significant

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

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

Legal Deadline: None

Abstract: This proposed rule will implement the new Capital Fund Program for the capital and management improvement needs of public housing agencies. The rule will complement the final rule for the Public Housing Capital Fund Program formula allocation funding system published on March 16, 2000 (65 FR 14422). This rule will implement the regulatory framework for the Capital Fund Program that will govern the use of the assistance made available through the Capital Fund formula. The new rule at part 905 will replace and remove several other rules that currently govern a PHA's use of HUD assistance including part 941 - Public Housing Development and part 968 - Public Housing Modernization. This proposed rule will continue and expand the streamlining of procedures and requirements initiated under the Comprehensive Grant and Comprehensive Improvement programs at part 968.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

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

RIN: 2577-AC16

1206. • PUBLIC HOUSING RELOCATION REQUIREMENTS (FR-4634)

Priority: Other Significant

Legal Authority: 42 USC 1437g; 42 USC 1437p; 42 USC 3535(d); 42 USC 4601

CFR Citation: 24 CFR 909

Legal Deadline: None

Abstract: This proposed rule establishes the relocation requirements of HUD's Office of Public and Indian Housing (PIH) that apply to public housing agencies (PHAs) in a single part of chapter IX of title 24. The purpose of this rule is to provide a single reference point for relocation requirements that apply to PHAs, rather than repeating these requirements separately in the various PIH program regulations.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephen Holmquist, Special Deputy for Policy, Office of Policy, Program and Legislative Initiatives, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-0713

RIN: 2577-AC23

1207. MIXED-FINANCE PUBLIC HOUSING DEVELOPMENT (FR-4499)

Priority: Other Significant

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

CFR Citation: 24 CFR 941

Legal Deadline: None

Abstract: This proposed rule will implement amendments to the Department's Mixed Finance Program to reflect statutory changes enacted on October 21, 1998. Also, the rule will

revise the Mixed Finance Program so that the program conforms to HUD's new Capital Fund regulations; will clarify the specific program requirements and procedures that apply to the Mixed Finance Program; and will establish streamlined submission and HUD review requirements with respect to certain types of mixed finance projects that the Department believes involve minimal risk to the investment of Federal funds in the project.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 06/00/01 | |

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-AC09

1208. • RESIDENT PARTICIPATION IN PUBLIC, NATIVE AMERICAN AND ASSISTED HOUSING (FR-4657)

Priority: Substantive, Nonsignificant

Legal Authority: 42 USC 1437c-1; 42 USC 1437r; 42 USC 1437t; 42 USC 1437z-6; 42 USC 3535(d)

CFR Citation: 24 CFR 964

Legal Deadline: None

Abstract: This rule amends resident participation rules for public and section 8 housing to take into account statutory changes in HUD programs. This rule will add the Resident Opportunities and Supportive Services (ROSS) Program requirements. The purpose of the ROSS Program is to provide linkage of services to public housing, Native American and Assisted Housing residents. These services include those related to physical improvements of a public housing development in order to provide space for supportive services of residents'

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Proposed Rule Stage

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 | 06/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jeraldene White, Senior Program Manager, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 708-4214

RIN: 2577-AC26

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

Final Rule Stage

1209. 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 | 04/00/01 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gerald J. 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-AC03

1210. 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 |
| NPRM Comment Period End | 11/15/99 | |
| Final Action | 06/00/01 | |

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

1211. 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: None

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 | 07/00/01 | |

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

1212. 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

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Final Rule Stage

Legal Deadline: None

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 | 07/00/01 | |

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-AC02

1213. • SECTION 8 HOMEOWNERSHIP PROGRAM; PILOT PROGRAM FOR HOMEOWNERSHIP ASSISTANCE FOR DISABLED FAMILIES (FR-4661)

Priority: Other Significant

Legal Authority: PL 106-569; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 982

Legal Deadline: Other, Statutory, March 27, 2001, Section 302 of the

American Homeownership and Economic Opportunity Act requires HUD to issue a rule not later than 90 days after enactment.

Abstract: This interim rule implements the pilot program authorized by section 302 of the American Homeownership and Economic Opportunity Act of 2000. Under the pilot program, a Public Housing Agency (PHA) that administers Section 8 tenant-based assistance may provide homeownership assistance for a disabled family that purchases a dwelling unit that will be occupied by the family. The interim rule implements the pilot program by amending HUD's regulations for the Section 8 homeownership option.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 04/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Gerald J. 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-AC24

1214. • SECTION 8 PROJECT BASED (FR-4636)

Priority: Other Significant

Legal Authority: PL 106-377, sec 232

CFR Citation: 24 CFR 983

Legal Deadline: None

Abstract: This interim rule will implement the new project-based voucher program. It is based on comprehensive new legislation that Congress passed along with HUD's FY 2001 appropriation. Among the new features, more fully discussed in the "significant changes" section below, are: 20 percent cap on project-basing; income mixing requirements; resident choice requirements; and specific requirements regarding the management of the waiting list.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 05/00/01 | |

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-AC25

1215. OPERATING FUND ALLOCATION FORMULA (FR-4425)

Priority: Other Significant

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

CFR Citation: 24 CFR 990

Legal Deadline: None

Abstract: This rule implements a new formula system for allocating funds to public housing agencies for their operation and management of public housing. The new formula system was 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). 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 | 03/29/01 | 66 FR 17276 |
| Interim Final Rule Effective | 04/30/01 | |
| Interim Final Rule Comment Period End | 05/29/01 | |
| Final Action | 12/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stephen Sprague, Funding and Financial Management Division, Office of Public and Assisted Housing Delivery, Department of

HUD—PIH

Final Rule Stage

Housing and Urban Development,
Office of Public and Indian Housing

Phone: 202 708-1872
RIN: 2577-AB88

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

Long-Term Actions

1216. 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: Next Action Undetermined**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

1217. 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 rule will amend HUD's regulations governing Total Development Cost (TDC) for the development of public housing. The amendments will implement changes made to the statutory TDC requirements. Among other changes, this rule will limit the amount of public housing funds that a public housing agency may use to pay for housing construction costs. The rule will 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 | 01/04/01 | 66 FR 1008 |
| NPRM Comment Period End | 03/05/01 | |

Next Action Undetermined

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

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

RIN: 2577-AC05

1218. PUBLIC HOUSING DEMOLITION AND DISPOSITION (FR-4598)

Priority: Other Significant**Legal Authority:** 42 USC 1437p; 42 USC 3535(d)**CFR Citation:** 24 CFR 970**Legal Deadline:** None

Abstract: This proposed rule will revise HUD's regulations regarding demolition and disposition of public housing projects, in accordance with section 531 of the Quality Housing and Work Responsibility Act of 1998 (Pub. L. 105-276) (referred to as the Public Housing Reform Act). This rule will establish the general and specific

requirements for HUD approval of demolition and disposition applications, relocation of residents, resident participation in the form of consultation and opportunity to purchase, new requirements regarding replacement units and a new authority for a PHA to demolish a small number of their units without a formal application under certain circumstances, referred to as "de minimis" demolition.

Timetable: Next Action Undetermined**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

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

RIN: 2577-AC20

1219. 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

HUD—PIH

Long-Term Actions

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 | |
| Next Action Undetermined | | |

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

1220. 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 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: Next Action Undetermined

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

1221. 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 | |
| Next Action Undetermined | | |

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

1222. • NAHASDA HOUSING ASSISTANCE FOR NATIVE HAWAIIANS (FR-4668)

Priority: Other Significant

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

CFR Citation: 24 CFR 1000

Legal Deadline: Final, Statutory, October 1, 2001.

Section 807 of the American Homeownership and Economic Opportunity Act of 2001 requires that HUD issue final regulations by October 1, 2001.

Abstract: The rule implements the provisions contained in title V, subtitle B of the American Homeownership and Economic Opportunity Act of 2000. These provisions add a new title VIII to the Native American Housing Assistance and Self-Determination Act (NAHASDA) of 1996. Under NAHASDA, HUD provides grants, loan guarantees, and technical assistance to Indian tribes and Alaska Native villages for the development and operation of low-income housing in Indian areas. New title VIII expands the scope of NAHASDA to include housing assistance to Native Hawaiians, and establishes statutory requirements specific to Native Hawaiian NAHASDA assistance.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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-AC27

1223. LOAN GUARANTEE FOR INDIAN HOUSING; DIRECT GUARANTEE PROCESSING (FR-4241)

Priority: Other Significant

Legal Authority: 12 USC 1715z-13a

CFR Citation: 24 CFR 1005

HUD—PIH

Long-Term Actions

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 |
| Next Action Undetermined | | |

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

1224. PUBLIC HOUSING AGENCY PLAN (FR-4420)**Priority:** Other Significant**CFR Citation:** 24 CFR 903**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Rule | 12/22/00 | 65 FR 81214 |
| Final Action | 02/05/01 | 66 FR 8897 |
| Final Action Effective | 03/07/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Rod J. Solomon
Phone: 202 708-0713**RIN:** 2577-AB89**1225. CONSORTIA OF PUBLIC HOUSING AGENCIES AND JOINT VENTURE (FR-4474)****Priority:** Other Significant**CFR Citation:** 24 CFR 943**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 11/29/00 | 65 FR 71204 |
| Final Action Effective | 12/29/00 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Stephen Holmquist
Phone: 202 708-0713**RIN:** 2577-AC00**1226. DESIGNATED HOUSING PROGRAM AMENDMENTS (FR-3964)****Priority:** Other Significant**CFR Citation:** 24 CFR 945**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/13/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Patricia Arnaudo
Phone: 202 708-0744**RIN:** 2577-AB57**1227. RESIDENT OPPORTUNITIES AND SUPPORTIVE SERVICES (FR-4525)****Priority:** Other Significant**CFR Citation:** 24 CFR 964**Completed:**

| Reason | Date | FR Cite |
|--|----------|---------|
| Merged With RIN 2577-AC26 (FR- 4657) | 02/20/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Paula Blunt
Phone: 202 619-8201**RIN:** 2577-AC07**1228. PUBLIC HOUSING PURCHASING PREFERENCE FOR RESPONSIBLE FIREARMS COMPANIES (FR-4594)****Priority:** Other Significant**CFR Citation:** 24 CFR 965**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/20/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Sonia Burgos
Phone: 202 708-1197**RIN:** 2577-AC19**1229. SECTION 8 MANAGEMENT ASSESSMENT PROGRAM (SEMAP) NEW PERFORMANCE INDICATORS (FR-4388)****Priority:** Other Significant**CFR Citation:** 24 CFR 985**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 02/22/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local**Agency Contact:** Gerald Benoit
Phone: 202 708-0477**RIN:** 2577-AB83**1230. COMMUNITY DEVELOPMENT BLOCK GRANTS FOR INDIAN TRIBES AND ALASKA NATIVE VILLAGES—AMENDMENTS TO FUNDING APPLICATION PROCESS (FR-4612)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 1003**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| NPRM | 11/06/00 | 65 FR 66592 |
| Final Action | 01/17/01 | 66 FR 4578 |
| Final Action Effective | 04/16/01 | 66 FR 8176 |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Tribal**Agency Contact:** Jacqueline Kruszek
Phone: 202 708-0614**RIN:** 2577-AC22

[FR Doc. 01-5191 Filed 05-11-01; 8:45 am]

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