



Federal Register

**Monday,
December 3, 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-02]

Semiannual Agenda of Regulations**AGENCY:** Department of Housing and Urban Development.**ACTION:** Semiannual regulatory agenda.

SUMMARY: In accordance with section 4(b) of Executive Order 12866, "Regulatory Planning and Review," HUD is publishing its agenda of (1) regulations already issued or that are expected to be issued over the next several months, and (2) currently effective rules that are under review. The agenda also describes regulations that may affect 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 by these two authorities with any other prescribed agenda. Therefore, 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 Regulatory Flexibility 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 HUD proposes to amend by rules described 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 regulatory process, this semiannual agenda, continues to reflect the regulatory review required by President Bush. 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 new administration has the opportunity to review any new or pending regulations.

Consistent with the direction of the January 20, 2001 memorandum, HUD is continuing to review regulations that were begun under the previous Administration. In some cases, HUD has withdrawn rules that 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 appropriate. If that determination is made, the rules will be included in a succeeding semiannual agenda.

Additionally, for a few rules that have been published as a proposed or interim rule, and therefore require further rulemaking, HUD has identified the timing of the next action stage as "undetermined." These are rules that are still under review by the new HUD Administration and for which a determination of the next action stage and timing of the next action stage has not yet been made.

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 in the published agenda. There is no legal significance to the omission of an item from the agenda. Also, where dates

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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 five groups: (i) pre-rulemaking 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.

For this edition of the Department's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the table of contents below and are denoted by a bracketed bold reference, which directs the reader

to the appropriate sequence number in part II.

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: September 17, 2001.

Alphonso Jackson,
Deputy Secretary.

Office of the Secretary—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1261 | 24 CFR 5 Electronic Document Retention and Consumer Disclosure Requirements in HUD-Related Transactions (FR-4686) | 2501-AC79 |
| 1262 | 24 CFR 5 Uniform Financial Reporting Standards for HUD Housing Programs, Additional Entity Filing Requirements (FR-4681) | 2501-AC80 |
| 1263 | 24 CFR 24 Common Rule on Suspension and Debarments (FR-4692) | 2501-AC81 |
| 1264 | 24 CFR 203 Single Family Mortgage Insurance; Treble Damages for Failure to Engage in Loss Mitigation Activities (FR-4553) | 2501-AC66 |
| 1265 | 24 CFR 40 Accessibility Standards for Design, Construction and Alteration of Certain Facilities Financed with Public Funds (FR-4317) | 2501-AC47 |
| 1266 | 24 CFR 58 Environmental Review Procedures for Entities Assuming HUD's Environmental Responsibilities (FR-4523) | 2501-AC83 |
| 1267 | 24 CFR 92 Home Investment Partnerships Program: Grandfamilies (FR-4599) | 2501-AC71 |

Office of the Secretary—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1268 | 24 CFR 1 Rule To Conform Regulatory Definitions Civil Rights Restoration Act (FR-4587) | 2501-AC70 |
| 1269 | 24 CFR 5 Temporary Assistance to Needy Families (TANF); Conforming changes to Annual Income Requirements for HUD's Public Housing and Section 8 Assistance Programs (FR-4635) | 2501-AC77 |
| 1270 | 24 CFR 30 Amendments to HUD's Civil Money Penalty Regulations (FR-4399) | 2501-AC56 |
| 1271 | 24 CFR 92 HOME Investment Partnerships Program — Amendments (FR-4111) | 2501-AC30 |
| 1272 | 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 |
|-----------------|--|----------------------------------|
| 1273 | 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 |
| 1274 | 24 CFR 55 Floodplain Management and Protection of Wetlands (FR-4142) | 2501-AC33 |
| 1275 | 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 |
| 1276 | 24 CFR 84 Adoption of Revisions to OMB Circular A-110 (FR-4573) | 2501-AC68 |
| 1277 | 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 |
|-----------------|--|----------------------------------|
| 1278 | 24 CFR 27 Prohibited Purchasers in Foreclosure Sales of Multifamily Projects with HUD-Held Mortgages and Sales of Multifamily HUD-Owned Projects (FR-4583) | 2501-AC69 |
| 1279 | 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 |
| 1280 | 24 CFR 84 Administrative Requirements for Grantees To Reflect Single Audit Act Amendments (FR-4258) | 2501-AC39 |
| 1281 | 24 CFR 200 Screening and Eviction for Drug Abuse and Other Criminal Activity (FR-4495) | 2501-AC63 |

Office of Housing—Prerule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1282 | FHA Accelerated Claim Disposition Demonstration Program (FR-4691) | 2502-AH69 |

Office of Housing—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1283 | Sale of Unoccupied and Substandard HUD-Held Housing to Local Governments and Community Development Organizations (FR-4658) | 2502-AH61 |
| 1284 | 24 CFR 203 Single Family Mortgage Insurance; Nonprofit Placement and Removal Procedures (FR-4585) | 2502-AH49 |
| 1285 | 24 CFR 200 Appraiser Qualifications for Placement on FHA Single Family Appraiser Roster (FR-4620) (Reg Plan Seq No. 64) | 2502-AH59 |
| 1286 | 24 CFR 202 Revisions to FHA Credit Watch/Termination Initiative (FR-4625) | 2502-AH60 |
| 1287 | 24 CFR 203 Single Family Mortgage Insurance; Section 203(k) Consultant Roster Procedures (FR-4592) | 2502-AH51 |
| 1288 | 24 CFR 203 Prohibition of Property Flipping in HUD's Single Family Mortgage Insurance Programs (FR-4615) (Reg Plan Seq No. 63) | 2502-AH57 |
| 1289 | 24 CFR 203 Upfront Mortgage Insurance Premiums: Remittance Requirements (FR-4690) | 2502-AH67 |
| 1290 | 24 CFR 203 Limit on FHA Single Family Loan Fees (FR-4700) (Reg Plan Seq No. 65) | 2502-AH70 |
| 1291 | 24 CFR 236 Section 236 Excess Rental Charges (FR-4689) | 2502-AH68 |
| 1292 | 24 CFR 245 Tenant Participation in State-Financed, HUD-Assisted Housing Developments (FR-4611) | 2502-AH55 |
| 1293 | 24 CFR 291 Disposition of HUD-Owned Single Family Assets in Revitalization Areas (FR-4471) | 2502-AH40 |
| 1294 | 24 CFR 891 Supportive Housing for the Elderly and Persons With Disabilities; Duration of Capital Advance (FR-4466) | 2502-AH36 |
| 1295 | 24 CFR 891 Prepayment and Refinancing of Section 202 Loans (FR-4678) | 2502-AH65 |
| 1296 | 24 CFR 3280 Implementation of Manufactured Housing Improvement Act of 2000 (FR-4665) | 2502-AH62 |

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

Office of Housing—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1297 | 24 CFR 200 Delegation of Insuring Authority to Direct Endorsement Mortgagees (FR-4169) | 2502-AG87 |
| 1298 | 24 CFR 206 Insurance for Mortgages To Refinance Existing HECMs (FR-4667) | 2502-AH63 |
| 1299 | 24 CFR 207 Mortgage Insurance Premiums in Multifamily Housing Programs (FR-4679) | 2502-AH64 |
| 1300 | 24 CFR 236 Rehabilitation Grants for Certain Multifamily Projects (FR-4465) | 2502-AH35 |
| 1301 | 24 CFR 402 Renewal of Expiring Section 8 Project-Based Assistance Contract (FR-4551) | 2502-AH47 |
| 1302 | 24 CFR 880 Distributions to Nonprofit Owners of Certain HUD-Assisted Multifamily Rental Projects (FR-4602) | 2502-AH52 |
| 1303 | 24 CFR 3280 Manufactured Home Construction and Safety Standards (FR-4376) | 2502-AH23 |
| 1304 | 24 CFR 3280 Manufactured Homes Construction and Safety Standards: Smoke Alarms (FR-4552) | 2502-AH48 |

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Office of Housing—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1305 | 24 CFR 242 Mortgage Insurance for the Refinancing of Existing Debt of Existing Hospitals (FR-4618) | 2502-AH58 |
| 1306 | 24 CFR 401 Release of Information to Tenants and Other Parties Pursuant to MAHRA (FR-4531) | 2502-AH45 |

Office of Housing—Completed Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1307 | 24 CFR 200 Section 236 Rental Assistance — Excess Rental Charges (FR-4603) | 2502-AH53 |
| 1308 | 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 |
| 1309 | 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 |

Office of Community Planning and Development—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1310 | 24 CFR 570 Community Development Block Grant - Assisted Demolition of HUD-Owned Housing Units (FR-4698) | 2506-AC10 |
| 1311 | 24 CFR 570 CDBG Brownfields/Slum/Blight (FR-4699) (Reg Plan Seq No. 66) | 2506-AC12 |
| 1312 | 24 CFR 574 Housing Opportunities for Persons with AIDS (HOPWA) (FR-4708) | 2506-AC11 |

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

Office of Community Planning and Development—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1313 | 24 CFR 570 CDBG Program for States; Community Revitalization Strategy Requirements and Miscellaneous Technical Amendments (FR-4081) | 2506-AB83 |
| 1314 | 24 CFR 583 Supportive Housing Program—Increasing Operating Cost Percentage (FR-4576) | 2506-AC05 |
| 1315 | 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 |
|-----------------|--|----------------------------------|
| 1316 | 24 CFR 570 Prohibition on Use of CDBG Assistance for Job-Pirating Activities (FR-4556) | 2506-AC04 |
| 1317 | 24 CFR 583 Supportive Housing Program (FR-4616) | 2506-AC07 |

Government National Mortgage Association—Completed Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1318 | 24 CFR 300 Elimination of Physical Certificate for Issued Securities (FR-4533) | 2503-AA14 |
| 1319 | 24 CFR 320 Electronic Payment on Ginnie Mae Guaranteed Securities (FR-4617) | 2503-AA15 |
| 1320 | 24 CFR 320 Ginnie Mae MBS Program: Payments to Security Holders (FR 4629) | 2503-AA16 |

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Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1321 | 24 CFR 100 Fair Housing Act Regulation; Conforming Amendment; Update To Reflect Current Edition of American National Standards Institute (ANSI) (FR-4554) | 2529-AA88 |

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

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1322 | 24 CFR 100 Fair Housing Act Regulations Amendments: Standards Governing Sexual Harassment (FR-4597) | 2529-AA89 |
| 1323 | 24 CFR 135 Economic Opportunities for Low- and Very-Low-Income Persons (FR-2898) | 2529-AA49 |

Office of Administration—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1324 | 48 CFR 2401 HUD Acquisition Regulation (FR-4705) | 2535-AA26 |

Office of Public and Indian Housing—Proposed Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1325 | 24 CFR 902 Amended Public Housing Assessment System (PHAS) Rule (FR-4707) (Reg Plan Seq No. 70) | 2577-AC32 |
| 1326 | 24 CFR 903 Public Housing Agency Plans: Deconcentration - Amendment to Established Income Range" Definition (FR-4677) | 2577-AC31 |
| 1327 | 24 CFR 905 Public Housing Capital Fund Program (FR-4507) (Reg Plan Seq No. 67) | 2577-AC16 |
| 1328 | 24 CFR 909 Public Housing Relocation Requirements (FR-4634) | 2577-AC23 |
| 1329 | 24 CFR 941 Mixed-Finance Public Housing Development (FR-4499) | 2577-AC09 |
| 1330 | 24 CFR 964 Resident Participation in Public and Section 8 Housing (FR-4657) (Reg Plan Seq No. 69) | 2577-AC26 |
| 1331 | 24 CFR 970 Public Housing Demolition and Disposition (FR-4598) | 2577-AC20 |
| 1332 | 24 CFR 983 Project-Based Voucher Program (FR-4636) (Reg Plan Seq No. 68) | 2577-AC25 |
| 1333 | 24 CFR 1000 HUD Policy for the Administration of HUD Programs on Indian Reservations and Other Indian Areas (FR-4580) | 2577-AC06 |

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

Office of Public and Indian Housing—Final Rule Stage

| Sequence Number | Title | Regulation Identification Number |
|-----------------|---|----------------------------------|
| 1334 | 24 CFR 990 Operating Fund Allocation Formula (FR-4425) (Reg Plan Seq No. 71) | 2577-AB88 |
| 1335 | 24 CFR 906 Public Housing Homeownership Programs (FR-4504) (Reg Plan Seq No. 72) | 2577-AC15 |
| 1336 | 24 CFR 972 Required Conversion of Development From Public Housing Stock (FR-4475) | 2577-AC01 |
| 1337 | 24 CFR 972 Voluntary Conversion of Developments From Public Housing Stock (FR-4476) | 2577-AC02 |
| 1338 | 24 CFR 982 Section 8 Housing Choice Voucher Program; Expansion of Payment Standards Protection (FR-4586) | 2577-AC18 |
| 1339 | 24 CFR 982 Section 8 Homeownership Program; Pilot Program for Homeownership Assistance for Disabled Families (FR-4661) | 2577-AC24 |
| 1340 | 24 CFR 982 Section 8 Downpayment Initiative (FR-4670) (Reg Plan Seq No. 73) | 2577-AC28 |
| 1341 | 24 CFR 982 Exception Payment Standard to Offset Increase in Utility Costs In the Housing Choice Voucher Program (FR-4672) | 2577-AC29 |
| 1342 | 24 CFR 985 Revisions to SEMAP Lease-Up Indicator (FR-4604) | 2577-AC21 |

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Office of Public and Indian Housing—Long-Term Actions

| Sequence Number | Title | Regulation Identification Number |
|-----------------|--|----------------------------------|
| 1343 | 24 CFR ch IX HOPE VI Program (FR-4530) | 2577-AC17 |
| 1344 | 24 CFR 941 Public Housing Development Total Development Cost (TDC) (FR-4489) | 2577-AC05 |
| 1345 | 24 CFR 1000 NAHASDA Housing Assistance for Native Hawaiians (FR-4668) | 2577-AC27 |
| 1346 | 24 CFR 1000 Revisions to Indian Housing Block Grant Allocation Formula (FR-4676) | 2577-AC30 |
| 1347 | 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 |
|-----------------|--|----------------------------------|
| 1348 | 24 CFR 791 Review of Applications for Housing Assistance and Allocations of Housing Assistance Funds (FR-4477) | 2577-AC03 |
| 1349 | 24 CFR 1000 Revision to Cost Limits for Native American Housing (FR-4517) | 2577-AC14 |

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

Proposed Rule Stage

1261. • ELECTRONIC DOCUMENT RETENTION AND CONSUMER DISCLOSURE REQUIREMENTS IN HUD-RELATED TRANSACTIONS (FR-4686)

Priority: Other Significant

Legal Authority: 12 USC 1701 et seq; 12 USC 1715Z-13a; 12 USC 2601 to 2617; 15 USC 1701 to 1706; 15 USC 7001 to 7006; ...

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule will implement the Electronic Signature Act which allows agencies to issue regulations, pursuant to their existing regulatory authority, interpreting Section 101 of E-SIGN (15 U.S.C. 7001) and setting performance standards for the accuracy, integrity, and accessibility of electronically retained documents. The rule will set performance standards for the accessibility, integrity and accuracy of electronically retained documents

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/01 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Koren McKenzie-John, Attorney-Advisor, Multifamily

Mortgage Division, Department of Housing and Urban Development, Office of the General Counsel
Phone: 202 708-4090
RIN: 2501-AC79

1262. • UNIFORM FINANCIAL REPORTING STANDARDS FOR HUD HOUSING PROGRAMS, ADDITIONAL ENTITY FILING REQUIREMENTS (FR-4681)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 5; 24 CFR 202

Legal Deadline: None

Abstract: This rule would amend HUD's regulation on Uniform Financial Reporting Standards by adding HUD Approved Title I and Title II nonsupervised lenders, nonsupervised mortgagees and loan correspondents to the covered entities required to electronically submit annual financial information to HUD prepared in accordance with generally accepted accounting principles. Under long-standing regulatory and contractual requirements, these entities already submit financial information to HUD on an annual basis.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 01/00/02 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Stacey Kniff, Department of Housing and Urban Development, Real Estate Assessment Center

Phone: 202 708-4932

RIN: 2501-AC80

1263. • COMMON RULE ON SUSPENSION AND DEBARMENTS (FR-4692)

Priority: Other Significant

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 24

Legal Deadline: None

Abstract: This rule proposes substantive changes and amendments to the governmentwide nonprocurement common rule for debarment and suspension and the governmentwide rule implementing the Drug Free Workplace Act of 1988. This rule is part of a common rule on debarment and suspension that would limit the mandatory lower tier application of an exclusion to the first procurement level under a nonprocurement covered transaction. Also, the proposed common rule on debarment and suspension would set the dollar threshold on prohibited

HUD—HUDSEC

Proposed Rule Stage

lower-tier procurement transactions with excluded persons at \$25,000.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/01 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

RIN: 2501-AC81

1264. 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 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 Mortgagees 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 |
|--------------------------|----------|-------------|
| ANPRM | 12/06/00 | 65 FR 76520 |
| ANPRM Comment Period End | 02/05/01 | |
| NPRM | 01/00/02 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: 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: 2501-AC66

1265. 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 4151 et seq

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 |
|---------------|----------|---------|
| Proposed Rule | 12/00/01 | |

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

1266. ENVIRONMENTAL REVIEW PROCEDURES FOR ENTITIES ASSUMING HUD'S ENVIRONMENTAL RESPONSIBILITIES (FR-4523)

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1707 note; 25 USC 4115; 42 USC 1437o(i)(1); 42 USC 1437o(i)(2); 42 USC 1437x; 42 USC 3535(d); 42 USC 3547; 42 USC 4332; 42 USC 4852; 42 USC 5304 (g); 42 USC 11402; 42 USC 12588; ...

CFR Citation: 24 CFR 58; 24 CFR 574; 24 CFR 582; 24 CFR 583; 24 CFR 941; 24 CFR 968; 24 CFR 970; ...

Legal Deadline: None

Abstract: This rule would update the list of programs and statutory authorities for which other entities may assume HUD's environmental responsibilities and make other changes to update the regulations on assumption of HUD's environmental responsibilities.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/01 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: 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-AC83

1267. HOME INVESTMENT PARTNERSHIPS PROGRAM: GRANDFAMILIES (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 would amend the regulations for the HOME Investment Partnerships Program to implement section 904 of the American Homeownership and Economic Opportunity Act that allows for the use of Section 8 assistance for grandfamilies.

HUD—HUDSEC

Proposed Rule Stage

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 03/00/02 | |

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

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

Final Rule Stage

1268. 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: 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) 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 promulgation of this rule incorporates the CRRRA’s definition of “program or activity” and “program” into title VI, section 504, and Age Discrimination Act regulations.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 01/00/02 | |

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

1269. TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF); CONFORMING CHANGES TO ANNUAL INCOME REQUIREMENTS FOR HUD’S PUBLIC HOUSING AND SECTION 8 ASSISTANCE PROGRAMS (FR-4635)

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 5

Legal Deadline: None

Abstract: This rule updates and clarifies HUD’s annual income requirements for its public housing and Section 8 assistance programs. Specifically, this rule clarifies 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. The clarifications will make the annual income requirements easier to understand for both program participants and public housing agencies. These changes will also ensure greater conformity between HUD’s annual income requirements and the TANF program regulations. The final rule follows publication of an April 20, 2001 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 04/20/01 | 66 FR 20368 |
| NPRM Comment Period End | 06/19/01 | |
| Final Action | 02/00/02 | |

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

1270. AMENDMENTS TO HUD’S CIVIL MONEY PENALTY REGULATIONS (FR-4399)

Priority: Other Significant

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

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Final Rule Stage

money penalty regulations located at 24 CFR part 30.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 06/26/00 | 65 FR 39502 |
| NPRM Comment Period End | 08/25/00 | |
| Final Action | 02/00/02 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

RIN: 2501-AC56

1271. 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 for comment as part of an otherwise final rule published 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 |

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| 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 | 02/00/02 | |

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

1272. 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. The new FMR policy increases FMRs needed to promote residential choice, help families move closer to areas of job growth, and deconcentrate poverty. 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 | 01/00/02 | |

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

1273. ADJUSTMENT OF HUD’S CIVIL MONEY PENALTIES PURSUANT TO THE FEDERAL CIVIL PENALTIES INFLATION ADJUSTMENT ACT OF 1990 (FR-4555)

Priority: Substantive, Nonsignificant

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

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

Legal Deadline: None

Abstract: This final rule would adjust for inflation the maximum amounts of HUD’s civil money penalties, as required by the Federal Civil Money Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note), as amended

by the Debt Collection Improvement Act of 1996 (31 U.S.C. 3701 note). HUD is required to adjust the maximum amounts of its civil money penalties at least once every 4 years. HUD last adjusted these maximum amounts in a final rule that became effective October 24, 1996 (61 FR 50208). Accordingly, HUD must adjust the maximum amounts of its civil money penalties before October 24, 2000.

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

RIN: 2501-AC67

1274. 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

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Long-Term Actions

subject to the four-step decisionmaking process for ensuring compliance with part 55.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 06/02/98 | 63 FR 30046 |
| NPRM Comment Period End | 08/03/98 | |
| 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**1275. 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.

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**1276. ADOPTION OF REVISIONS TO OMB CIRCULAR A-110 (FR-4573)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 5; 24 CFR 44; 24 CFR 45; 24 CFR 84; 24 CFR 85**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. This rule provides uniform administrative requirements for all grants and cooperative agreements to institutions of higher education, hospitals, and other nonprofit organizations. FR-4258 (RIN 2501-AC39), which makes final an interim rule that adopted revised OMB Circular A-133 to obtain consistency and uniformity among Federal agencies for the audit of States, local governments, and nonprofit organizations expending Federal awards, is also merged with this rule.

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**1277. 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)
Office of the Secretary (HUDSEC)**
Completed Actions
1278. PROHIBITED PURCHASERS IN FORECLOSURE SALES OF MULTIFAMILY PROJECTS WITH HUD-HELD MORTGAGES AND SALES OF MULTIFAMILY HUD-OWNED PROJECTS (FR-4583)
Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 27; 24 CFR 290

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 07/09/01 | 66 FR 35846 |
| Final Action Effective | 08/08/01 | |

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Marc Harris

Phone: 202 708-2654

RIN: 2501-AC69

1279. DESIGNATION OF CONCURRENT AUTHORITY TO INITIATE CIVIL MONEY PENALTY ACTIONS FOR FAILING TO DISCLOSE LEAD-BASED PAINT HAZARDS (FR-4647)
Priority: Substantive, Nonsignificant

CFR Citation: 24 CFR 30

Completed:

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 09/17/01 | |

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: John Herold

Phone: 202 708-2568

RIN: 2501-AC78

1280. ADMINISTRATIVE REQUIREMENTS FOR GRANTEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS (FR-4258)
Priority: Other Significant

CFR Citation: 24 CFR 84; 24 CFR 85

Completed:

| Reason | Date | FR Cite |
|-------------------------------------|----------|---------|
| Merged With RIN 2501-AC68 (FR-4573) | 09/17/01 | |

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: State, Local

Agency Contact: Garland Reid

Phone: 202 708-3886

RIN: 2501-AC39

1281. SCREENING AND EVICTION FOR DRUG ABUSE AND OTHER CRIMINAL ACTIVITY (FR-4495)
Priority: Other Significant

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

Completed:

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 05/24/01 | 66 FR 28776 |
| Final Action Effective | 06/25/01 | |

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: State, Local

Agency Contact: Patricia Arnaudo

Phone: 202 708-0744

RIN: 2501-AC63

**Department of Housing and Urban Development (HUD)
Office of Housing (OH)**
Prerule Stage
1282. • FHA ACCELERATED CLAIM DISPOSITION DEMONSTRATION PROGRAM (FR-4691)
Priority: Other Significant

Legal Authority: 12 USC 1710; 42 USC 3535(d); 42 USC 3542

CFR Citation: None

Legal Deadline: None

Abstract: This notice announces HUD's proposal to establish the Accelerated Claim Disposition (ACD) Demonstration and solicits public comment on this proposal. The Demonstration would implement amendments made by section 601 of the fiscal year 1999 Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act to section 204 of the National Housing Act (12 U.S.C. 1710). These

changes are designed to increase the effectiveness of the methods used by HUD to pay insurance claims and disposing of HUD-acquired single family notes and their underlying properties. Under the ACD Demonstration, HUD would pay accelerated claims on certain defaulted FHA-insured mortgages. HUD, in its sole discretion, will use one of two disposition methodologies: joint venture partnership and/or special servicing with whole loan or securitization. HUD will select approximately five to nine mortgagees to participate in the ACD Demonstration. The demonstration will have an initial duration of three years and will initially be limited to mortgage loans secured by properties located within the jurisdiction of HUD's Philadelphia, Pennsylvania Home

Ownership Center (HOC). At the conclusion of the demonstration, HUD will assess its success and determine whether to implement the ACD process, on a permanent basis, throughout the country.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| Notice | 12/00/01 | |

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Karen Williams, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-2625

RIN: 2502-AH69

**Department of Housing and Urban Development (HUD)
Office of Housing (OH)**
Proposed Rule Stage
1283. 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 | 12/00/01 | |

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

1284. 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 establishes 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. The establishment of these placement and removal procedures will better protect participants in the FHA single family programs and safeguard FHA insurance funds. This rule follows publication of a September 17, 2001 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 09/17/01 | 66 FR 48080 |
| NPRM Comment Period End | 11/16/01 | |
| Final Action | 05/00/02 | |

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

1285. APPRAISER QUALIFICATIONS FOR PLACEMENT ON FHA SINGLE FAMILY APPRAISER ROSTER (FR-4620)

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

RIN: 2502-AH59

1286. REVISIONS TO FHA CREDIT WATCH/TERMINATION INITIATIVE (FR-4625)

Priority: Other Significant

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

CFR Citation: 24 CFR 202

Legal Deadline: None

Abstract: This rule would make several amendments to HUD's regulations for the Federal Housing Administration (FHA) Credit Watch/Termination Initiative. Under the Credit Watch/Termination Initiative, HUD identifies mortgagees with unsatisfactory performance levels and

takes ameliorative action at an early stage. The proposed rule would provide that HUD will no longer provide mortgagees with written notification of Credit Watch status. Rather, mortgagees will be responsible for using HUD's Electronic Neighborhood Watch System to monitor their performance. Among other changes, the rule would also prohibit a mortgagee that has received a notice of proposed termination of its origination approval agreement from establishing a new branch for the origination of FHA-insured mortgages in the lending area covered by the proposed termination. The rule also would establish that the default and claim thresholds underlying the Credit Watch/Termination Initiative apply to both underwriting and originating mortgagees.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 03/00/02 | |

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

1287. SINGLE FAMILY MORTGAGE INSURANCE; SECTION 203(K) CONSULTANT ROSTER PROCEDURES (FR-4592)

Priority: Other Significant

Legal Authority: 12 USC 1702 to 1715z-21; 42 USC 3535(d)

CFR Citation: 24 CFR 200; 24 CFR 203

Legal Deadline: None

Abstract: This rule establishes 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

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regulatory procedures for placing a consultant on, nor for removing a poorly performing consultant from, the list. 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 | 10/24/01 | 66 FR 53930 |
| NPRM Comment Period End | 12/24/01 | |
| Final Action | 05/00/02 | |

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-AH51**1288. PROHIBITION OF PROPERTY FLIPPING IN HUD'S SINGLE FAMILY MORTGAGE INSURANCE PROGRAMS (FR-4615)**

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

RIN: 2502-AH57**1289. ● UPFRONT MORTGAGE INSURANCE PREMIUMS: REMITTANCE REQUIREMENTS(FR-4690)****Priority:** Other Significant**Legal Authority:** 42 USC 3535(d)**CFR Citation:** 24 CFR 203**Legal Deadline:** None

Abstract: This rule will change the remittance period of mortgage insurance premiums. The rule will also implement a more precise definition of when the remittance period begins.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/01 | |

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-AH67**1290. ● LIMIT ON FHA SINGLE FAMILY LOAN FEES (FR-4700)**

Regulatory Plan: This entry is Seq. No. 65 in part II of this issue of the **Federal Register**.

RIN: 2502-AH70**1291. ● SECTION 236 EXCESS RENTAL CHARGES (FR-4689)****Priority:** Other Significant**Legal Authority:** 12 USC 1715z-1; 42 USC 3535(d)**CFR Citation:** 24 CFR 236**Legal Deadline:** None

Abstract: This rule would establish the terms and conditions to permit owners of projects receiving section 236 rental assistance to participate in retaining some or all of their excess charges for project use. In addition, it would permit owners to retain excess charges for non-project use after a determination by HUD that the project is well maintained housing in good condition and that the owner has not engaged in material adverse financial or managerial actions or omissions.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/01 | |

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

Agency Contact: Janice Nimmer, Housing Project Manager, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3944

RIN: 2502-AH68**1292. 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 rule will extend 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. Section 245.135(a)(3) of the rule intended to cross-reference 24 CFR part 24, subpart G; the CFR part was omitted.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 03/00/02 | |

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**1293. 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 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. 2519, 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

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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 | 04/00/02 | |

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**1294. SUPPORTIVE HOUSING FOR THE ELDERLY AND PERSONS WITH DISABILITIES; DURATION OF CAPITAL ADVANCE (FR-4466)****Priority:** Other Significant

Legal Authority: 12 USC 1701q; 42 USC 1437f; 42 USC 3535(d); 42 USC 8013

CFR Citation: 24 CFR 891**Legal Deadline:** None

Abstract: This 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 |
|--------|----------|---------|
| NPRM | 01/00/02 | |

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**1295. ● PREPAYMENT AND REFINANCING OF SECTION 202 LOANS (FR-4678)****Priority:** Other Significant

Legal Authority: 12 USC 1701q note; 42 USC 3535(d)

CFR Citation: 24 CFR 891**Legal Deadline:** None

Abstract: This rule would govern prepayment and refinancing of section 202 Supportive Housing for the Elderly Loans, and the use of unexpended amounts and project funds after refinancing under section 811 of the American Homeownership and Economic Opportunity Act of 2000.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 04/00/02 | |

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

Agency Contact: Courtland Wilson, Office of Asset Management, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-3730

RIN: 2502-AH65**1296. 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 | 01/00/02 | |

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
**1297. 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 would make final the interim rule that implemented the Lender Insurance program, which reflects the Secretary's new authority to delegate the issuance of Mortgage Insurance Certificates (MICs) to mortgagees that are approved under the Direct Endorsement program. This rule provides that eligible mortgagees that participate in the Lender Insurance program will be responsible for conducting a pre-endorsement review during the origination of their single family mortgage loans and they will be responsible for endorsing the mortgages for insurance. HUD intends that delegating this insurance authority through the Lender program will be consistent with HUD's efforts to reinvent the Federal Housing Administration (FHA) by creating a more efficient and less burdensome process for providing single family mortgage insurance.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 06/02/97 | 62 FR 30222 |
| Interim Final Rule Effective | 07/02/97 | |
| Interim Final Rule Comment Period End | 08/01/97 | |
| Final Action | 03/00/02 | |

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

**1298. 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 Homeownership and Economic Opportunity Act of 2000 requires that HUD issue final regulations within 180 days of enactment.

Abstract: This rule amends HUD's regulations for the Home Equity Conversion Mortgage (HECM) Program to implement the 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. This rule follows publication of a June 5, 2001 proposed rule, and takes into consideration the public comments received on the proposed rule.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 06/05/01 | 66 FR 30278 |
| NPRM Comment Period End | 07/05/01 | |
| Final Action | 03/00/02 | |

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

**1299. • MORTGAGE INSURANCE
PREMIUMS IN MULTIFAMILY
HOUSING PROGRAMS (FR-4679)**
Priority: Other Significant

Legal Authority: 12 USC 1701z-11(e); 12 USC 1709(c)(1); 12 USC 1713; 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 207

Legal Deadline: None

Abstract: This rule amends the regulations for HUD's multifamily mortgage insurance programs by revising 24 CFR part 207 to permit the Secretary to set mortgage insurance premiums (MIPs) at any rate within his statutory authority, rather than setting specific MIP rates by regulation. Under this rule, HUD will be able to set mortgage insurance premiums at any rate between one-fourth and one percent of the outstanding principal balance of the insured loan. For several insured housing programs, this underwriting change will eliminate the need for positive credit subsidy. Promulgation of this rule will allow HUD to avoid a shutdown of these mortgage insurance programs.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 07/02/01 | 66 FR 35070 |
| Interim Final Rule Effective | 08/01/01 | |
| Interim Final Rule Comment Period End | 08/31/01 | |
| Final Action | 12/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local, Federal, State

Agency Contact: Michael McCullough, Director, Office of Multifamily Development, Department of Housing and Urban Development, Office of Housing
Phone: 202 708-1142

RIN: 2502-AH64

**1300. 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 under section 533(a)(1) of Pub. L. 106-74 codified in 12 U.S.C. 1715z-1(s) of grants to owners of certain multifamily housing projects in need of rehabilitation that cannot be funded from project income. The grants

HUD—OH

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are funded from recaptured or uncommitted funds originally intended for interest reduction payments (IRP) by HUD.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|---------|
| Interim Final Rule | 03/00/02 | |

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

1301. 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 401; 24 CFR 402

Legal Deadline: None

Abstract: This 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, although the current rule also makes minor conforming amendments to part 401 as well. Final part 402 will set forth the regulations governing the renewal of expiring Section 8 project-based assistance contracts, whether the projects rents are above or below market, except for renewals made as part of a Mark-to-Market Restructuring Plan under part 401.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 12/00/01 | |

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

1302. 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 rule adds an exception to HUD's current Section 8 regulations that prohibit any distributions to nonprofit owners of projects receiving project-based assistance. HUD may now permit distributions of surplus cash to owners of projects with expiring Section 8 project-based assistance contracts who agree to renew their contracts, if distributions are necessary to ensure continued participation of the owners in the Section 8 program.

Timetable:

| Action | Date | FR Cite |
|--------------|----------|---------|
| Final Action | 12/00/01 | |

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

1303. 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 | 01/00/02 | |

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

1304. MANUFACTURED HOMES CONSTRUCTION AND SAFETY STANDARDS: SMOKE ALARMS (FR-4552)

Priority: Other Significant

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

CFR Citation: 24 CFR 3280; 24 CFR 3282

Legal Deadline: None

Abstract: This rule will amend the Federal Manufactured Home Construction and Safety Standards to revise the location and placement of smoke alarms. The purpose of these amendments is to improve the effectiveness and performance of smoke alarms in early warning detection of manufactured home fires and to reduce the rate of fire fatalities in new manufactured housing.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 05/18/00 | 65 FR 31778 |
| NPRM Comment Period End | 07/17/00 | |
| Final Action | 02/00/02 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Agency Contact: Elizabeth Cocke, Acting Director, Office of Consumer

HUD—OH

Final Rule Stage

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)**

Long-Term Actions

**1305. 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 financialviability. 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**1306. 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 rule is designed to
provide tenants and other interested
parties with 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**Department of Housing and Urban Development (HUD)
Office of Housing (OH)**

Completed Actions

**1307. SECTION 236 RENTAL
ASSISTANCE — EXCESS RENTAL
CHARGES (FR-4603)****Priority:** Other Significant**CFR Citation:** 24 CFR 200; 24 CFR 236;
24 CFR 880; 24 CFR 881; 24 CFR 883**Completed:**

| Reason | Date | FR Cite |
|--|----------|---------|
| Merged With RIN 2502-AH68 (FR- 4689) | 09/17/01 | |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Willie Spearmon
Phone: 202 708-3000**RIN:** 2502-AH53**1308. 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**CFR Citation:** 24 CFR 201; 24 CFR 202**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 11/07/01 | 66 FR 56410 |
| Final Action Effective | 12/07/01 | |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Vance Morris
Phone: 202 708-2121**RIN:** 2502-AG95**1309. 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**CFR Citation:** 24 CFR 202**Completed:**

| Reason | Date | FR Cite |
|--|----------|---------|
| Merged With RIN 2502-AH60 (FR- 4625) | 08/08/01 | |

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Phillip Murray
Phone: 202 708-1515**RIN:** 2502-AH54

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

Proposed Rule Stage

**1310. • COMMUNITY DEVELOPMENT
 BLOCK GRANT - ASSISTED
 DEMOLITION OF HUD-OWNED
 HOUSING UNITS (FR-4698)**

Priority: Substantive, Nonsignificant

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

CFR Citation: 24 CFR 570

Legal Deadline: None

Abstract: This rule will ensure that HUD receives notification of a grantee's intent to use CDBG funds to demolish HUD-owned housing units.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Sue Miller, Director, Entitlement Communities Division, Department of Housing and Urban

Development, Office of Community Planning and Development
 Phone: 202 708-1577

RIN: 2506-AC10

**1311. • CDBG
 BROWNFIELDS/SLUM/BLIGHT (FR-4699)**

Regulatory Plan: This entry is Seq. No. 66 in part II of this issue of the **Federal Register**.

RIN: 2506-AC12

**1312. • HOUSING OPPORTUNITIES
 FOR PERSONS WITH AIDS (HOPWA)
 (FR-4708)**

Priority: Other Significant

Legal Authority: 42 USC 12901 et seq

CFR Citation: 24 CFR 574

Legal Deadline: None

Abstract: The Housing Opportunities for Persons with AIDS (HOPWA) program was authorized in 1992 by title VIII, subtitle D, of the Cranston-Gonzalez national Affordable Housing

Act/the AIDS Housing Opportunity Act. The Program is designed to provide States and localities with resources and incentives to provide long-term comprehensive strategies for meeting the housing needs of persons with HIV/AIDS. This update to the regulation is intended to respond to the increased program knowledge in administering housing programs for persons living with HIV/AIDS.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 03/00/02 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: David Vos, Director, Office of HIV/AIDS Housing, Department of Housing and Urban Development, Office of Community Planning and Development
 Phone: 202 708-1934

RIN: 2506-AC11

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

Final Rule Stage

**1313. 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 integrates the Community Revitalization Strategies concept with 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.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| Interim Final Rule | 10/22/96 | 61 FR 54914 |

| Action | Date | FR Cite |
|---------------------------------------|----------|---------|
| Interim Final Rule Effective | 11/21/96 | |
| Interim Final Rule Comment Period End | 02/16/97 | |
| Final Action | 12/00/01 | |

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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

RIN: 2506-AB83

**1314. 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 rule will be made final as part of FR-4616, revising the Supportive Housing Program generally.

Timetable:

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Interim Final Rule | 05/12/00 | 65 FR 30822 |
| Interim Final Rule Effective | 06/12/00 | |
| Interim Final Rule Comment Period End | 07/11/00 | |
| Final Action | 01/00/02 | |

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

HUD—CPD

Final Rule Stage

Urban Development, Office of
Community Planning and Development
Phone: 202 708-4300

RIN: 2506-AC05

1315. 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; 42 USC 3535(d)

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 | 07/09/01 | 66 FR 35850 |

| Action | Date | FR Cite |
|---------------------------------------|----------|---------|
| Interim Final Rule Effective | 08/08/01 | |
| Interim Final Rule Comment Period End | 09/07/01 | |
| Final Action | 01/00/02 | |

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

1316. PROHIBITION ON USE OF CDBG ASSISTANCE FOR JOB-PIRATING ACTIVITIES (FR-4556)

Priority: Other Significant

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

| Action | Date | FR Cite |
|--------------------------|----------|---------|
| 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

1317. 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 changes including requirements for some local matching funds and for permanent housing. Additionally, 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)
Government National Mortgage Association (GNMA)
Completed Actions**1318. ELIMINATION OF PHYSICAL CERTIFICATE FOR ISSUED SECURITIES (FR-4533)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 300**Completed:**

| Reason | Date | FR Cite |
|-------------------------------------|----------|---------|
| Merged With RIN 2503-AA16 (FR-4629) | 08/27/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Thomas R. Weakland
Phone: 202 708-2884**RIN:** 2503-AA14**1319. ELECTRONIC PAYMENT ON GINNIE MAE GUARANTEED SECURITIES (FR-4617)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 320**Completed:**

| Reason | Date | FR Cite |
|-------------------------------------|----------|---------|
| Merged With RIN 2503-AA16 (FR-4629) | 08/27/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Thomas R. Weakland
Phone: 202 708-2884**RIN:** 2503-AA15**1320. GINNIE MAE MBS PROGRAM: PAYMENTS TO SECURITY HOLDERS (FR 4629)****Priority:** Substantive, Nonsignificant**CFR Citation:** 24 CFR 320**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 08/22/01 | 66 FR 44258 |
| Final Action Effective | 10/01/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Thomas R. Weakland
Phone: 202 708-2884**RIN:** 2503-AA16
Department of Housing and Urban Development (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)
Proposed Rule Stage**1321. 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 1991. 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 of 1992 and 1998. 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 NPRM | 03/23/00 | 65 FR 15740 |
| | 12/00/01 | |

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Agency Contact:** Cheryl Kent, Special Advisor for Disability Policy, Office of Enforcement, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-2333**RIN:** 2529-AA88
Department of Housing and Urban Development (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)
Long-Term Actions**1322. 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 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 | 01/12/01 | |
| Period End | | |
| 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**1323. 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

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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, Deputy Assistant Secretary for Economic Opportunity, Monitoring and Compliance, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
Phone: 202 708-3685

RIN: 2529-AA49

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

Proposed Rule Stage

1324. • HUD ACQUISITION REGULATION (FR-4705)

Priority: Substantive, Nonsignificant

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

CFR Citation: 48 CFR 2401

Legal Deadline: None

Abstract: This rule will implement miscellaneous changes to the HUD Acquisition Regulation (HUDAR) including but not limited to corrections of regulatory citations due to revisions

made to the Federal Acquisition Regulation (FAR) since the last publication of the HUDAR; revisions reflecting changes in the Department's requirements regarding organizational conflict of interest, ratification of unauthorized commitments, and disclosure of information provided to contractors.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 01/00/02 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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

RIN: 2535-AA26

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

Proposed Rule Stage

1325. • AMENDED PUBLIC HOUSING ASSESSMENT SYSTEM (PHAS) RULE (FR-4707)

Regulatory Plan: This entry is Seq. No. 70 in part II of this issue of the **Federal Register**.

RIN: 2577-AC32

1326. • PUBLIC HOUSING AGENCY PLANS: DECONCENTRATION - AMENDMENT TO ESTABLISHED INCOME RANGE" DEFINITION (FR-4677)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

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

CFR Citation: 24 CFR 903

Legal Deadline: None

Abstract: This rule will amend the deconcentration component of HUD's Public Housing Agency Plans regulations to revise the definition of Established Income Range (EIR) to include within the EIR those developments in which the average income level is at or below 30 percent of the area median income, and therefore ensure that such developments cannot be categorized as having average income "above" the Established Income Range. An income level that is at or below 30 percent of the area median income is defined as "extremely low income" in HUD's regulations. HUD believes that developments with an average family income at or below 30 percent of the area median income should not be categorized as higher income developments for purposes of income

mixing because efforts to place lower income families into these developments would not result in income deconcentration as contemplated by the statute. This rule follows publication of an August 15, 2001 proposed rule, and takes into consideration the public comments on the proposed rule.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 08/15/01 | 66 FR 42926 |
| NPRM Comment Period End | 10/15/01 | |
| Final Action | 03/00/02 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Local

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Proposed Rule Stage

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-AC31

1327. PUBLIC HOUSING CAPITAL FUND PROGRAM (FR-4507)

Regulatory Plan: This entry is Seq. No. 67 in part II of this issue of the **Federal Register**.

RIN: 2577-AC16

1328. 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 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 | 06/00/02 | |

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

1329. MIXED-FINANCE PUBLIC HOUSING DEVELOPMENT (FR-4499)

Priority: Other Significant

Legal Authority: 42 USC 1437z-7; 42 USC 3535(d)

CFR Citation: 24 CFR 941

Legal Deadline: None

Abstract: This 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 and will clarify the specific program requirements and procedures that apply to the Mixed Finance Program, including operating-subsidy-only mixed-finance developments.

Timetable:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 02/00/02 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Milan Ozdinec, Acting Deputy Assistant Secretary, Office of Public Housing Investments, Department of Housing and Urban Development, Office of Public and Indian Housing
Phone: 202 401-8881

RIN: 2577-AC09

1330. RESIDENT PARTICIPATION IN PUBLIC AND SECTION 8 HOUSING (FR-4657)

Regulatory Plan: This entry is Seq. No. 69 in part II of this issue of the **Federal Register**.

RIN: 2577-AC26

1331. 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 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). 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 resident relocation, the PHA Plan and local government consultation 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:

| Action | Date | FR Cite |
|--------|----------|---------|
| NPRM | 12/00/01 | |

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

1332. PROJECT-BASED VOUCHER PROGRAM (FR-4636)

Regulatory Plan: This entry is Seq. No. 68 in part II of this issue of the **Federal Register**.

RIN: 2577-AC25

1333. 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

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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 | 12/00/01 | |

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Tribal

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

RIN: 2577-AC06

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

Final Rule Stage

**1334. OPERATING FUND
ALLOCATION FORMULA (FR-4425)**

Regulatory Plan: This entry is Seq. No. 71 in part II of this issue of the **Federal Register**.

RIN: 2577-AB88

**1335. PUBLIC HOUSING
HOMEOWNERSHIP PROGRAMS (FR-4504)**

Regulatory Plan: This entry is Seq. No. 72 in part II of this issue of the **Federal Register**.

RIN: 2577-AC15

**1336. REQUIRED CONVERSION OF
DEVELOPMENT FROM PUBLIC
HOUSING STOCK (FR-4475)**

Priority: Other Significant

Legal Authority: 42 USC 1437z-5; 42 USC 3535(d)

CFR Citation: 24 CFR 972

Legal Deadline: None

Abstract: This rule implements a revision to the statute that authorizes HUD's 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 the PHA 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 follows publication of a July 23, 1999 proposed rule, and takes into consideration the 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 | 02/00/02 | |

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-AC01

**1337. VOLUNTARY CONVERSION OF
DEVELOPMENTS FROM PUBLIC
HOUSING STOCK (FR-4476)**

Priority: Other Significant

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

CFR Citation: 24 CFR 972

Legal Deadline: None

Abstract: This rule implements a revision to the statute authorizing HUD's public housing and Section 8 housing assistance programs. The revision authorizes Public Housing Agencies (PHAs) to convert a development to tenant-based assistance by removing the development (or a portion of a development) from its public housing inventory and providing for relocation of the residents or provision of tenant-based assistance to them. This action is permitted only when that change would be cost effective, be beneficial to residents of the development and the surrounding area, and not have an adverse impact on the availability of affordable housing. This rule follows publication

of a July 23, 1999 proposed rule, and takes into consideration the 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 Rule | 06/22/01 | 66 FR 33616 |
| Final Rule Effective | 07/23/01 | |
| Final Action | 02/00/02 | |

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-AC02

**1338. 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

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months of the lease term. This rule provides that a family is not subject to a subsidy reduction until the second regular reexamination of family income and composition following the payment standard reduction. This protection extends for the duration of the lease term.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Interim Final Rule | 07/10/00 | 65 FR 42508 |
| Interim Final Rule Effective | 08/09/00 | |
| Interim Final Rule Comment Period End | 09/08/00 | |
| Final Action | 04/00/02 | |

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

1339. 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: None

Abstract: This 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 rule implements the pilot program by amending HUD's regulations for the Section 8 homeownership option.

Timetable:

| Action | Date | FR Cite |
|---------------------------------|----------|-------------|
| Interim Final Rule | 06/22/01 | 66 FR 33610 |
| Interim Final Rule Effective | 07/23/01 | |

| Action | Date | FR Cite |
|---|----------|---------|
| Interim Final Rule Comment Period End | 08/21/01 | |
| Final Action | 03/00/02 | |

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

1340. • SECTION 8 DOWNPAYMENT INITIATIVE (FR-4670)

Regulatory Plan: This entry is Seq. No. 73 in part II of this issue of the **Federal Register**.

RIN: 2577-AC28

1341. • EXCEPTION PAYMENT STANDARD TO OFFSET INCREASE IN UTILITY COSTS IN THE HOUSING CHOICE VOUCHER PROGRAM (FR-4672)

Priority: Other Significant

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

CFR Citation: 24 CFR 982

Legal Deadline: None

Abstract: This rule amends the regulations for the Housing Choice Voucher program to temporarily authorize PHAs to use an exception payment standard of up to 120% of current Fair Market Rents (FMRs) to take into account increased utility costs because of increases in the price of energy. The changes made by the rule will expire on October 1, 2001, when new FMRs will be in effect. This rule will clarify the expiration of these temporary amendments.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Interim Final Rule | 06/06/01 | 66 FR 30566 |
| Interim Final Rule Effective | 07/06/01 | |
| Interim Final Rule Comment Period End | 08/06/01 | |
| Final Action | 12/00/01 | |

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Local

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-AC29

1342. 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 rule revises the way HUD measures and verifies performance under the lease-up indicator for the Section 8 Management Assessment Program (SEMAP). Specifically, the 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 established HUD policy on voucher renewals and unit allocations as formulated during negotiated rulemaking pursuant to the Quality Housing and Work Responsibility Act of 1998. In addition, this rule also revises the SEMAP regulations to provide for automated signature of the required SEMAP certification.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| Interim Final Rule | 10/01/01 | 66 FR 50004 |
| Interim Final Rule Effective | 10/31/01 | |
| Interim Final Rule Comment Period End | 11/30/01 | |
| Final Action | 06/00/02 | |

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

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Phone: 202 708-0477

RIN: 2577-AC21

**Department of Housing and Urban Development (HUD)
Office of Public and Indian Housing (PIH)**
Long-Term Actions**1343. 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 QHWRA) 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 QHWRA.

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

**1344. 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

**1345. 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: Ted Key, Acting Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing, Washington, DC 20741
Phone: 202 401-7914

RIN: 2577-AC27

**1346. • REVISIONS TO INDIAN
HOUSING BLOCK GRANT
ALLOCATION FORMULA (FR-4676)**
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 would update the Indian Housing Block Grant (IHBG) allocation formula. Under the IHBG Program, HUD makes assistance available to Indian tribes for the development, operation and management of Indian housing. The amount of assistance made available to each potential grant recipient is determined using a formula that was developed through negotiated rulemaking procedures. The IHBG program regulations require that the allocation formula be reviewed within five years after issuance. This 5-year

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period would not close until March 2003. However, the American Homeownership and Economic Opportunity Act of 2000 makes several statutory changes to the IHBG allocation formula that HUD has decided to implement through this rulemaking. Accordingly, HUD has taken the opportunity afforded by this rule to revisit the formula and make the more comprehensive changes contemplated by the 5-year review. The rule will be developed with the active participation of Indian tribal governments and using the procedures of the Negotiated Rulemaking Act of 1990.

Timetable:

| Action | Date | FR Cite |
|---------------------|--------------|-------------|
| Notice | 07/16/01 | 66 FR 37098 |
| Notice (Correction) | 07/26/01 | 66 FR 38966 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis

Required: No

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

Agency Contact: Ted Key, Acting Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing, Washington, DC 20741
Phone: 202 401-7914

RIN: 2577-AC30

1347. LOAN GUARANTEE FOR INDIAN HOUSING; DIRECT GUARANTEE PROCESSING (FR-4241)**Priority:** Other Significant**Legal Authority:** 12 USC 1715z-13a**CFR Citation:** 24 CFR 1005**Legal Deadline:** None

Abstract: This final rule would authorize a processing alternative known as "direct guarantee" under which HUD would not issue guarantee

commitments and would not review an application for guarantee until after a loan has closed.

Timetable:

| Action | Date | FR Cite |
|--------------------|--------------|-------------|
| Interim Final Rule | 09/11/98 | 63 FR 48988 |
| Next Action | Undetermined | |

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

Agency Contact: Ted Key, Acting Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, Office of Public and Indian Housing, Washington, DC 20741
Phone: 202 401-7914

RIN: 2577-AB78

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

Completed Actions

1348. REVIEW OF APPLICATIONS FOR HOUSING ASSISTANCE AND ALLOCATIONS OF HOUSING ASSISTANCE FUNDS (FR-4477)**Priority:** Other Significant**CFR Citation:** 24 CFR 791**Completed:**

| Reason | Date | FR Cite |
|-----------|----------|---------|
| Withdrawn | 09/17/01 | |

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Gerald J. Benoit
Phone: 202 708-0477

RIN: 2577-AC03

1349. REVISION TO COST LIMITS FOR NATIVE AMERICAN HOUSING (FR-4517)**Priority:** Other Significant**CFR Citation:** 24 CFR 1000**Completed:**

| Reason | Date | FR Cite |
|------------------------|----------|-------------|
| Final Action | 09/28/01 | 66 FR 49788 |
| Final Action Effective | 10/29/01 | |

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

Agency Contact: Bruce Knott
Phone: 303 675-1600

RIN: 2577-AC14

[FR Doc. 01-25307 Filed 11-30-01; 8:45 am]

BILLING CODE 4210-01-S

